



As administering authority for the Isle of Wight Pension Fund

Isle of Wight Pension Fund

Policy for Recording and Reporting Breaches of the Law

May 2023

1 Document Information

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3 Background and Introduction

- 3.1 Isle of Wight Council, acting as the administering authority for the Isle of Wight Pension Fund (the Fund), part of the Local Government Pension Scheme (LGPS), seeks to conduct its affairs in a responsible manner, to ensure that all its activities are open and effectively managed, and that the Fund's integrity and principles of public interest disclosure are sustained.
- 3.2 This document sets out the Fund's policy and procedures for identifying, monitoring and where necessary reporting breaches of the law as required in the Pensions Act 2004 (the Act) and detailed in The Pensions Regulator's (the Regulator) Code of Practice no 14 *Governance and administration of public service pension schemes* (the Code).
- 3.3 Breaches can occur in relation to a wide variety of the tasks normally associated with the administrative function of a scheme such as keeping records, internal controls, calculating benefits and making investment or investment-related decisions.
- 3.4 The procedure set out in this Policy has been developed to:
- assist those individuals who have a legal responsibility to report certain breaches of the law to the Regulator in determining whether a breach they have identified should be reported.
 - assist the Fund in ensuring it is aware of all breaches of the law in relation to the Fund and that these are appropriately recorded and then dealt with.

4 The Pensions Regulator's proposed single code of practice

- 4.1 The Pensions Regulator is due to publish a single code of practice, called the General Code, replacing 10 of the 15 existing codes of practice including Code of Practice 14, in Spring 2023.
- 4.2 This policy reflects the expected requirements of the General Code of practice. References to the code will be updated once the final version is published.

5 Requirements and to whom this Policy applies

- 5.1 The following have responsibility for reporting breaches (known as "**Reporters**"):
- all members of the Pension Fund Committee and the Local Pension Board.
 - all officers involved in the management or administration of the Fund including officers in the Isle of Wight Council Financial Services and Pension Services teams, the Monitoring Officer, and the Director of

Finance (Section 151 Officer).

- professional advisers including investment advisers, auditors, actuaries, legal advisers, fund custodians, fund managers and administration software providers in relation to the reporting of legal breaches relating to the administration of the Fund.
- all participating employers in the scheme.
- any other person otherwise involved in advising the managers of the scheme.

5.2 **Reporters** are required to report breaches of the law to the Regulator where there is reasonable cause to believe that:

- a legal duty which is relevant to the administration of the scheme has not been, or is not being, complied with; and
- the failure to comply is likely to be of material significance to the Regulator.

5.3 The Pension Fund Manager has responsibility for the implementation, review, and monitoring of these procedures, and can seek such advice as they consider necessary including from the Council's Legal Services team or external advisors.

5.4 However, under this Policy, the **Reporter** would be expected to report the matter to the Pension Fund Manager for their assistance in the first instance, provided that requesting this assistance will not result in alerting those responsible for any serious offence (where the breach is in relation to such an offence).

5.5 A person can be subject to a civil penalty if they fail to comply with this requirement without a reasonable excuse.

5.6 The duty to report breaches under the Pensions Act 2004 overrides any other duties **Reporters** may have. However, the duty to report does not override 'legal privilege'. This means that, generally, communications between a professional legal adviser and their client, or a person representing their client, in connection with legal advice being given to the client, do not have to be disclosed.

5.7 Practical guidance in relation to this legal requirement is provided in the Regulator's Code of Practice No 1 *Reporting breaches of the law* including in the following areas:

- implementing adequate procedures to consider and record breaches.
- judging whether a breach must be reported.

- submitting a report to the Regulator.
- whistleblowing protection and confidentiality.

5.8 Even where a breach of the law is not required to be reported, it is important that it is notified to the Pension Fund Manager so that it can be assessed and recorded.

6 Other Administering Authority or Organisational Requirements

6.1 This Policy should be followed in addition to the following procedures and policies that Isle of Wight Council has in place.

