



Glasgow City Council

Strathclyde Pension Fund Committee

Report by Director of Strathclyde Pension Fund

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Item 8

24th June 2025

## Review of SPF Procedure for Reporting Breaches of Law to the Pensions Regulator

### Purpose of Report:

To present an updated version of the Strathclyde Pension Fund (SPF) procedure for reporting breaches of law to the Pensions Regulator (TPR).

### Recommendations:

The Committee is asked **to NOTE** the contents of this report and the attached procedure note.

Ward No(s):

Citywide: ✓

Local member(s) advised: Yes ☐ No ☐ consulted: Yes ☐ No ☐

### PLEASE NOTE THE FOLLOWING:

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## 1 Background

From 1<sup>st</sup> April 2015 the Pension Regulator (TPR) became responsible for regulatory oversight of public service pension schemes including the LGPS as a result of the Public Service Pensions Act 2013. In January 2015 TPR published a Code of Practice for the Governance and Administration of Public service Pension Schemes.

In 2024, TPR published a single General Code of Practice ([GCoP](#)) for all pension schemes including the public sector. This became effective on 28<sup>th</sup> March 2024.

Review of the General Code and SPF compliance with it was included as a priority in the SPF 2024/25 Business Plan. In September 2024 the committee noted the contents of a report which reviewed SPF compliance with GCoP.

## 2 Reporting to TPR

GcoP includes requirements on schemes both for regular reporting to TPR and for reporting of breaches of the law. The report to committee in September highlighted some partial compliance with the latter of these. SPF compliance results for the module *Reporting to TPR: Whistleblowing – reporting breaches of the law* are summarised at **Appendix A**.

## 3 Reporting Procedure

SPF introduced a reporting procedure at the time of TPR's publication of its original Code of Practice in 2015.

## 4 Review of Reporting Procedure

In light of the publication of GCoP, SPF's reporting procedure has been reviewed and updated with a view to improving SPF compliance.

## 5 Updated Reporting Procedure

The updated SPF Reporting Procedure is attached to this report.

## 6 Policy and Resource Implications

### Resource Implications:

*Financial:* None

*Legal:* None

*Personnel:* None

*Procurement:* None

**Council Strategic Plan:** SPF supports all Missions within the Grand Challenge of: ***Enable staff to deliver essential services in a sustainable, innovative and efficient way for our communities.*** The LGPS is one of the key

benefits which enables the Council to recruit and retain staff.

### **Equality and Socio-Economic Impacts:**

*Does the proposal support the Council's Equality Outcomes 2021-25? Please specify.*

N/a.  
Monitoring report.

*What are the potential equality impacts as a result of this report?*

No significant impact.

*Please highlight if the policy/proposal will help address socio-economic disadvantage.*

N/a.

### **Climate Impacts:**

*Does the proposal support any Climate Plan actions? Please specify:*

N/a.  
Monitoring report.

*What are the potential climate impacts as a result of this proposal?*

N/a.

*Will the proposal contribute to Glasgow's net zero carbon target?*

N/a.

### **Privacy and Data Protection Impacts:**

Are there any potential data protection impacts as a result of this report  
Y/N

No.

If Yes, please confirm that a Data Protection Impact Assessment (DPIA) has been carried out

N/a.

## **7 Recommendations**

The Committee is asked **to NOTE** the contents of this report and the revised procedure note.

**Appendices**

**Appendix A**

**SPF Compliance with GCoP: Summary Scorecard (Extract)**

**Attachments**

**SPF Procedure for Reporting Breaches of Law to the Pensions Regulator**

## SPF Compliance with GcoP: Summary Scorecard (Extract)

Reporting to TPR: Reporting Breaches			
Requirements	Current rating	Actions	Responsibility
Report breaches of the law when:			
A legal duty which is relevant to the administration of a scheme, has not been, or is not being, complied with, and the failure to comply is likely to be of material significance	Fully met		Fund Officers
Governing bodies should be satisfied that those responsible for reporting breaches are aware of the legal requirements and this code.	Partially met	Refresh awareness of responsibilities for reporting breaches.	Fund Officers
Training should be provided for the Governing body and any in-house administrators			
Breaches must be reported if they are likely to be of 'material significance' to TPR in carrying out any of their functions.	Fully Met		Fund Officers
Those responsible for reporting breaches, including the governing body, should establish and operate procedures to ensure they are able to meet their legal duties.	Fully met		Fund Officers
Breaches of the law must be reported as soon as reasonably practicable.	Fully met		Fund Officers
Breach report should contain the information listed.	Fully met		Fund Officers
There are other requirements placed on those running pension schemes to report to other bodies. Where the duty to report to another body coincides with the duty to report to TPR, the report to us should include details of the other bodies the matter has been reported to.	Not completed	Data breach and TPR breach procedure notes to be updated to reflect duty of dual reporting where duty to report to TPR coincides with duty to report to another body.	Fund Officers
If a scheme or an individual is at risk, for example where there has been dishonesty, the reporter should not take any actions that may alert those implicated that a report has been made.	Partially met	TPR breach procedure to be updated to clarify points re confidentiality and exigency.	Fund Officers
Similarly, reporters should not delay their report to TPR, to check whether any proposed solutions will be effective			
Where contributions are not paid on time, and the governing body has reasonable cause to believe that the payment failure is likely to be of material significance to TPR they should send a written report of the matter to TPR.	Fully met		Fund Officers
Reports of late contribution payments should be made to us within 14 days of the trustees having reasonable cause to believe that a	Fully met		Fund Officers

## SPF Compliance with GcoP: Summary Scorecard (Extract)

material payment failure exists. Members should be notified within 30 days of the report to TPR. When reporting to members, governing bodies should provide payment information that will enable them to understand what has been paid to the scheme and by whom			
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