

Sent by email to:

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13 March 2022

Pensions dashboards: consultation on the draft Pensions Dashboards Regulations 2022

The Firefighters' Pensions Scheme Advisory Boards for England¹ and Wales submit their joint response to the DWP consultation on the draft Pensions Dashboards Regulations 2022.

We have submitted a joint response on the basis that the structure of our employers and administrators is similar, the same pension administration systems are used in both countries, and we have a number of shared members of our Boards. We believe that the same challenges will be faced by the Fire schemes in England and Wales, and we wish to make joint representation for a delayed staging date.

The purpose of the Boards is to provide advice to scheme managers in relation to the effective and efficient administration and management of the Firefighters' Pension Schemes (FPS).

While the Boards are supportive of the dashboards and their purpose, there are strong concerns over the proposed staging schedule given the conflicting pressures faced by FPS administrators and the data that will be available at that time. Both employer and employee representatives believe that members' priorities rest in being able to access information on the remediable benefits they are owed as a result of McCloud.

In general, we note that a six-week timescale is very short for a consultation with as much technical content as this, necessitating four different consultation webinars with six hours of content. We are disappointed that we have not yet seen replies to the substantial number of Q&As which were raised during these webinars.

Our detailed views are given to the consultation questions which follow this letter. However, we would draw out the following key considerations for the FPS:

- **Capacity**

Retrospective remedy is due to come into force from 1 October 2023. FPS administrators will already be under huge pressure at this time, implementing the rollback from career average to final scheme service for eligible members. It is possible that a second options exercise for special members of FPS 2006/7 (Matthews) may be underway by then too, adding further resource pressure on FRAs and their administrators.

¹ <https://www.fpsboard.org/index.php/about-the-board>

- **Availability of McCloud data**

The staging date for Public Service Pension Schemes (PSPS) is 30 April 2024. By that time, a remediable Annual Benefit Statement (ABS) or remediable service statement (RSS) to include McCloud data will not have been produced and it will not be possible to include more than one value for the dashboard. **RSS are not legislated to be provided for eligible members until 18 months from October 2023, which would be April 2025. This is the earliest date that FPS should be required to stage.**

Providing members with incorrect or incomplete information could undermine the credibility of the dashboard and decrease member engagement.

This view is supported in full by employer and employee representatives of both Scheme Advisory Boards.

- **Size and definition of the scheme**

It is not accepted that numbers of members alone signify a scheme is able to join the dashboard. Fire is a locally administered scheme, each the responsibility of the individual scheme manager with two different software suppliers and 18 administrators working across the sector to provide software and administration services. Many of the Fire schemes individually have less than 1,000 members.

As such being treated as a medium scheme and staging to commence from 31 October 2024 with a deadline of 30 April 2025 may more readily enable Fire schemes to provide credible data to the dashboard.

There are three different schemes within the overall FPS, each subject to its own regulations (FPS 1992, FPS2006/7 and FPS2015). It is not clear whether the definition of scheme used by the dashboard relates to the overall FPS or to the component scheme and whether the administrators should be returning combined or component returns.

- **Value to the “pension saver”**

Typically Fire scheme members have one period of continuous employment and do not have lost pensions. Their priority is likely to be having information about the value of their pension in the scheme that they are currently a member of. If they receive information that is not credible to them, i.e. data that is not McCloud remedied they will not value that information, and worse still it may further undermine their belief in the value of public sector pensions.

- **Projections and the definition of Normal Pension Age**

The draft regulations set out the requirement is to provide a projected value calculated in accordance with the scheme’s rules and without regard to possible increases in earnings, that would be payable from the date benefits are payable if pensionable service were to end on the member attaining Normal Pension Age (NPA).

From April 2022 all active members will have accrued benefits in both a legacy and a new scheme. This causes complexity in providing projected benefits for members with transitional FPS 1992/ 2015 benefits as each set of benefits has a different NPA. So schemes will need to provide separate values for each tranche, plus values to reflect the DCU choice. This will take additional time to work through.

This response is submitted on behalf of the Boards by the Local Government Association (LGA) who act as secretariat to the Board in England. Neither the Boards nor LGA act in the capacity of scheme manager or Fire and Rescue Authority (FRA).