- Anti-Fraud, Bribery and Corruption Policy – setting out the requirements for the Council in relation to combating fraud, bribery, corruption and dishonest dealings within and against the council.
<https://wightnet.iow.gov.uk/DocumentLibrary/download/anti-fraud-bribery-and-corruption-policy>
- Anti-Money Laundering Policy - procedures that must be followed to enable the Council to comply with its legal obligation to prevent criminal activity through the use of Money Laundering, as well as providing contact details for the Chief Internal Auditor.
<https://wightnet.iow.gov.uk/DocumentLibrary/download/anti-money-laundering-policy>
- Whistleblowing Policy – setting out how someone working for Isle of Wight Council or on its behalf, including elected members, can raise an issue in confidence, as well as what sort of concerns should be reported.
<https://wightnet.iow.gov.uk/DocumentLibrary/download/whistleblowing-at-work-policy>

6.2 The Pension Fund Manager can assist if an individual is uncertain how to deal with the interaction between this Policy and any other Isle of Wight Council policy or procedure.

7 Isle of Wight Pension Fund Breaches Procedure

7.1 This Procedure aims to ensure **Reporters** are able to meet their legal obligations and avoid placing any reliance on others to report. The procedure will also assist in providing an early warning of possible malpractice and reduce risk. There are four key steps to this procedure, which are explained in more detail below.

- Step 1: Understanding the law and what is a breach.

- Step 2: Determining whether there is reasonable cause to believe a breach has occurred.
- Step 3: Determining whether the breach is likely to be of material significance and so should be reported to the Regulator.
- Step 4: Recording the breach, even if it is not reported, so that remedial steps can also be monitored.

Step 1: Understanding the law and what is a breach

7.2 **Reporters** may need to refer to regulations and guidance when considering whether or not there has been a breach of the law. Some of the key provisions are shown below:

- Section 70(1) and 70(2) of the Pensions Act 2004:
www.legislation.gov.uk/ukpga/2004/35/contents
- Employment Rights Act 1996:
www.legislation.gov.uk/ukpga/1996/18/contents
- Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 (Disclosure Regulations):
www.legislation.gov.uk/uksi/2013/2734/contents/made
- Public Service Pension Schemes Act 2013:
www.legislation.gov.uk/ukpga/2013/25/contents
- Local Government Pension Scheme Regulations (various):
<http://www.lgpsregs.org/timelineregs/Default.html> (pre 2014 schemes)
<http://www.lgpsregs.org/index.php/regs-legislation> (2014 scheme)
- The Pensions Regulator's Code of Practice no. 14:
<http://www.thepensionsregulator.gov.uk/codes/code-governance-administration-public-service-pension-schemes.aspx>
In particular, reference should be made to the section on 'Reporting breaches of the law', and for information about reporting late payments of employee or employer contributions, to the section of the Code on 'Maintaining contributions'

7.3 The Pension Fund Manager can provide further guidance and assistance, provided that requesting this assistance will not result in alerting those responsible for any serious offence (where the breach is in relation to such an offence). Some examples of potential breaches are included in [Appendix A](#).

Step 2: Determining whether there is reasonable cause to believe a breach has occurred

- 7.4 **Reporters** need to have reasonable cause to believe that a breach of the relevant legal provision has occurred, not just a suspicion.
- 7.5 Where a breach is suspected, the Pension Fund Manager should be informed as soon as practicable, and no later than five (5) days from when they suspect there has been a breach. The Pension Fund Manager will then carry out further checks, to establish whether or not a breach has in fact occurred and keep the individual informed. This does not preclude the individual who first raised the issue undertaking further checks themselves should they consider it appropriate to do so.
- 7.6 However, there are some instances where it would not be appropriate to make further checks, for example, if the **Reporter** has become aware of theft, suspected fraud or another serious offence and they are also aware that by making further checks there is a risk of either alerting those involved or hampering the actions of the police or a regulatory authority. In these cases the Regulator should be contacted without delay.

Step 3: Determining whether the breach is likely to be of material significance and should be reported to the Regulator

- 7.7 Should a **Reporter** have reasonable cause to believe that a breach of the law has occurred, they must decide whether that breach is likely to be of material significance to the Regulator, and therefore should be reported to the Regulator. To do this, an individual should consider the following, both separately and collectively:
- cause of the breach (what made it happen).
 - effect of the breach (the consequence(s) of the breach).
 - reaction to the breach.
 - wider implications of the breach.
- 7.8 The Pension Fund Manager can assist with determining whether the breach should be reported and can assist with completing the document to report the breach. However, the **Reporter** is ultimately responsible for determining what should be included in the report and for submitting the report to the Regulator.
- 7.9 Further details of the approach to determining whether the breach is material are at [Appendix B](#) and a copy of the Traffic light framework for deciding whether or not to report the breach to the Pensions Regulator is at [Appendix C](#).

