

## Quarterly briefing

March 2018

Highlighting significant developments in pensions law, covering key areas such as pensions reform, regulatory developments, new legislation and cases



# Q1

## March 2018

On the front cover this quarter:  
Oliver Topping, Associate

## Abbreviations

<b>ABC:</b> Asset Backed Contribution
<b>CDC:</b> Collective DC
<b>CPI:</b> Consumer Prices Index
<b>DB:</b> Defined benefit
<b>DC:</b> Defined contribution
<b>DPA:</b> Data Protection Act 1998
<b>DRC:</b> Deficit reduction contribution
<b>DWP:</b> Department for Work and Pensions
<b>GDPR:</b> General Data Protection Regulation
<b>GMP:</b> Guaranteed Minimum Pension
<b>HMRC:</b> HM Revenue & Customs
<b>HMT:</b> HM Treasury
<b>ICO:</b> Information Commissioner's Office
<b>LTA:</b> Lifetime Allowance
<b>MPAA:</b> Money Purchase Annual Allowance
<b>NI:</b> National Insurance
<b>PPF:</b> Pension Protection Fund
<b>PSA 2017:</b> Pension Schemes Act 2017
<b>RPI:</b> Retail Price Index
<b>SDLT:</b> Stamp Duty Land Tax
<b>SDRT:</b> Stamp Duty Reserve Tax
<b>SPA:</b> State Pension Age
<b>TPR:</b> The Pensions Regulator
<b>WPSC:</b> Work and Pensions Select Committee

## In this issue

On the horizon 3

### Retirement savings reforms

Automatic enrolment review 4

Work and Pensions Select Committee inquiry: CDC 4

### DC schemes

Master trusts 5

Default funds 5

Value for member assessments 5

### Spotlight on data protection

Countdown to 25 May 2018 6

Actions for trustees 6

How we can help 6

### Regulatory

Department for Work and Pensions 7

HM Revenue & Customs 7

HM Treasury 8

Pension Protection Fund 9

The Pensions Regulator 10

### Cases

High Court 11

Coming up in 2018 11

## Electronic format

You can access electronic copies of all our publications at:

[www.sackers.com/knowledge/publications](http://www.sackers.com/knowledge/publications)

## Environment

In line with our approach to corporate social responsibility (CSR), we monitor closely the number of copies printed of this publication. The paper and print manufacturing has been done in compliance with ISO14001 environmental management standards. Our paper, Satimat Green, contains 75% post-consumer waste and 25% virgin fibres, which are certified for FSC® chain of custody.

For more information on our CSR policy, please visit our website at [www.sackers.com/about/csr](http://www.sackers.com/about/csr)

## On the horizon

### Data protection – is your scheme ready for the new requirements?

See our spotlight on page 6 for key actions for trustees

Time is ticking for schemes to be “GDPR ready” when new requirements on data protection are introduced on 25 May 2018.

We are producing a series of Alerts and checklists on different elements of the new requirements, all of which are available through our website – [www.sackers.com](http://www.sackers.com).

### Anti-money laundering – registration deadlines

See page 8 for details

Schemes that were liable for certain taxes in the most recent tax year are required to enter prescribed information on HMRC’s register of beneficial ownership. The official deadline for providing the first set of information was 31 January 2018, but HMRC has said that it will not impose a penalty on trustees who register before 5 March 2018.

### PPF levy deadlines

See page 9 for the PPF levy deadlines for 2018/19

The deadline for submitting scheme returns and contingent asset certificates on Exchange is midnight on 31 March 2018 (Saturday of the Easter weekend). However, please note that hard copy documentation (including a copy of any guarantor strength report) must be submitted to the PPF, as necessary, **by 5pm on Thursday 29 March 2018**.