The Boards thank DWP for the opportunity to respond to this consultation.

Yours sincerely



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Chair of the Firefighters' Pensions (England) Scheme Advisory Board



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Chair of the Firefighters' Pensions Scheme Advisory Board for Wales

Chapter 1: Overview of Pensions Dashboards

Question 1: Do you have any comments on any aspect of the Regulations or consultation, that is not covered in the following consultation questions?

While not directly relevant to the consultation questions, we would like to provide some background and context to the administration and management of the Firefighters' Pension Scheme (FPS) in England and Wales.

Under the scheme regulations, each of the 47 Fire and Rescue Authorities (FRAs) are responsible for the management and administration of their scheme and are defined in law as the scheme manager. This puts the responsibility to comply with overriding pension legislation on each of the political bodies charged with governance of the Fire and Rescue Service (FRS), i.e. Combined Fire Authorities, PFCCs, County Councils, Mayoral functions etc.

Each FRA is required to administer the pension scheme either in-house or through appointing a third-party administrator. There are currently 18 different pension administrators. They are mostly not for profit organisations, with one known exception, and are often linked to LGPS administering authorities.

It is the responsibility of each administrator to contract a software supplier that underpins their solution. The appointment of the software supplier and therefore the deliverability of software solutions is not within the control of the FRA, which means likewise that an Integrated Service Provider (ISP) may not be within the control of the FRA to appoint, even though they will ultimately pay the costs.

There are two software suppliers who supply software for the FPS: Civica and Heywood Pensions Technologies. We anticipate that these suppliers will be ISPs, however, it would not be desirable for FRAs to find themselves locked into a limited provider market forcing them to use certain providers only. As part of their value for money responsibility, they would need to compare providers to ensure best value.

We are keen to stress the impact of additional costs on the financial viability of the FRAs.

The FPS is an unfunded, single employer scheme, which means each FRA is solely responsible for their individual scheme and the cost of running this must be paid from the FRA's operating account.

The top-up grant from central government covers pension payments only; unlike central schemes, where the administration cost is recognised by an employer levy, the entire cost of managing, governing, and administering the scheme is met by each FRA's operating account.

As a result, the financial implications of increased costs will directly affect the operational costs of the FRA and may lead to decisions that result in a loss of public sector frontline services.

We anticipate that costs will fall in three main areas:

Software costs. As detailed, there are two major software suppliers: Civica and Heywood Pensions Technologies. As full requirements as yet are unclear, costs from software suppliers are at present commercially sensitive and therefore unavailable.

Administrator costs. The administrators will in the first instance bear the costs of the software suppliers, however, as yet they will have not decided how to charge their clients (the FRAs) for either the software costs or the extra time involved in participating in the dashboard. This will be a commercial decision and many different factors may affect their decisions. As there are 18 administrators across the FRAs, each administrator may have a different strategy for charging costs, and we cannot at this time estimate what this would be.

Operational costs. On top of software and third-party administrator costs there will be operational costs to the FRA, as a result of managing the onboarding process. This might be additional resource costs, a change in payroll processes, additional data cleansing costs over and above the statutory requirements to provide data scores, or implementing new processes; for example, there is currently no legislative requirement to provide a deferred annual benefit statement for members of the FPS 1992.

We would have liked to have seen more information on the expectations of governance at local (scheme manager/ Local Pension Board) and national (Scheme Advisory Board; Home Office as responsible authority) level. For example, how the proposed TPR single code of practice will interact with dashboards and whether new data scoring requirements will be introduced i.e. could some former scheme-specific data items now be considered common data – as they will be required to be returned to the dashboard for all non-money purchase schemes.

Question 2: Do you agree with the proposed approach to the oversight and approval of standards?

The approach seems sensible. However, there seem to be reference to two different sets of technical standards which could potentially cause confusion. It would also have been helpful to see examples of what might be deemed minor technical changes.

Chapter 2: Data

Question 3: User testing shows that the inclusion of date of birth for display logic purposes could be useful for individuals using dashboards, so we are minded to include it. Does this cause concern?