Step 4: Recording the breach, even if it is not reported, so that remedial steps can also be monitored

- 7.10 The Pension Fund Manager will maintain a log of all breaches identified and the breaches log may be relevant in deciding whether to report a breach (for example it may reveal a systemic issue). Therefore, **Reporters** should provide the following information to the Pension Fund Manager so that all identified breaches can be recorded:
- copies of reports submitted to the Regulator.
 - copies of information relating to any other breach the individual has identified.
- 7.11 The information should be provided to the Pension Fund Manager as soon as reasonably practicable and certainly no later than within ten (10) working days of the decision made to report or not.
- 7.12 The key purpose of the breaches log is to ensure there is a clear record of what action has been taken to resolve that breach but also to ensure that the necessary controls have been put in place to ensure that the breach does not reoccur.
- 7.13 The breaches log will be included at each Local Pension Board meeting and shared with the Pension Fund Committee. An example of the report is at [Appendix D](#).

8 Supplier and advisor responsibilities

- 8.1 Where a breach has been identified relating to the Fund including a breach notified by supplier or advisor, the supplier or adviser must alert the Pension Fund Manager immediately. They must produce a preliminary report setting out an assessment of the breach. The preliminary assessment must contain:
- the circumstances leading to the breach.
 - the impact and scale of the breach, both financial and with regard to the impact of service on members or other affected persons / organisations.
 - the steps that have been taken to rectify the breach.
 - a preliminary assessment, based on the Regulator's traffic light flowchart, of the materiality of the breach.
- 8.2 The Pension Fund Manager can assist with the production of this report.
- 8.3 For the avoidance of doubt all breaches of the law (regardless of whether they are deemed material) must be reported to the Pension Fund Manager in this

way.

9 Referral to a level of seniority for assistance

- 9.1 Isle of Wight Council has designated the Pension Fund Manager to assist any individual with following this procedure. The Pension Fund Manager is considered to have appropriate experience to help investigate whether there is reasonable cause to believe a breach has occurred, to check the law and facts of the case, to maintain records of all breaches and to assist in any reporting to the Pensions Regulator, where appropriate.
- 9.2 **Reporters** must bear in mind, however, that the involvement of the Pension Fund Manager is to help clarify their thought process and to ensure this procedure is followed. They remain responsible for the final decision as to whether a matter should be reported to the Regulator and for completing the reporting procedure.
- 9.3 The matter should not be referred to the Pension Fund Manager if doing so would alert any person responsible for a possible serious offence to the investigation (as highlighted in step 2 above). If that is the case, the **Reporter** may instead refer the matter to the Council's Monitoring Officer.
- 9.4 Otherwise, the **Reporter** should report the matter to the Regulator setting out the reasons for reporting, including any uncertainty – a telephone call to the Regulator before the submission may be appropriate, particularly in the case of a more serious breach.

10 Dealing with complex cases

- 10.1 The Pension Fund Manager may be able to provide guidance on particularly complex cases. Guidance may also be obtained by reference to previous cases, information on which will be retained by Isle of Wight Council, or via discussions with those responsible for maintaining the records. Information may also be available from national resources such as the Scheme Advisory Board or the Local Government Association - <http://www.lgpsregs.org> .
- 10.2 If timescales allow, legal advice or other professional advice can be sought, and the case can be discussed at the next Pension Fund Committee or Local Pension Board meeting.

11 Reporting a breach to the Fund and the Pensions Regulator

- 11.1 Reports must be submitted to the Pension Fund Manager, jo.thistlewood@iow.gov.uk.
- 11.2 If the individual decides the breach is of material significance to the Regulator, reports must be submitted in writing via the Regulator's online system at <https://login.thepensionsregulator.gov.uk> or by post, or email and should be