### Cold calling ban in the pipeline

Back in November 2017, the Government confirmed that it will bring forward the publication of draft legislation to ban pensions cold-calling, including texts and emails, to early 2018.<sup>1</sup>

Since then, the WPSC has called on the Government to “take urgent legislative action through the Financial Guidance and Claims Bill” to tackle pension scams, including putting in place an enforceable ban on cold calling “by June 2018 at the latest”.<sup>2</sup>

### Date set for Spring Statement

As previously announced, the Government now only has one major fiscal event each year, held in the autumn. However, a “Spring Statement” will be delivered on 13 March 2018, in which the Government will respond to the forecast from the Office for Budget Responsibility.

### DB White Paper delayed

White paper before June?

The Government’s White Paper on pensions, which is due to follow on from the 2017 Green Paper on “security and sustainability” in DB schemes, has been delayed.<sup>3</sup> It is now expected to be “delivered at some stage this spring [...], certainly [...] before the summer period”.<sup>4</sup>

1 Pensions: Direct Marketing: Written question – 111027 (2 November 2017)

2 Protecting pensions against scams: priorities for the Financial Guidance and Claims Bill (7 December 2017)

3 See our Alert: Security and sustainability in DB schemes (21 February 2017)

4 Hansard, 11 January 2018, vol. 634

# Retirement savings reforms

## Automatic enrolment review

In December 2017, the DWP published its review of the automatic enrolment regime, together with a framework for evaluating the effectiveness of automatic enrolment beyond 2017, and a review of the earnings trigger and qualifying earnings band for 2018/19.<sup>5</sup>

Proposals currently under consideration by the Government include:

- widening the age criteria for automatic enrolment, by changing the lower age limit from 22 to 18 while keeping the upper age limit at SPA
- removing the lower level of the qualifying earnings band so that everyone earning over £10,000 a year (the existing earnings trigger for automatic enrolment), and who meets the other eligibility rules, would be automatically enrolled and get pension contributions on their earnings from the first pound up to the upper level of qualifying earnings (expected to be £46,350 in 2018/19). It is intended that the £10,000 earnings trigger will continue to be reviewed annually
- testing “targeted interventions” and “a number of different approaches aimed at increasing the savings of self-employed people from 2018, with a focus on those with low to moderate incomes”
- “a package of measures, and a call upon the pensions industry, employers and wider government, to work together to deliver better engagement with individuals on the benefits of workplace saving”.

**The Government aims to make changes from the mid-2020s**

## Work and Pensions Select Committee inquiry: CDC

### WPSC exploring merits of defined ambition pensions

The WPSC is conducting an inquiry into the merits of CDC arrangements (also referred to as shared risk or “defined ambition” pension schemes).<sup>6</sup> These arrangements are commonplace in the Netherlands, Canada and Denmark, but are not yet used in the UK.

The Pension Schemes Act 2015 defined CDC as a distinct pension category. However, regulations under the Act to bring such schemes into effect have not been introduced and, in October 2015, the Government announced that plans for CDC would be put on hold “so as not to distract from other major reforms such as auto-enrolment and pension freedoms”.

However, the WPSC is now taking a fresh look at the merits of CDC, and the role that defined ambition schemes in general could play in the pensions landscape, the potential benefits to savers and the wider economy, and the legislative and regulatory framework that would be required to make them work.

**WPSC currently analysing written submissions**

<sup>5</sup> [Automatic Enrolment Review 2017: Maintaining the Momentum](#) (DWP, 18 December 2017)

<sup>6</sup> [Inquiry: Collective defined contribution pension schemes](#) (WPSC, launched 24 November 2017)

# DC schemes

## Master trusts

### DWP consults on authorisation and approval regime

According to DWP figures, there are now 87 master trusts which represent 90% of savers who have been automatically enrolled.<sup>7</sup> With a view to ensuring that members of such schemes have adequate regulatory protection, the DWP has been consulting on draft regulations for a new authorisation and supervisory regime.<sup>8</sup> This is designed to:

**DWP response awaited**

- ensure equivalent protections for master trust scheme members as for those in other types of pension arrangement
- regulate proportionately and proactively the risks that are specific to master trust scheme structures, such as their size and scope, lack of employer engagement, and diverse business models
- provide an appropriate balance between preventing risks occurring and giving TPR powers to intervene when necessary.

