

Subject	Review of Breaches, Complaints and Appeals – Quarter 3 2022/23	Status	For Publication
Report to	Local Pensions Board	Date	
Report of	Director		
Equality Impact Assessment	Not Required	Attached	No
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1 **Purpose of the Report**

- 1.1 To update members on the latest available record of reported breaches and provide details of complaints and appeals for the period from 1 July 2022 to 30 September 2022.

2 **Recommendations**

- 2.1 Members are recommended to:
- a. **Note the breaches summary and comment on any further reporting requirements or actions**
 - b. **Note the outcome of complaints and appeals handled and comment on any further requirements**

3 **Link to Corporate Objectives**

- 3.1 This report links to the delivery of the following corporate objectives:

Customer Focus

to design our services around the needs of our customers (whether scheme members or employers). Complaints and appeals provide valuable feedback on potential areas for improvement in administration

Effective and Transparent Governance

to uphold effective governance showing prudence and propriety at all times. The Pensions Regulator's Code of Practice 14 places focus on the requirements to manage breaches of the law and the importance of maintaining a system of recording breaches.

4 **Implications for the Corporate Risk Register**

- 4.1 The actions outlined in this report one method of working to mitigate risk O1 in the Corporate Risk Register which centres on the ability of the Authority to protect the data it owns and the data it handles.

5 **Background and Options**

- 5.1 This report provides the regular update on Breaches Complaints and Appeals for the Board. On this occasion because of unplanned staff absence the report is in a slightly different format but should include all the information usually provided.

Breach Reporting

- 5.2 The table sets out the breaches identified by the Authority in the quarter.

Ref	Date	Type	Description	Action
62	24/10/22	Data Loss	Details of a change of address were incorrectly entered into the system resulting in a retirement quote being sent to the wrong address.	The details sent to the wrong address were retrieved and the information sent to the member at the correct address.

- 5.3 This incident is human error and while we have taken steps to reduce the likelihood of the wrong paperwork being put into an envelope our reliance on the manual transfer of data (in this case from an e mail) into UPM where members do not use the on line facilities does mean that it is extremely difficult to eliminate this particular risk, although emphasis is put on the need for staff to check their own work in these circumstances and this will be re-emphasised. This case was not reported to the relevant regulator having been reviewed in line with the relevant policies.
- 5.4 Members will recall the breach related to the theft of post reported to the Information Commissioner last quarter. The Commissioner has subsequently determined that no further action is required.