We have no concerns from a technical or security point of view, as it is data that scheme will need to hold anyway. However, we are unclear as to what point it will show is left to retirement, for example would this be Normal Pension Age (NPA) – which could be problematic for schemes which have multiple tranches of benefits (FPS 1992 and FPS 2015) – or would this be State Pension age (SPa) as this is also now NPA for many public service schemes.

Question 4: Will it be feasible for trustees or managers to provide administrative data to new members making a request for information within three months of joining the scheme?

We believe so, as long as it does not raise an expectation for value data to also be made available. This realistically cannot be provided until an annual benefit statement (ABS) has been produced.

For deferred members who leave within a 12-month period, there will be no value data available until the deferred benefit (DB) is calculated. This may increase pressure/ burden on administrators to process DBs more quickly.

Question 5: To what extent do schemes currently make use of the exemptions under Disclosure Regulations 2013, regulation 17(6)(c), which exempt money purchase schemes from issuing projections if certain criteria are met? Do many choose instead to issue SMPs to individuals in these circumstances?

N/A

Question 6: Do schemes apply exemptions when providing information in respect of cash balance benefits, which they think should be transferred over to dashboard regulations?

N/A

Question 7: Do the Regulations reasonably allow for our policy intent for deferred non-money purchase schemes to be achieved, and does it reflect current practice?

The regulations seem to achieve policy intent and appear reasonable.

We believe this the requirement is in line with current practice, although deferred annual benefit statements are not a statutory requirement for FPS 1992.

As deferred members only receive an accrued value, should the contextual information applicable to projections in Regulation 26 (2)(g) also be included:

- (g) the date from when the estimated retirement income value is expected to be payable from, where— (i) this is the normal pension age under the scheme rules;

However, this again raises the question over different payment ages between the schemes. The FPS has different payment ages for deferred benefits than retirement from active status, and these also vary between the schemes. The normal benefit age (i.e. date a deferred pension becomes payable) for FPS 1992 and FPS 2006/7 special members is 60. It is age 65 for FPS 2006/7 standard members, and SPa for FPS 2015.

Question 8: Would provision of an alternative, simplified approach to calculating deferred non-money purchase benefits as described make a material difference in terms of coverage, speed of delivery or cost of delivery of deferred values for any members for whom the standard calculation (pension revalued to current date in line with scheme rules) is not available?

While this is not likely to be applicable to the FPS as above, we think it could be useful for schemes to have a simpler alternative at least in the short term if it would otherwise mean a delay to them being dashboard ready. In the long-term consistency is key. It would also be useful to understand whether the alternative would produce a substantively different amount.

Question 8a: If a scheme were to use the alternative, simplified approach to calculate the deferred non-money purchase value, would the resulting values be-accurate enough for the purposes of dashboards and as a comparison with other pension values? Is the potential for this degree of inconsistency of approach reasonable? What are the potential risks to consumers or schemes in providing a value based on a simplified calculation?

See above.

There is a risk of providing incorrect or inaccurate information to both members and schemes, and there could also be duplication of work if schemes (or their providers) have to develop a simplified calculation and then a more accurate one.

Question 9: Do the regulations as drafted fulfil our policy intent for cash balance benefits, and do the requirements reflect current practice in delivering values?

N/A

Question 10: Is displaying more than one value, to account for legacy and new schemes, in respect of members affected by the McCloud judgment and Deferred Choice Underpin a feasible approach? Do consultees believe it is the correct approach in terms of user experience?

It is the only realistic approach which will provide a credible dashboard experience to FPS members.

However, it does mean that the staging timeline for the scheme is unrealistic and unachievable. The staging date for PSPS is 30 April 2024. By that time, a remediable ABS or remediable service statement (RSS) to include McCloud data will not have been produced and it will not be possible to include more than one value for the dashboard. **RSS are not legislated to be provided for eligible members until 18 months from October 2023, which would be April 2025. This is the earliest date that FPS should be required to stage.** To provide members with value data that does not include remediable benefits will undermine the entire purpose and aim of dashboards.

