

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	Notes from TPR Code	London Borough of Tower Hamlets 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?	188 - Scheme regulations must require scheme managers to provide an annual benefit information statement to each active member of a DB scheme established under the 2013 Act or new public body scheme. The statement must include a description of the benefits earned by a member in respect of their pensionable service. 189 - The first statement must be provided no later than 17 months after the scheme regulations establishing the scheme come into force (i.e. 31st August 2015). Subsequent statements must be provided at least annually after that date.	Yes	Ongoing (annual check)	27/02/2018	Not completed	Not compliant		
H2	Do these meet the legal requirements in relation to format?	190 - Statements must also comply with HM Treasury directions in terms of any other information which must be included and the manner in which they must be provided to members.	The statements have been designed to follow the LGA template. The statements have been checked and include the required information in the Regulations. HMT Directions apply from next years' statements but these statements comply regardless.	Ongoing (annual check)	27/02/2018	Not completed	Not compliant		
H3	Has a benefit statement been provided to all active, deferred and pension credit members who have requested one within the required timescales?	191 - Managers of a scheme must also provide a benefit statement following a request by an active, deferred or pension credit member of a DB scheme if the information has not been provided to that member in the previous 12 months before that request. 193 - The information must be given as soon as practicable but no more than two months after the date the request is made	All deferred statements are automatically done. This is only where the address is available - i.e. not for Gone Aways where Allair has an Identifier for returned mail as GA and a statement is not then automatically produced. DVP tracing is carried out roughly every year to help identify missing address for members over SPA. In relation to pension credit members, no requests have been received for statements.	Ongoing (annual check)	27/02/2018	Not completed	Not compliant		
H4	Does this meet the legal requirements in relation to format?	192 - These benefit statements must include information about the amount of benefits by reference to a particular date and how they are calculated. The full details depend on the type of member making the request.	The statements have been checked and include the required information except in the following areas: - Deferred statements/pension credit statements missing the start date for pensionable service and the method of calculating member and survivor benefits.	Ongoing (annual check)	10/07/2018	In progress	Partially compliant		Consider updating statements to include the required additional information so as to ensure fully compliance.
H5	Has an annual benefit statement been provided to all members with AVCs within the required timescales?	194 - Managers of a scheme must provide a benefit statement to a member of a DC public service pension scheme, who is not an excluded person, within 12 months of the end of the scheme year. An excluded person is a member or beneficiary whose present postal address and email address is not known to the scheme because the correspondence has been returned (in the case of postal correspondence) or has not been delivered (in the case of electronic correspondence)	Currently the statements are sent to LBTH to send out to members and this meets the required deadline. However, there are no checks that the statements are provided for all members with AVCs - this could be an additional check to ensure data quality, using the summary information provided by the AVC providers along with the physical statements.	Ongoing (annual check)	27/02/2018	Not completed	Partially compliant		Consider checking if a statement is produced by AVC providers for all members where this is expected - use summary information from AVC providers.
H6	Do these meet the legal requirements in relation to format?	195 - The information which must be provided includes the amount of contributions (before any deductions are made) credited to the member during the immediately preceding scheme year, the value of the member's accrued rights under the scheme at a date specified by the managers of the scheme and a statutory money purchase illustration. The full detail of the information that must be provided is set out in the Disclosure Regulations 2013.	The Aviva statements include all required information. The Equitable Life statements do not include any projected benefits under paragraphs 6 to 8 of Schedule 6 but this is acceptable as the statements are for members who are no longer paying contributions.	Ongoing (annual check)	27/02/2018	Not completed	Not compliant		
H7	Is basic scheme information provided to all new and prospective members within the required timescales?	200 - Managers must disclose certain basic information about the scheme and the benefits it provides to a prospective member (if practicable to do so) or a new member. Where the manager has received jobholder information for the member or prospective member they must provide the information within a month of the jobholder information being received. Where they have not received jobholder information, they must provide the information within two months of the date the person became an active member of the scheme. 201 - Managers must also provide the information on request to a relevant person within two months of the request being made, except where the same information was provided to the same person or trade union in the 12 months before the request.	All new members are sent a letter confirming their Scheme membership has started. The letter includes when the membership started and details of the LSPS members website. Information is supplied to prospective jobholders as part of the automatic enrolment procedure, but not to prospective new employees	Ongoing (annual check)	10/07/2018	In progress	Partially compliant	Employers - Not compliant	Review how information is circulated to new joiners, such as perhaps reiterate the use of statutory notices with a brief guide.