The PSA 2017 sets out five key tests against which master trusts will be assessed:

**Regulations expected to come into effect from October 2018**

- that persons involved in the master trust are fit and proper
- the scheme is financially sustainable
- the “scheme funder” must meet set requirements
- the systems and processes used are sufficient to ensure the scheme is run effectively
- the scheme has an adequate continuity strategy.

## Default funds

### No change to automatic enrolment charge cap

Having completed its review of the default fund charge cap (currently set at 0.75%), the Government has confirmed<sup>9</sup> that, “now is [not] the right time to change the level or scope of the cap”. The Government intends to continue actively monitoring the situation, and expects that in the next review (scheduled for 2020), it will see a clearer case for change.

## Value for member assessments

### TPR review

TPR is reviewing value for member assessments in DC funds, with a view to boosting better outcomes for members of smaller schemes.<sup>10</sup>

**Report on TPR’s findings due summer 2018**

Trustees are required to carry out an annual assessment, as part of which TPR expects them to consider four key areas as a minimum: scheme management and governance, administration, investment governance, and communications. When conducting a value for members assessment, the trustees’ views and discussion need to be recorded.

7 [Occupational Pension Schemes \(Master Trusts\) Regulations 2018: Public consultation on the regulations to support the Pension Schemes Act 2017](#) (DWP, 30 November 2017)

8 See our [response](#) to the DWP’s consultation on [the Occupational Pension Schemes \(Master Trusts\) Regulations 2018](#)

9 [Written statement to Parliament](#), Guy Opperman (Parliamentary Under Secretary of State for Pensions & Financial Inclusion) (16 November 2017)

10 [TPR reviews value for member assessments](#) (6 November 2017)

# Spotlight on data protection

## Countdown to 25 May 2018

On 25 May 2018, new data protection requirements will come into force, aimed at creating a regulatory regime fit for the digital age. Much of the GDPR will feel familiar, as the new rules build on existing data protection provisions. But some important changes will be introduced.<sup>11</sup> Key developments include:

**Trustees and employers should ensure that updated processes and procedures are in place**

- new contractual obligations, increasing the information to be given to individuals, and enhancing reporting obligations in the event of a breach
- a new Data Protection Bill, currently undergoing scrutiny in Parliament, which aims to give the UK “one of the most robust, yet dynamic” sets of data laws in the world. It will replace the DPA and bring provisions of the GDPR into UK legislation, subject to certain amendments
- heavier sanctions for non-compliance, with maximum penalties of up to €20,000,000 (£17,000,000) or 4% of an organisation’s global turnover.

## Actions for trustees

**Consent is generally required where sensitive personal data is being processed**

- **Audit your personal data:** trustees should identify what personal data is held, why it is held, who else has access to it, how long it has been held, and whether it is still needed.<sup>12</sup>
- **Determine the legal grounds for processing:** trustees also need to decide the basis on which they process scheme member personal data. Likely grounds include the processing being necessary for “legitimate interests”, compliance with legal obligations, or members having consented to the processing for one or more specific purposes.
- **Update your contracts:** the GDPR sets out specific requirements on documenting relationships where personal data is being shared with others. Trustees should consider the services provided by others which involve scheme personal data (whether third party or in-house) and discuss with their legal adviser(s) how to document those relationships.
- **Communicate with members:** The GDPR introduces new requirements on the provision of information to members. As such, trustees will generally need to issue revised information notices (known as privacy notices) to members.
- **Review your policy:** a data protection policy will be the main document for recording how trustees look after personal data in relation to their scheme, reflecting key decisions taken and procedures put in place. While the content and structure will vary from scheme to scheme, the policy should address the GDPR record keeping requirements.
- **Be ready to demonstrate compliance:** a new accountability principle means that trustees will need to be able to demonstrate their compliance with the data protection principles. Ways to do this include undertaking appropriate training and documenting decisions as to how personal data is processed.

## How we can help

**Please speak to your usual Sackers contact for help with the new requirements**

We can help trustees prepare for the GDPR in a number of ways, including reviewing existing or new contracts, updating data protection policies, reviewing procedures, and drafting member communications.

