

To: Chief Executives  
Salaries and Wages  
Human Resources  
Pension Contacts

Circular 09/2015  
19 May 2015

At: All Employing Authorities

Dear Colleagues,

**The Pensions Regulator – Code of Practice No. 14  
Governance and Administration of Public Service Pension Schemes**

From 1 April 2015 the Pensions Regulator has had responsibility for regulating the public sector pension schemes. It recently issued its Code of Practice No. 14. While much of the code of practice is directed at Pension Scheme managers (e.g. NILGOSC) and the members of pension boards of public service pension schemes (e.g. NILGOSC's Pension Board) there are legal requirements and responsibilities placed on Scheme employers. **The purpose of this Circular is simply to bring the Code to your attention and to point you to the source of further advice.**

The [Code of Practice](#) reminds employers of a legal requirement to report any breaches in law at paragraph 242 '*Employers are subject to the reporting requirement for public service pension schemes. Any participating employer who becomes aware of a breach should consider their statutory duty to report, regardless of whether the breach related to, or affects, members who are its employees or those of other employers*'.

The [Code of Practice](#) also outlines the employer's responsibility to provide the Scheme with timely and accurate data, in order for the Scheme manager to be able to fulfil their legal obligations. Paragraph 128 states that employers should establish processes which enable the transmission of complete and accurate data from the outset. Paragraph 130 refers to procedures and timescales for employers to provide updated information when member data changes, for checking Scheme data against employer data and for receiving information which may affect the profile of the Scheme. If an employer fails in this area, that failure may be considered a breach and reported to the Pensions Regulator. Paragraph 142 states the requirement for Schemes to reconcile member records with information held by the employer, for example postal or e-mail address changes and new starters.

In addition, the Code of Practice covers the employer's responsibility in respect of payment of contributions. Paragraphs 147 to 149 set out the legal requirements for payment of contributions to NILGOSC and the requirement for NILGOSC to report

instances of late payment to the Pensions Regulator, if the payment failure is believed to be likely to be of material significance to the regulator.

Further information and advice can be obtained from the Pensions Regulator's website - <http://www.thepensionsregulator.gov.uk/public-service-schemes.aspx>.

Finally, we would also encourage you to make us aware of any shortcomings with our pensions administration service so that we can take early steps to resolve the matter before it escalates.

Please contact me if you have any questions regarding the content of this Circular.

Yours sincerely

A handwritten signature in black ink that reads "Zena Kee". The signature is written in a cursive, slightly slanted style.

Zena Kee  
Pensions Manager