H8	Does this meet the legal requirements in relation to format?	200 - As per Regulation 6 of the Disclosure Regulations 2013.	There is a brief guide to the scheme which provides the required information other than a few minor exceptions. - The statement regarding whether any charges are applied to leaving service benefits and where further information can be obtained - The comments about transfers out do not give the statement about the 1993 Act (i.e. protection for early leavers) - the conditions for re-entry after leaving could be more explicit - We aren't able to check the comments provided by the AVC provider for new AVC members as we do not have examples - e.g. on life styling and that the value may depend on the range of different possibilities.	Ongoing (annual check)	13/07/2018	Not completed	Partially compliant		
H9	Is all other information provided in accordance with the legal timescales?	196 - Under the Disclosure Regulations 2013, managers of a scheme must provide other information to members and others in certain circumstances (for example, on request). The Regulations set out the information which must be given, the timescales for providing such information and the methods that may be used. Not all information must be provided in respect of all public service pension schemes (there are some exemptions for specified public service schemes or according to the type of benefit offered), but information which scheme managers may need to provide includes: - information about the scheme that has materially altered - information about the constitution of the scheme - information about transfer credits - information about life styling (this requirement will not apply in respect of DB benefits in public service pension schemes) - information about accessing benefits, and - information about benefits in payment. 197 - The detail of the information that must be provided to scheme members and others and any exemptions are set out in the Disclosure Regulations 2013. Managers must provide the required information, along with confirmation that members may request further information and the postal and email addresses to which a person should send those requests and enquiries	It is not fully apparent whether all disclosure timescales are being met, for example. However, 2017/18 performance is above 85% for most tasks and it is therefore it is expected that average times are well within the statutory requirements. Other communications include a pensioner newsletter every year with pension increase letter, deferred members receive a newsletter with their statements and active members are sent a newsletter with the benefit statements. Key scheme changes are notified separately where the benefit statements will not be issued before the Disclosure Regulations deadline LBTH are waiting verification from the AVC providers regarding their compliance with these disclosure requirements	Ongoing (annual check)	10/07/2018	In progress	Partially compliant		Waiting confirmation that requirements are met from AVC providers
H10	Is all other information provided in the format and methods required by law?	See above.	Internal communications comply with the regulations but this cannot be confirmed until confirmation from AVC providers.	Ongoing (annual check)	27/02/2018	In progress	Partially compliant		Waiting confirmation that requirements are met from AVC providers

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H11	Where any information is only provided electronically (i.e. instead of any hard copy) does it comply with the legal requirements?	203 - Generally, schemes may choose how they provide information to scheme members, including by post, electronically (by email or by making it available on a website) or by any other means permitted by the law. For benefit statements issued under the 2013 Act, HM Treasury directions may specify how the information must be provided. Where schemes wish to provide information required under the Disclosure Regulations 2013 by electronic means there are important steps and safeguards that must first be met. These include: - scheme members and beneficiaries being provided with the option to opt out of receiving information electronically by giving written notice to the scheme - managers being satisfied that the electronic communications have been designed: A) so that the person will be able to access and either store or print the relevant information and B) taking into account the requirements of disabled people - ensuring that members and beneficiaries who were members or beneficiaries of the public service pension scheme on 1 December 2010 (where the scheme had not provided information electronically prior to that date) has been sent a written notice (other than via email or website), informing them that: A) it is proposed to provide information electronically in the future and B) scheme members and beneficiaries may opt out of receiving information electronically by sending written notice. 204 - Where schemes make information or a document available on a website for the first time, they must give notice (other than via a website) to the recipient. They must ensure that the notice includes: - a statement advising that the information is available on the website - the website address - details of where on the website the information or document can be read, and - an explanation of how the information or document may be read on the website. 205 - When any subsequent information is made available on a website, managers of a scheme must give a notice (other than via a website) to recipients informing them that the information is available on the website. This notice will not be required where: - at least two documents have been given to the recipient by hand or sent to the recipient's last known postal address - each of those letters asks the recipient to give their electronic (email) address to the scheme and informs the recipient of their right to request (in writing) that information or documents are not to be provided electronically - a third letter has been given to the recipient by hand or sent to the recipient's last known postal address and includes a statement that further information will be available to read on the website and that no further notifications will be sent to the recipient and - the managers of the scheme do not know the recipient's email address and have not received a written request that information or documents are not to be provided to the recipient electronically.	No information is exclusively provided electronically (note comments above re new joiner information where there is some lack of clarity on what and how it is provided, but initial contact is via mail and hard copies can be provided of intranet material if required) Correspondence with members via email is carried out at member request and benefit notifications and annual statements sent by post. Newsletters are sent with pension increase notifications or benefit statements.	Ongoing (annual check)	27/02/2018	Full completed	Full compliant		
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?	207 - Schemes should design and deliver communications to scheme members in a way that ensures they are able to engage with their pension provision. Information should be clear and simple to understand as well as being accurate and easily accessible. It is important that members are able to understand their pension arrangements and make informed decisions where required.	Communications are produced internally with the LBTH design team and are review by the council's Communications team Benefit statements are based on the LGA template, and have a paragraph which welcomes feedback in relation to the statement or any other aspect of the pension service. There are no communications related complaints, other than a few queries regarding materials for partially sighted members, where alternative materials were provided.	Ongoing (annual check)	10/07/2018	Full completed	Full compliant		
H13	Does the Administering Authority use a tracing service?	208 - Schemes should attempt to make contact with their scheme members and, where contact is not possible, schemes should carry out a tracing exercise to locate the member and ensure that their member data are up-to-date	See F7 for checks carried out (NFI on 2 yearly basis and life certificates) In addition pensioner cases investigated when post (pays ps etc.) returned. Deferred members are generally investigated when communications are attempted close to retirement. However a tracing service is not used for younger deferred members who have unknown addresses.	Ongoing (annual check)	27/02/2018	Full completed	Partially compliant		Consider carrying out regular tracing service checks on other deferred members.