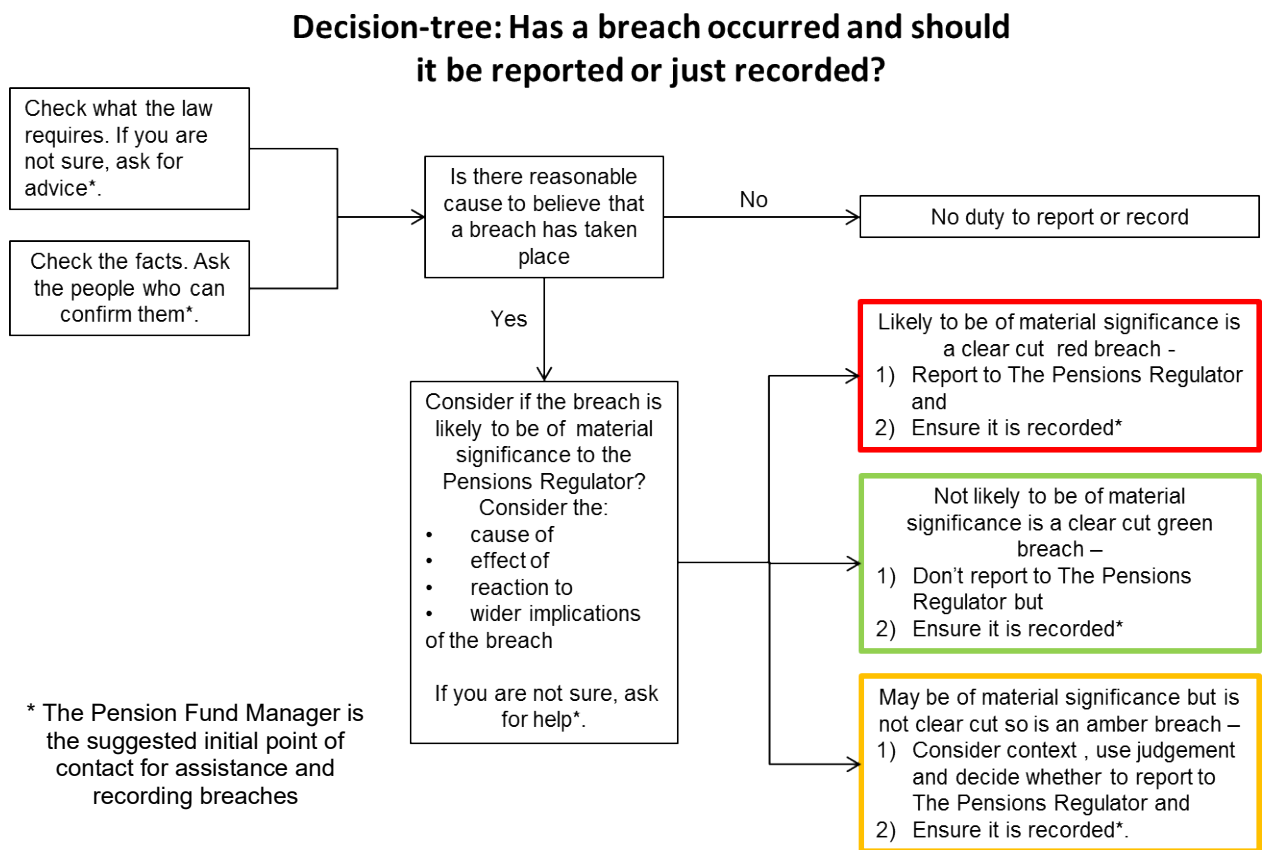
marked urgent if appropriate. If necessary, a written report can be preceded by a telephonecall.

11.3 Further details on how to report can be found on the Pensions Regulator’s website <https://thepensionsregulator.gov.uk>.

11.4 The Pensions Act and the Pension Regulator's Code require that, if an individual decides to report a breach, the report must be made in writing as soon as reasonably practicable and if possible, within ten (10) working days from having reasonable cause to believe that there is a material significance.

12 Decision tree

12.1 A decision tree is provided below which summarises the process for deciding whether or not a breach has taken place, whether it is materially significant to the Regulator and therefore needs to be reported, and then ensuring it is recorded.



13 Confidentiality

13.1 If requested, the Regulator will do its best to protect the identity of an individual who has reported a breach and will not disclose information except where it is lawfully required to do so.

- 13.2 An employee may also have protection under the Employment Rights Act 1996 if they make a report in good faith in relation to their employer.

14 Reporting to the Pension Fund Committee and Local Pension Board

- 14.1 Material breaches which have been reported to the Regulator will be reported to the Local Pension Board on a quarterly basis. This information will also be shared with the Pension Fund Committee.