<sup>11</sup> See our Alert: [GDPR: countdown to 25 May 2018](#) (16 January 2018)

<sup>12</sup> Our checklist on [assessing pension scheme data](#) can help you assess what personal data you hold and why

# Regulatory

## Department for Work and Pensions

### Regulations due in force 6 April 2018

#### Bulk transfers of contracted-out benefits without consent

Since the abolition of DB contracting-out on 6 April 2016, it has not been possible to carry out a bulk transfer of benefits without member consent to a scheme which has never been contracted-out. This has led to some merger activity being put on hold.

To address this, the DWP has been consulting on draft regulations to allow GMPs and section 9(2B) rights (including rights to pensions in payment) to be transferred to an occupational pension scheme that has never been contracted-out, where certain conditions apply.<sup>13</sup>

#### Safeguarded benefits – new valuation requirements

Regulations to simplify the valuation process<sup>14</sup> for members' pension savings that are classified as "safeguarded" benefits (generally DB), when determining whether the requirement to take financial advice applies, will come into force from 6 April 2018.

#### Safeguarded-flexible benefits – new information requirements

The DWP has issued guidance for pension providers, administrators, trustees and scheme managers on safeguarded-flexible pension benefits (DC benefits with some form of guarantee).<sup>15</sup> This non-statutory guidance aims to help trustees and scheme managers deal with the new requirements to:

- send personalised risk warnings / tailored communications to members
- use the transfer value of members' safeguarded benefits, when assessing whether the value of their pension pots is above the threshold at which they are required to take financial advice
- make transitional arrangements to inform members who are affected by the change in valuation methodology.

The guidance also suggests best practice for delivering safeguarded-flexible benefits.

## HM Revenue & Customs

### Final vote on Scottish Budget measures expected 19 February 2018 – any changes due in force April 2018

#### Scottish income tax proposals

The draft Scottish Budget for 2018-19 proposed certain income tax rate changes which are currently being scrutinised by the Scottish Parliament. The rates being put forward for the final vote are:<sup>16</sup>

- a new starter rate of 19p per pound for earnings over £11,850 and up to £13,850
- a freeze on the basic rate at 20p for earnings over £13,850 to £24,000
- a new intermediate rate of 21p for earnings over £24,000 to £43,430
- a 1% increase to the higher rate (earnings over £43,430 to £150,000) and top rate (earnings over £150,000), to 41p and 46p respectively.

HMRC's latest Scottish rate of Income Tax newsletter<sup>17</sup> notes that it is working with the Scottish Government and pension providers "on the implications of that change for pension tax relief, and to clarify how the mechanisms for providing relief will operate in respect of Scottish pension savers".

13 See our [response](#) on the [draft Contracting-out \(Transfer and Transfer Payment\) \(Amendment\) Regulations 2018](#)

14 See our [Alert: Response to consultation on safeguarded benefits and the advice requirement](#) (11 July 2017)

15 [Safeguarded-flexible pension benefits: simplified valuation and introduction of personalised risk warnings](#) (DWP, 13 November 2017)

16 [Scottish Budget: Draft Budget 2018-19](#) (14 December 2017)

17 [Pension schemes relief at source for Scottish Income Tax newsletter](#) (18 December 2017)

## Regulatory cont.

### Action on anti-money laundering: HMRC's register of beneficial owners

HMRC is required to maintain a central register of beneficial ownership information for express trusts with tax consequences. Despite the low risk presented by occupational pension schemes, they are caught by this requirement.<sup>18</sup>

#### When trustees need to register with HMRC

In any tax year in which a scheme incurs a liability to pay income tax, capital gains tax, inheritance tax, SDLT, land and buildings transaction tax, or SDRT, it is classified as a "taxable relevant trust". As such, it needs to register with HMRC and provide HMRC with certain information about the scheme's beneficial owners (which include details of the trustees and sponsoring employers, as well as the beneficiaries under the scheme, such as the members, prospective members and survivors). Schemes which incurred a relevant tax liability in 2016/17 need to enter this information on HMRC's register. While the official deadline for providing this information was 31 January 2018, HMRC announced in December 2017 that it would not impose a penalty on trustees who register before 5 March 2018.<sup>19</sup>

However, if the number of named beneficiaries exceeds ten, a description of the class of persons who are entitled to benefit from the trust can be provided.

