

# Statutory deadlines

Sargeant and Matthews remedy





# Sargeant – Dates to be aware of...

1 October 2023

- Rollback to legacy scheme

30 December 2023

- Informing those who are in scope
  - [Warm up communications](#)

31 August 2024

- Active and deferred ABS

6 October 2024

- Pension savings statements
  - 2022/23 **AND** 2023/24

31 March 2025

- Remediable Service Statements
  - Immediate choice **AND** Deferred Choice

# ABS – Will you be ready?



## Deadline

- 31 August 2024
- 54 days and counting



## Administrator position

- Mixture of responses
  - Software
  - Data



## What can you be doing to help?

- Has all your data been shared with your administrator?
- Do you have data requests outstanding from other administrators/FRAs?
- Do you have a plan in place to address any immediate data issues

# TPR Expectations

## Record

- Robust records to be kept as to why the deadline was not met

## Assess

- Is this a material breach?
- Does it need reporting to TPR?
- Use the [TPR guidance](#)

## Report

- Who to?
  - LPB
  - TPR
- Who should do the reporting?
  - Scheme managers
  - Administrators
  - LPB members
- When?
  - ASAP

## Communicate

- Open and transparent [communications](#) with members

## Have a plan

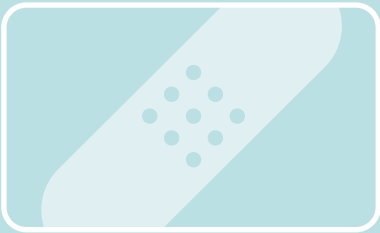
- If there are data issues, then how and when will these be solved?
- Is there a plan B for software?

# Pension Savings Statements



## 89 days to go.....

- Possibly too early to give a clear indication?



## Mitigations?

- Powers within the PSPJOA allow flexibilities for Remediable PSS'
  - Member allowed 3 months from date of R-PSS to inform HMRC of their liability.
- What about 2023/24 PSSs?
  - Members **must** comply with statutory self-assessment deadline i.e. 31 January 2025
    - Option for member to submit an estimate and revisit later in 2025 with exact figures



## Enforcement powers

- HMRC Specific – Non provision and late provision:
  - A penalty of up to £300 for failure to provide the required information on time, and
  - Where the initial failure to provide penalty has been levied and the information still hasn't been provided further penalties may be due. These penalties can be up to daily penalties of up to £60 for every day that the failure to provide the required information continues.

# LGA ongoing dialogue with HMRC

## No surprises basis

- HMRC have welcomed early engagement

## Purpose

- Try to mitigate financial impact on scheme managers
- Try to understand position for members so that clear communications can be issued.

## Involve TPR in conversations

- Reduce the need for dual enforcement

# Remediable Service Statements



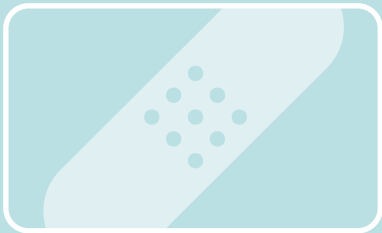
## 265 days to go.....

- **All** members affected by remedy
- Immediate and deferred choice
- Ongoing blocker for some IC cases i.e. red cases



## Discussions with HMT

- **Highlighted the following:**
  - Lateness of legislation
  - Ongoing delays with IC-RSS rollout (i.e. red cases)
  - Known unknowns
- **Impact:**
  - Delays to software
  - Forced administrators to revisit implementation plans
  - Put an increased pressure on overall delivery
- **Ask:**
  - To extend the 31 March 2025 deadline



## Mitigations?

- Powers within the PSPJOA 2022 allow for **scheme manager** discretion:
  - [Section 29 \(10\) \(b\)](#) confirms:  
“the relevant date” means—
    - (a) the day after the final day of the period of 18 months beginning with the day on which section 2(1) comes into force in relation to the Chapter 1 legacy scheme, or
    - (b) such later day as the scheme manager considers reasonable in all the circumstances in the case of a **particular member** or a **particular class of member**.
- HMT and TPR expectations is that this regulation should not be used as a matter of course
  - It should be used sparingly for cases which are either deemed ‘complex’ or have an outstanding action with the member i.e. ill health reassessment.
- Clarification has been requested in respect of whether any reporting to HMT and/or TPR is needed should this discretion be used - TBC
  - As with all scheme manager discretions they should continue to be recorded and reported to LPBs.



# What about Matthews?

## Dates to be aware of...

- Hard deadlines:
  - 30 December 2023 – Informing all eligible members that they are in scope.
  - 31 March 2025 – Implementation period ends.
- Several 'indicative' dates within the [legislation \(5B\)](#) i.e. an application must be made within six months of receiving the notification [5B\(10\)\(a\)](#), within three months of receiving an application the authority must give the applicant a notice [5B\(13\)](#) etc.

## What does this mean in practice?

- Breaches to be recorded and reported for missing the 'hard deadlines'
- Less of an impact for missing an indicative date
  - But remember.....keep members fully informed
  - [FBU circular](#)

# Ongoing discussions with Home Office

## Extension to 31 March 2025 deadline

- Will need to go out for consultation
- Can now be progressed due to having a functioning government
- Likely to be delivered by scheme manager discretion
  - Exceptional circumstances

## Relaxation in hard stop deadline (31 March 2025)

- Flexibility for eligible individuals not identified ([5C \(14\)](#)) but **no** flexibilities for those who have been identified and notified ([5C \(13\)](#))
- Suggested to Home Office that it would be helpful to have some flexibility built into the regulations i.e. response required by 31 March 2025 or within 6 months of receiving the notice.

# IN OTHER NEWS





## IC-RSS rollout

Pause remains in place for red cases  
Lobbying new government  
HMT has confirmed that the issue has been given high priority for new ministers



## Matthews

SAB have agreed a priority order for FRAs who are 'swamped' with expressions of interest.

# Matthews - Priority order

- **Priority 1 – Immediate entitlement i.e. Special Pensioners or potential to be a Special Pensioner**
  - Individuals who currently have no benefits in payment but would be immediately entitled to a backdated award should they elect for Matthews.
  - Individuals who currently have a pension in payment and would be due a top-up if they elected for Matthews
  - DBs into payment i.e. an individual who is over age 60 and has a DB entitlement under Matthews
  - Potential ill health cases
    - These could either be active FFs who are known to be suffering from ill health or individuals who have left the FRS and are either currently a deferred member or are entitled to be a deferred member under Matthews.
  - Deceased cases
- **Priority 2 – Imminent entitlement**
  - Special FF or Special Deferred but entitled to become a Special Pensioner before **31 March 2025**
- **Priority 3 – Not immediate/imminent**
  - Special FF or Special Deferred but **not** entitled to become a Special Pensioner before **31 March 2025**

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**Thank you for listening!**

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