15 Training

- 15.1 The Pension Fund Manager will ensure that all relevant officers and members of the Pension Fund Committee and the Local Pension Board receive appropriate training on this policy at the commencement of their employment or appointment to the Pension Fund Committee or Local Pension Board as appropriate and on an ongoing basis.
- 15.2 Suppliers and advisers must ensure that all staff with responsibilities in relation to the Fund receive appropriate training with regard to this policy and their obligations under it. They must advise the Pension Fund Manager immediately if they do not feel they have the appropriate training to discharge their responsibility and training will be arranged for them by the Pension Fund Manager.

16 Approval and Review

- 16.1 This Policy for the Recording and Reporting Breaches of the Law was approved on **24 May 2023** by the Isle of Wight Pension Fund Committee.
- 16.2 It will be formally reviewed and updated by the Committee at least every three years or sooner if breaches arrangements or other matters included within it merit reconsideration, including if there are any changes to the LGPS or other relevant Regulations or Guidance which need to be taken into account.

17 Further Information

If you require further information about reporting breaches or this policy or wish to discuss reporting a breach, please contact:

Jo Thistlewood
Pension Fund Manager, Isle of Wight Council
E-mail: jo.thistlewood@iow.gov.uk
Telephone 01983 821000

Chris Ward
Director of Finance and s151 Officer, Isle of Wight Council
E-mail: chris.ward@portsmouthcc.gov.uk
Telephone: 02392 834423

Christopher Potter
Monitoring Officer, Isle of Wight Council
E-mail: Christopher.Potter@iow.gov.uk
Telephone 01983 821000

18 Useful Links

The Pensions Regulator's Code of Practice No. 14 *Governance and administration of public service pension schemes*
<http://www.thepensionsregulator.gov.uk/public-service-schemes/code-of-practice.aspx>

The Pensions Regulator's draft new code of practice
<https://www.thepensionsregulator.gov.uk/-/media/thepensionsregulator/files/import/pdf/full-draft-new-code-of-practice.ashx>

The Pensions Regulator's Code of Practice No 1 *Reporting breaches of the law*
<https://www.thepensionsregulator.gov.uk/en/document-library/codes-of-practice/code-1-reporting-breaches-of-the-law>

The Pensions Regulator public service pensions schemes website
<http://www.thepensionsregulator.gov.uk/public-service-schemes.aspx>

The Pensions Regulator Exchange online reporting website
<https://login.thepensionsregulator.gov.uk/whatsavailable>

The Pensions Regulator

Napier House
Trafalgar Place
Brighton
BN1 4DW
Phone: 0345 600 5666 (option 3)

Appendix A – Example breaches of the law

- 1 In this appendix we provide some examples of breaches of the law. This is not an exhaustive list given there are many sets of legislation that must be followed and some of these are extremely lengthy and complex. It should, however, provide a useful indication of the range of potential breaches that may arise.

Funding strategy not having regard to CIPFA guidance

- 2 Regulation 58 of the Local Government Pension Scheme Regulations 2013, as amended, requires the administering authority to prepare, maintain and publish a statement setting out its funding strategy and, in doing so, to consult with such persons as it considers appropriate.
- 3 In doing this, the Administering Authority must also have regard to the Chartered Institute of Public Finance and Accountancy (CIPFA) guidance on preparing and maintaining a Funding Strategy Statement which clearly states employers should be consulted. The Funding Strategy impacts on the employers of the Fund and therefore a breach of the law by the Administering Authority is likely to have arisen if a statement was prepared which impacts on employers without first consulting with those employers.

Late notification of benefits

- 4 Various regulations dictate timescales for notifying scheme benefits, some of which are summarised below. Most of these requirements are included in more general pension legislation i.e. not the Local Government Pension Scheme Regulations. A breach would arise every time one of these timescales was not met.
- 5 All of the breaches would relate to the Administering Authority apart from the last one which would be a breach by an employer in the Fund. However, the first five listed could have been a result of delayed or incorrect information from an employer, which could be a separate and additional breach of the law by that employer.

Process	Legal Requirement
To provide new starters with information about the scheme	Two months from date of joining (provide information about the scheme in this timeframe, or within one month of receiving jobholder information where the individual is being automatically enrolled / re-enrolled).
To inform members who leave the scheme of their leaver rights and options	As soon as is practicable, and no more than two months from date of initial notification (from employer or scheme member).

To notify the amount of retirement benefits	One month from date of retirement if on or after Normal Pension Age. Two months from date of retirement if before Normal Pension Age.
To notify dependant(s) the amount of death benefits	As soon as possible but in any event no more than two months from date of becoming aware of the death, or from date of request.
Provide annual benefit statements to active members	31 August in the same calendar year.
Receipt of contributions from employers	19th of the month following their deduction.