#### Trustee records

Quite apart from the above, trustees need to maintain accurate and up-to-date records of certain specified information about all the beneficial owners of their pension scheme. For example, this includes scheme member names and NI numbers.

## HM Treasury

### Autumn Budget 2017

The 2017 Autumn Budget announced only minor changes for pensions, including:<sup>20</sup>

- confirmation of the planned increase in the LTA in line with CPI, rising to £1,030,000 for the tax year 2018-19
- a "triple lock" increase in the basic State Pension, of 3% in April 2018
- Government support of long-term investment by giving pension funds confidence to invest in assets that support "innovative firms"
- plans to establish a working group of institutional investors and fund managers to look at how to remove barriers which may be holding back some DC pension savers from investing in illiquid assets
- new HMRC powers to register and de-register master trust pension schemes and schemes registered with dormant companies as the sponsoring employer.

The Finance Bill which will implement these measures was introduced to Parliament on 1 December 2017.<sup>21</sup>

### Finance (No.2) Act 2017 gets Royal Assent

This Act, which received Royal Assent on 16 November 2017, includes:

- the reduction of the MPAA from £10,000 to £4,000
- the introduction of a new tax exemption, allowing employers to pay up to £500 in any tax year for individuals to take relevant pensions advice, without any income tax liability arising.

**Trustees should ask their scheme accountant what taxes have been incurred**

**No action by HMRC if trustees register before 5 March 2018**

**Finance Bill measures due in force 6 April 2018**

**Provisions apply retrospectively to 6 April 2017**

18 See our Alert: [Reminder! Action needed on anti-money laundering](#) (9 January 2018)

19 [HMRC Trusts and Estates Newsletter: December 2017](#) (Updated 22 December 2017)

20 [Autumn Budget 2017](#) (HMT, 22 November 2017)

21 [Finance No.2 Bill 2017-19](#)



## Pension Protection Fund

### Levy determination for 2018/19

The PPF has published its final levy rules for 2018/19.<sup>22</sup> Among other things:

- several changes have been made to the PPF's bespoke insolvency risk model
- the process for certifying DRCs has been simplified
- new rules effectively require trustees who are certifying / recertifying a Type A contingent asset which is likely to provide a levy reduction of £100,000 or more to obtain a guarantor strength report, prepared by a professional adviser, prior to certification
- revised standard contingent asset forms are now in place (see below).

### Levy deadlines

The following dates and deadlines have been confirmed for the 2018/19 levy year:<sup>23</sup>

- **29 March 2018 (5pm):** contingent asset hard copy documents to be submitted as necessary to the PPF
- **31 March 2018 (midnight)** (Saturday of the Easter weekend):
  - ABC certificates to be sent by email to the PPF
  - scheme returns to be submitted to TPR on Exchange
  - contingent asset certificates to be submitted on Exchange
- **30 April 2018 (5pm):** DRC certificates to be submitted on Exchange
- **29 June 2018 (5pm):** certification of full block transfers to be completed on Exchange or sent to the PPF (in limited circumstances).

See our website for a full list of the PPF's 2018/19 deadlines

### Contingent assets – standard form agreements

The PPF has published updated standard form contingent asset agreements and revised guidance. The new agreements are designed to ensure that “they continue to be effective in reducing the risks to pension schemes of employer insolvency and the levy credit that is offered is appropriate”.

The revised forms need to be used for any new arrangements executed on or after 18 January 2018; arrangements entered into before this date can be certified or recertified for 2018/19 without moving to the new versions.

Some schemes with existing contingent assets will need to move existing agreements to the new forms if they are to be recognised for PPF purposes from 2019/20 onwards.