This view is supported in full by employer and employee representatives of both Scheme Advisory Boards. Feedback from representative bodies is that members are likely not to visit the dashboard again if their information is missing/ incorrect at the first visit. For that reason, we strongly recommend that a dashboard with a 'find only' service would not be an appropriate interim solution for the FPS.

From GAD valuation data, we believe that 92% of the active membership in England as at 31 March 2016 is in scope for remedy. Should FPS be required to stage before it is possible to return McCloud value data, this would mean incorrect information being displayed for around 30,350 individuals.

Question 11: We have proposed that hybrid schemes should return the value data elements as outlined for money purchase/non-money purchase schemes depending on the structure of the individual's benefit within the scheme, within the relevant timescales. Are the regulations drafted in such a way as to deliver the policy intent stated, and is this deliverable?

N/A

Question 12: Our policy intention is that where a benefit is calculated with reference to both money purchase and non-money purchase values (as opposed to hybrid schemes with separate values), schemes should only provide a single value. The regulations do not currently make this explicit. Would a requirement that a scheme must supply only the data for the greater benefit of the two cover all scenarios with mixed benefits? Are there other hybrid scenarios which are not covered within these regulations?

N/A

Question 13: Are the accrued values for different scheme and member types deliverable, and can they be produced in the time frames set out in the 'Response times' section? Are these values necessary for optimal user experience?

Colleagues from software suppliers and administrators will be best placed to answer, however, if schemes need to store calculations in a format according to data standards and ready to be returned immediately, software development and/or change to administrative processes may be needed.

The draft regulations set out the requirement is to provide a projected value calculated in accordance with the scheme's rules and without regard to possible increases in earnings, that would be payable from the date benefits are payable if pensionable service were to end on the member attaining NPA. NPA is to be linked to the definition set out in paragraph 180 of the Pensions Act 1993.

It would be helpful to have more clarity in the definition of NPA, especially where the member has more than one benefit tranche coming into force at different ages. For the Fire Schemes the position is even more complex for the following reasons:

- For the FPS 1992, the normal retirement age is 55 but member can retire from age 50 with at least 25 years' service, meaning that the earliest age that they can go on an unreduced pension can be from age 50. Service in a subsequent scheme can count towards this, meaning that more benefits can be accrued even after the member has moved schemes.
- For the FPS 2006/7, the normal retirement age is 60 and members need to leave the scheme and become deferred if they wish to take their pension earlier, in which case it is reduced from a normal benefit age of 65 for deferred pensioners.
- For the FPS 2015, the normal retirement age is also 60 but early retirement is possible for both active and deferred members from age 55 (different early retirement factors apply from each status).

From April 2022 all active members will have accrued benefits in both a legacy and a new scheme. Schemes will need to provide separate values for each tranche, plus values to reflect the DCU choice – so four different values for projections, plus two for accrued benefits. This will take additional time to work through.

While the scheme rules of a public sector scheme do specify the expected rate of future accrual, this could potentially change periodically as a result of the cost control mechanism. We would expect this to be caveated on the dashboard.

Once the required values have been produced as part of an ABS/ RSS cycle and are stored on the system rather than held within a document, then they should be able to be returned automatically and immediately.

There may be an issue for deferred members if they have recently left and the DB has not yet been calculated. Ten days is quite a short timescale if there is not yet a calculation in place, particularly for the larger administrators, for context, 60% of FRAs in England are administered by just two providers.

We believe that FPS members accessing the dashboard would have a legitimate expectation of seeing both accrued and projected values as these are currently provided on the ABS. Therefore, they are definitely necessary for optimal user experience. This also appears to be reflected in PDP and MaPS user research.

Question 14: Do you believe our proposals for data to be provided and displayed on dashboards, particularly on value data, provide the appropriate level of coverage to meet the needs of individuals and achieve the aims of the Dashboard programme?

We would question the immediate added value of pension dashboards for the FPS membership. Members receive an ABS each year which will give them the same information as the dashboard. As a cohort, they are less likely to have multiple small pensions or lost pots, due to nature of their careers.