Errors in benefit calculations

- 6 The Local Government Pension Scheme Regulations 2013, as amended, and previous LGPS legislation relating to historical service or leaves, dictate how benefits should be calculated. This includes elements such as what fraction of pay is used to calculation a pension and what counts as pay for LGPS purposes.
- 7 A breach of the law by the Administering Authority would arise in the situation that any calculation was carried out that was not in accordance with those provisions.

Errors in deducting contributions

- 8 Regulation 20 of the Local Government Pension Scheme Regulations 2013, as amended, states which elements of pay should be treated as pensionable and therefore should have pension contributions deducted from them and should be used for calculating benefits from 1 April 2014.
- 9 Regulation 4 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007, as amended, is the equivalent provision for pre 1 April 2014 scheme membership and therefore it details how pensionable pay should be calculated by an employer for benefits accruing prior to 1 April 2014.
- 10 Under these provisions, non-contractual overtime is pensionable from 1 April 2014 but not classed as pensionable for benefits accruing before 1 April 2014.
- 11 A breach of the law by an employer would arise if any of the following happened:
 - an employer **did not** deduct pension contributions from non-contractual overtime since 1 April 2014
 - an employer **did not** include non-contractual overtime in the amount of any pensionable pay notified to the Administering Authority for membership from 1

April 2014

- an employer **did** include non-contractual overtime in the amount of final pay notified to the Administering Authority to be used to calculate benefits accrued prior to 1 April 2014.

Late notifications from year-end information by an employer

- 12 Regulation 80 of the Local Government Pension Scheme Regulations 2013 require each employer to provide to the Administering Authority a list of specific information for each scheme member, such as pensionable pay, by 30 June each year.
- 13 A breach of the law by an employer would arise if they failed to provide this year end list to the administering authority by 30 June or if the information was incomplete or inaccurate.

Inadequate knowledge of a Local Pension Board member

- 14 Section 248A of the Pensions Act 2004 requires every Local Pension Board member to be conversant with the LGPS rules and Pension Fund policies as well having knowledge and understanding of pension matters at a degree appropriate for the purpose of them exercising their Local Pension Board functions.
- 15 Where a Local Pension Board member has failed to attend training or demonstrate that they already have the required level of knowledge, it is possible that a breach of the law will have occurred by that Local Pension Board member.

Appendix B – Determining whether a breach is likely to be of material significance

- 1 To decide whether a breach is likely to be of material significance, **Reporters** should consider the following elements, both separately and collectively:
 - cause of the breach (what made it happen).
 - effect of the breach (the consequences of the breach).
 - reaction to the breach.
 - wider implications of the breach.

The cause of the breach

- 2 Examples of causes which are likely to be of concern to the Regulator are provided below:
 - Acting, or failing to act, in deliberate contravention of the law.
 - Dishonesty, negligence or reckless behaviour.
 - Incomplete or inaccurate advice.
 - Poor administration, i.e. failure to implement adequate administration procedures.
 - Poor governance, e.g. slow or inappropriate decision-making practices.
- 3 **Reporters** may also request the most recent breaches report from the Pension Fund Manager, as there may be details on other breaches which may provide a useful precedent on the appropriate action to take.
- 4 When deciding whether a cause is likely to be of material significance, **Reporters** should also consider:
 - whether the breach has been caused by an isolated incident such as a power outage, fire, flood, or a genuine one-off mistake.
 - whether there have been any other breaches (reported to the Regulator or not) which when taken together may become materially significant.

The effect of the breach

- 5 Examples of the possible effects (with probable causes) of breaches which are considered likely to be of material significance to the Regulator in the context of the LGPS are given below:
- A significant proportion of members, or a significant proportion of members of a particular category of membership, are affected by the breach.
 - The breach has a significant effect on the benefits being paid, to be paid, or being advised to members.
 - The breach – or series of unrelated breaches – have a pattern of recurrence in relation to participating employers, certain members or groups of members.
 - Committee and/or Board members not having enough knowledge and understanding, preventing them from fulfilling their roles and resulting in the scheme not being properly governed and administered and/or breaching other legal requirements
 - Unmanaged conflicts of interest of Committee or Board members, resulting in them being prejudiced in the way in which they carry out their role and/or the ineffective governance and administration of the scheme and/or breaches of legal requirements
 - Poor or missing internal controls, leading to schemes not being run in accordance with regulations and other legal requirements, risks not being properly identified and managed and/or the right money not being paid to or by the scheme at the right time
 - Inaccurate or incomplete information about benefits and scheme information provided to members, resulting in members not being able to effectively plan or make decisions about their retirement
 - Poor member records held, resulting in member benefits being calculated incorrectly and/or not being paid to the right person at the right time
 - Misappropriation of assets, resulting in scheme assets not being safeguarded
 - Other breaches which result in the scheme being poorly governed, managed and administered