<sup>22</sup> See our Alert: [PPF levy determination for 2018/19](#) (18 January 2018)

<sup>23</sup> See our full list of [key dates](#) for the PPF levy 2018/19

## Regulatory cont.

### Compensation rule changes – bridging pensions

Some DB occupational pension schemes allow individuals who retire before SPA to be paid a higher rate of pension initially, and then a lower rate when they begin to receive their State Pension or reach an age specified in their scheme rules. These are known as “bridging” or “step-down” pensions.

The DWP is introducing regulations to resolve an anomaly whereby pensioner members in receipt of a bridging pension when their scheme enters the PPF, receive PPF compensation based on that higher rate for life. Had the scheme not entered the PPF, the individual’s pension payments would later have reduced. Therefore, to ensure that such individuals are not financially better off in the PPF than they would have been under their own scheme, the DWP is implementing a “scheme rules based approach”, under which the level of PPF compensation payable will take account of future reductions in the rate of the pension that would have occurred under the original scheme.<sup>24</sup>

Any scheme entering PPF assessment on or after the date the regulations come into force will be subject to the new compensation rules. There will be no impact on members of schemes which entered the PPF before then.

**Regulations due in force from 24 February 2018**

## The Pensions Regulator

### New scheme return information requirements

TPR has published a checklist to help those completing their DB or hybrid (mixed benefit) occupational pension scheme return for 2017/18, and a quick guide on measuring scheme data.<sup>25</sup>

The checklist highlights new questions that are being asked in this year’s scheme return, which requires DB and hybrid schemes to report on their scheme data. Specifically, schemes will be asked:

- when they last reviewed their common and scheme-specific (conditional) data
- what percentage of this data is complete and accurate.

TPR is using this information to measure the quality of record keeping, track the progress of individual schemes, and to inform its drive to improve the quality of record keeping in pension schemes. Although TPR will not take enforcement action on the basis of scores alone, it may engage with individual schemes if it has concerns that its standards are not being met. This may result in TPR taking action where trustees fail to demonstrate they are taking appropriate steps to improve their records.

**New questions on the scheme return for DB and hybrid schemes**

### Guidance on statements for DC scheme chairs

TPR has published guidance to help trustees and providers produce their annual chairs’ statements.

The guidance sets out both the legal requirements and TPR’s expectations as to how trustees should meet them.<sup>26</sup> The guidance seeks to clarify the expectations already set out in TPR’s DC code and accompanying guidance.

The guidance also “addresses some common misunderstandings and omissions” that TPR has seen in the statements submitted so far, and sets out examples of what it would consider to be a “good” or “poor” chair’s statement, together with a checklist for trustees.

**TPR highlights some “common misunderstandings and omissions”**

<sup>24</sup> [Draft Pension Protection Fund \(Compensation\) \(Amendment\) Regulations 2018: technical consultation](#) (DWP, response published 29 January 2018)

<sup>25</sup> See TPR’s [DB scheme return checklist](#) and [Quick guide to measuring data](#)

<sup>26</sup> [A quick guide to the Chair’s Statement](#)

# Cases

## High Court

### BT PLC v BT Pension Scheme Trustees Limited and another

In this case, the court had to consider whether there was power under the scheme rules to change the index by reference to which pensions in payment are increased.<sup>27</sup>

The rules provide for increases in line with RPI, subject to the proviso that “if [RPI] ceases to be published or becomes inappropriate, such other measure as the Principal Company, in consultation with the Trustees, decides” may be used. The court was asked to decide whether RPI had become “inappropriate” for this purpose.

The court found it to be a question of fact whether or not RPI had ceased to be published, and whether it had become inappropriate. It ruled that RPI remained appropriate as a metric for uprating pensions, and made it clear that it was not enough to say that it was “better to use another index, or that another index had become more appropriate”. There had to be a definitive conclusion that RPI had become inappropriate for the purpose for which it was used under the scheme rules.

The expert evidence considered by the court showed that there remained confidence in RPI as a measure of inflation. It was also accepted by the parties that inflation measures can do no more than estimate the increase in the cost of living. As such, it was not possible to say that one measure of inflation is right and another wrong.