Cyber Security Incidents

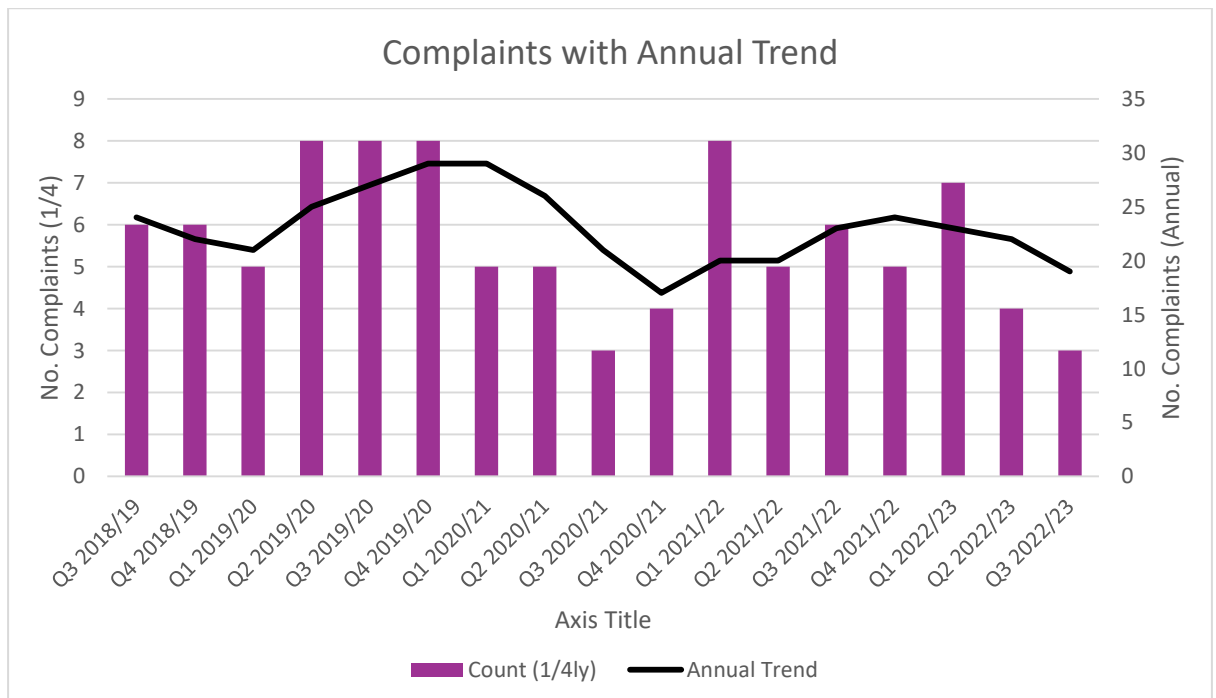
- 5.5 In addition to the more routine breaches there were 4 cyber security incidents during the quarter all of which stemmed from phishing attacks. In two of the cases staff clicked on links which could have been harmful, however, in both cases the Authority's security software stopped damage occurring. In both these cases the staff involved were given individual advice about how to identify potential phishing attacks (and one of these staff members subsequently identified one of the other potential attacks). In all cases following the incident the ICT Team circulated details to all staff to highlight the type of e mails that could be a phishing attack and blocked the originating e mail address.
- 5.6 As previously reported all staff have been undertaking an online course to enable them to recognise and address phishing attacks. At the time of writing 68 staff (58%) have successfully completed this course, with two weeks remaining before the date on which all staff are required to complete the course.

Complaints

5.7 The table below provides a summary of the three complaints received in the reporting period and an indication of whether the causes of complaint indicate a wider process issue which may need review/improvement.

Reference	Complainant	Nature of Complaint	Response issued within target response time?	Responsible party	Follow up actions required/taken?
C98	Active Member	Member was unhappy with the amount of time it took to process her ill health retirement. There was some initial confusion between the Customer Team and herself as she had originally started an early retirement request.	Yes	SYPA/Employer	Miscommunication with Customer team added a minor delay to processing time however the Employer caused longer delays as they didn't notify us of the ill health retirement or send the termination notice in a timely manner which led to further delays with forms etc
C99	Retiring Member	Member wasn't aware the timeframe for Ben10 protection hadn't been extended	Yes	Employer	Member thought Employer was extending the 10 year period however we haven't received any notification of this
C100	Retiring Member	Member unhappy due to delays with processing retirement request	Yes	Employer	This was caused by long delays with obtaining the correct information from the Employer
Total for Three Months	3				

5.8 The graph below shows the trend in numbers of complaints over time.



5.9 None of the complaints this quarter raise systemic internal issues. However, there is an underlying theme about the timeliness of responses which will be followed up.

Formal Appeals

5.10 During the reporting period one appeal was determined.

Ref	Reason for Appeal	Stage	Upheld?	Comments
AB	Appeal against level of award of ill health benefits	2	No	In this case the employer delayed resolving the case after a medical reassessment and compensation was awarded for the distress and inconvenience caused although the appeal itself was not upheld.

5.11 There are no particular learnings from this case as all training for employers in relation to the ill health process emphasises the need for cases to be dealt with promptly and this will continue to be reinforced with employers through ongoing engagement activity.

6 Implications

6.1 The proposals outlined in this report have the following implications:

Financial	None
Human Resources	None
ICT	None
Legal	None
Procurement	None

George Graham

Director

Background Papers	
Document	Place of Inspection