The reaction to the breach

- 6 A breach is likely to be of concern and material significance to the Regulator where a breach has been identified that:
- does not receive prompt and effective action to remedy the breach and

identify and tackle its cause in order to minimise risk of recurrence.

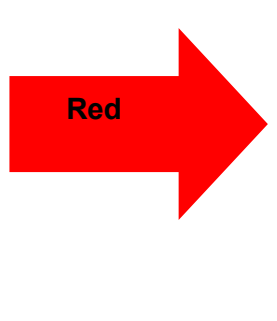
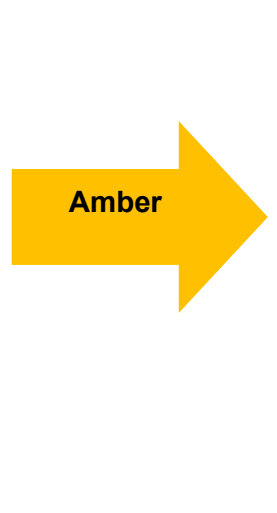
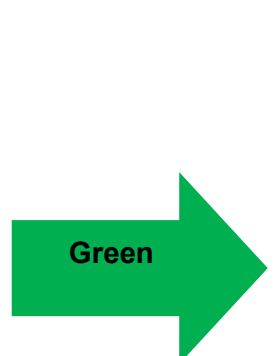
- is not being given appropriate priority by the Committee and/or Board, or relevant service providers.
- has not been communicated to affected scheme members where it would have been appropriate to do so.
- where it forms part of a series of breaches indicating poor governance.

The wider implications of the breach

- 7 **Reporters** should also consider the wider implications when deciding whether a breach must be reported. The breach is likely to be of material significance to the Regulator where the fact that a breach has occurred makes it more likely that further breaches will occur within the Fund or, if due to maladministration by a third party, further breaches will occur in other pension schemes.

Appendix C – Traffic light framework for deciding whether or not to report

Isle of Wight Council recommends those responsible for reporting to use the traffic light framework when deciding whether to report to the Regulator. This is illustrated below:

 <p>Red</p>	<p>Where the cause, effect, reaction and wider implications of a breach, when considered together, are likely to be of material significance.</p> <p>These must be reported to the Pensions Regulator.</p> <p>Example: Several members' benefits have been calculated incorrectly. The errors have not been recognised and no action has been taken to identify and tackle the cause or to correct the errors.</p>
 <p>Amber</p>	<p>Where the cause, effect, reaction, and wider implications of a breach, when considered together, may be of material significance. They might consist of several failures of administration that, although not significant in themselves, have a cumulative significance because steps have not been taken to put things right.</p> <p>You will need to exercise your own judgement to determine whether the breach is likely to be of material significance and should be reported.</p> <p>Example: Several members' benefits have been calculated incorrectly. The errors have been corrected, with no financial detriment to the members. However the breach was caused by a system error which may have wider implications for other public service schemes using the same system.</p>
 <p>Green</p>	<p>Where the cause, effect, reaction, and wider implications of a breach, when considered together, are not likely to be of material significance.</p> <p>These should be recorded but do not need to be reported.</p> <p>Example: A member's benefits have been calculated incorrectly. This was an isolated incident, which has been promptly identified and corrected, with no financial detriment to the member. Procedures have been put in place to mitigate against this happening again.</p>

All breaches should be recorded even if the decision is not to report.

When using the traffic light framework **Reporters** should consider the content of the red, amber and green sections for each of the cause, effect, reaction and wider implications of the breach, before you consider the four together. Some useful examples of this framework are provided by the Regulator at the following link [http:// www.thepensionsregulator.gov.uk/codes/code-related-report-breaches.aspx](http://www.thepensionsregulator.gov.uk/codes/code-related-report-breaches.aspx)