The judge commented that RPI could become inappropriate, for example, if there is a “wholesale loss of confidence in it as an accurate measure of inflation” and widespread discontinuance of its use. However, it is unlikely to occur without RPI ceasing to be published.

### Various Claimants v Wm Morrisons Supermarket PLC

In the first case of vicarious liability arising under the DPA, the Morrisons supermarket chain has been ordered to compensate thousands of current and former employees for a data breach.

The case concerned an employee who was given the task of receiving, storing and transferring personal data (including names, addresses, bank account details and salaries) to KPMG for audit purposes. The employee uploaded this personal data to a personal USB stick and then to his personal computer, from which he sent the personal data to a website and two newspapers. As there had been no breach by Morrisons, as data controller, of the DPA’s data protection principles, there was no primary liability. However, Morrisons was found to be vicariously liable for the actions carried out in the course of the employee’s employment.

Such claims for compensation are likely to be easier to make under the GDPR, as it gives data subjects new rights to lodge complaints directly with the supervisory authority (ie the ICO). Anyone suffering material or non-material damage as a result of a data breach will have the right to claim compensation from the controller or processor responsible.

## Coming up in 2018

Key pensions cases to look out for in 2018 include:

- **May:** the appeal in the British Airways case relating to the award of a discretionary increase by the trustees in 2013
- **June:** the Supreme Court is to hear an appeal against a ruling that the basis for indexation and revaluation in the Barnardo’s schemes could not be changed from RPI to CPI
- **June:** the Lloyds Banking Group case on the legality of unequal GMPs.

**Scheme rule wording crucial in determining whether switch can be made from RPI to CPI**

**Employment link was key to court finding vicarious liability**

**Morrisons has leave to appeal this decision**

<sup>27</sup> See our case summary: [British Telecommunications PLC v BT Pension Scheme Trustees Limited & another](#)

## Upcoming seminars



We offer an extensive programme of client workshops and seminars. In addition to the quarterly legal updates, our seminars, which are led by our experts, offer clients the opportunity to ask questions and to share experiences on particular topics.

GDPR – getting in shape for 25 May (seminar)	27/02/18	Breakfast seminar (9:00am-10:30am) Practical steps and trouble-shooting, to help trustees and employers get ready for the GDPR
GDPR – getting in shape for 25 May (webinar)	12/03/18	Lunch time webinar (12:30-1:15pm) Practical steps to help trustees and employers get ready for the GDPR
Buy-ins and buy-outs	27/03/18	Breakfast seminar (9:00am-10:30am) We will explore how buy-ins and buy-outs can help schemes de-risk and safeguard members' benefits
Pensions for new trustees – DB schemes	26/04/18	Morning seminar (9:00am-1:00pm) Aimed at new DB scheme trustees, or those wanting a refresher, this session will look at key legal issues
Quarterly legal update	10/05/18	Breakfast seminar (9:00am-10:30am) The latest legal and regulatory developments in the pensions world
Quarterly legal update	19/07/18	Breakfast seminar (9:00am-10:30am) The latest legal and regulatory developments in the pensions world

If you would like to attend any of our seminars, please contact our marketing team at [marketing@sackers.com](mailto:marketing@sackers.com).

A selection of short videos on pensions-related issues and aspects of our firm is available on our website:  
[www.sackers.com/news-and-media/videos](http://www.sackers.com/news-and-media/videos)

## Sign up



Stay up to date with all the latest legal developments affecting retirement savings by signing up to our free publications on [www.sackers.com/knowledge/publications](http://www.sackers.com/knowledge/publications). These include 7 Days, our weekly round up, Alerts where topical issues in pensions are covered in depth and Briefings which summarise essential issues in pensions.

## Recent publications



The latest [checklist](#) in our series of publications on the GDPR sets out key questions and actions for occupational pension scheme trustees, to help ensure that their governance and contractual requirements (and those of their providers and advisers) are up to GDPR scratch. It may also be of use to employers and in-house teams holding scheme membership data.