Many members, depending on their administrator, also have access to online member self-service, which allows them to amend their details or run projections as well as accessing their statement value data. i.e. g and h of the staging objectives on page 79 of the consultation document are of limited value to FPS members.

We would also like to understand how this ties in with DWP provisions for simpler ABS.

Question 15: Are there ways in which industry burden in terms of producing and returning value data could be reduced without significant detriment to the experience of individuals using dashboards?

In the main, it is anticipated that the value data will already be being provided anyway, albeit in a different format and notwithstanding McCloud. We wonder if there could be a case for aligning ABS requirements with dashboard requirements in the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations.

The most significant way that the burden could be reduced for FPS would be to delay the staging date; this would also avoid detriment to individuals of incorrect data being returned.

Chapter 3: How will pensions dashboards operate? Find and View

Question 16: Is 30 days an appropriate length of time for individuals to respond to their pension scheme with the necessary additional information to turn a possible match into a match made?

This seems reasonable, with an extension available if needed. It should be information that an individual has readily available.

Question 17: Do you think that the response times proposed are ambitious enough?

The proposed response times are more than ambitious. For response times on value data please see Q13.

Question 18: What issues are likely to prevent schemes being able to return data in line with the proposed response times?

Again this is a question more appropriate to software suppliers and administrators, however, we put forward the following issues:

- If processes are not automated.
- If the staging date is too early and schemes are not ready. i.e. McCloud/ DCU data is not available at April 2024.
- If the information relates to a deferred member and their DB has not yet been calculated.

Question 19: We are particularly keen to hear of where there could be specific difficulties to providing this data for exceptional cases, how many cases this might include, and whether consultees have views on how exceptions could be made without damaging the experience of individuals using dashboards for most cases where values can be provided more readily. Are there any specific cases when providing the information asked for would be particularly difficult?

We would reiterate the point around staging in relation to McCloud data. According to GAD 92% of the active FPS population in England will be affected by remedy. The ideal solution would be to delay staging for the FPS. In the majority of cases, members will only have their FPS membership and state pension to display, so this would not be damaging in terms of expectations set by other data being returned more quickly.

There may also be a particular difficulty around retained firefighters whose benefits can be more complex to calculate as they do not have a set pattern of service or salary, and do not always receive an automated ABS where the software does not generate the calculations correctly. At the 2016 valuation, there were 7,509 FPS 2006 standard retained members and 695 FPS 2015 retained members² in England.

The FPS 2006/7 also contains a category of members called 'special members' who were introduced from 2014 following [Matthews v Kent and Medway Towns Fire Authority \[2006\] UKHL 8](#) which led to legislation allowing retained firefighters employed between 1 July 2000 and 5 April 2006 the right to be treated no less favourably than wholetime firefighters and allowed to join a pension scheme with retrospective effect to 1 July 2000. While the benefits awarded to special members largely mirrored the benefits under the FPS 1992, the FPS 2006/7 was amended as the FPS 1992 was closed.

Individuals were provided with a statement of service and had to elect to pay contributions to buy that service either via a lump sum at the time of election, or by periodical contributions over ten years or until retirement date.

There were 1,461 active FPS 2006 special members in England in 2016. The ABS for these members are notoriously complex to produce, as service accrues only as the benefits are purchased and due to the relatively limited numbers in scope, calculations are not always automated.

² [Fire England - Data Report 2016 - Final](#)

Chapter 4: Connection: What will occupational pension schemes be required to do?

Question 20: Do the proposed connection requirements seem appropriate and reasonable? If not, what alternative approach would you suggest and why?

They seem reasonable for centrally administered schemes. Due to the technical requirements for the pre-connection stages, it seems unfeasible for local scheme managers to undertake this on an individual basis. They will be reliant on their administrator and subsequently software suppliers or chosen ISP. It would have been useful to see the guidance before responding to this question.

Chapter 5: Staging – the sequencing of scheme connection

Question 21: Do you agree that the proposed staging timelines strike the right balance between allowing schemes the time they need to prepare, and delivering a viable pensions dashboards service within a reasonable timeframe for the benefit of individuals?

