

# DYFED PENSION FUND COMMITTEE

DATE 22/09/2023

## Breaches Report

**In accordance with the Dyfed Pension Fund Breaches Policy to note any breaches that have occurred**

### **Recommendations / key decisions required:**

To note any breaches that have occurred in the Dyfed Pension Fund.

### **Reasons:**

In accordance with the Dyfed Pension Fund Breaches Policy.

Cabinet Decision Required N/A

Council Decision Required N/A

CABINET MEMBER PORTFOLIO HOLDER:- N/A

#### **Directorate:**

Corporate Services

#### **Name of Director:**

Chris Moore

#### **Report Author:**

Chris Moore

#### **Designations:**

Director of Corporate Services,  
Carmarthenshire County Council

#### **Tel Nos.**

01267 224120

#### **E Mail Address:**

CMoore@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY  
DYFED PENSION FUND COMMITTEE  
DATE 22/09/2023**

**Breaches Report**

**Introduction**

Section 70 of the Pension Act 2004 sets out the legal duty to report breaches of the law. In the Code of Practice no 14, published by the Pensions Regulator in April 2015, paragraphs 241 to 275 provides guidance on reporting these breaches. The Dyfed Pension Fund Breaches Policy was approved by the Dyfed Pension Fund Committee in March 2016.

Under the policy, breaches of the law are required to be reported to the Pensions Regulator where there is a 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
- the failure to comply is likely to be of material significance to the regulator in the exercise of any of its functions.

It has been previously reported to Committee that an Employer has regularly failed to pay contributions as required into the Fund. This has been reported to The Pensions Regulator, who have also been advised that the Employer has now entered administration. The contributions owed to the Fund to the date of administration are estimated to be £7,230.56. Ongoing discussions between the Fund and administrators are taking place in relation to the contributions owed.

**DETAILED REPORT ATTACHED?**

**YES**

# IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: **C Moore**

**Director of Corporate Services**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: C Moore

Director of Corporate Services

<b>1. Scrutiny Committee request for pre-determination</b>	N/A
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**2. Local Member(s)**

N/A

**3. Community / Town Council**

N/A

**4. Relevant Partners**

N/A

**5. Staff Side Representatives and other Organisations**

N/A

<b>CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED</b>	N/A
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**Section 100D Local Government Act, 1972 – Access to Information  
List of Background Papers used in the preparation of this report:**

**THERE ARE NONE**

Title of Document	File Ref No.	Locations that the papers are available for public inspection