This is a leading question and we absolutely do not and cannot agree for the FPS. As the consultation document acknowledges “considerable work will be required in the short term by PSPS...” (para 72)³ to implement McCloud/ DCU from October 2023 and furthermore, “It is expected that implementation of the remedy will continue to place demands on schemes beyond October 2023...” (para 73).

The proposed staging deadline for PSPS of 30 April 2024 will not give FRAs or their administrators sufficient time to implement the retrospective element of McCloud (DCU), given the 18-month timescales for providing RSS. Providing individuals with incorrect or incomplete information would undermine the credibility of the dashboard and decrease member engagement.

We would be grateful for consideration of other mitigations as outlined in paragraph 75 of the consultation document, such as a staggered staging profile for PSPS.

Question 22: Apart from those listed in the table ‘classes of scheme out of scope of the Regulations’ are there other types of schemes or benefits that should be outside the scope of these Regulations? If you have answered ‘yes,’ please provide reasons to support your answer.

We do not have a view on this question.

Question 23: Do you agree with the proposed sequencing as set out in the staging profile (Schedule 2 of the Regulations), prioritising Master Trusts, DC used for Automatic Enrolment and so on?

We strongly disagree with the proposed from the perspective of the FPS.

As the FPS is locally administered, not all schemes will fall within the >1000-member category. Some are significantly smaller. And while PSPS provides 20% coverage from go live, the Fire schemes are a tiny proportion of that.

Using numbers provided for the 2020-21 SAB statutory levy, only 10 of the 44 FRAs in England fall within the >1,000-member plus category, and 2 of the 3 FRAs in Wales. Twenty-six have between 500 – 1,000 members; ten have less than 500, and the smallest has less than 50.

³ [Pensions dashboards: consultation on the draft Pensions Dashboards Regulations 2022](#)

This incorporates individuals who are eligible to be active members. However, the deferred population is relatively low. For example, at the 2016 scheme valuation, there were 32,985 active members across the three Fire schemes in England. At the same date (31 March 2016), there were only 10,675 deferred members. And for comparison, 42,376 pensioner members⁴.

It is inconsistent to stage PSPS as a single cohort when other schemes of same type are split by size.

We do not feel qualified to comment on the sequencing for other schemes.

Question 24: (Cohort specific) If you represent a specific scheme or provider, would you be able to connect and meet your statutory duties by your connection deadline? If not, please provide evidence to demonstrate why this deadline is potentially unachievable and set out what would be achievable and by when.

The legislation to retrospectively move firefighters back into their legacy schemes will not be in force until October 2023. Once those regulations come into force the practicalities of implementing it will rely on a) software being delivered on time and b) the resource available by the administrators. The timeframe to negotiate for, fund, and deliver the necessary developments by October 2023 is exceedingly tight and reliant on primary and secondary legislation being drafted in time.

The resource available to both software providers, administrators, and policy managers will be limited and competitive.

While McCloud applies across the public sector, specific to FPS, a settlement is currently in the process of being agreed in relation to Matthews for retained firefighters who were unable to join a scheme before 2006 (see Q19). A second options exercise will need to take place following a period of consultation. From the latest Home Office timelines we believe that this may be expected to commence between August – September 2023 and will last for a period of 18 months. This will place a huge resource burden on FRAs, and it is not at all feasible that they can also stage to the dashboard within this timeframe, as well as managing business as usual activities.

Due to this and the practicality of presenting McCloud benefits, we strongly request that the staging deadline for the FPS is delayed to April 2025.

Question 25: Do you agree that the connection deadline for Collective Money Purchase schemes/Collective Defined Contribution schemes (CDCs) should be the end of April 2024?

N/A

Question 26: Do you agree with our proposition that in the case of hybrid schemes, the connection deadline should be based on whichever memberships falls in scope earliest in the staging profile and the entire scheme should connect at that point?

N/A

⁴ [Fire England - Data Report 2016 - Final – England only](#)

Question 27: Do you agree that the Regulations meet the policy intent for hybrid schemes as set out in Question 26?

N/A

Question 28: Do you agree with our proposals for new schemes and schemes that change in size?

They seem reasonable, although presumably they do not apply to locally administered public service schemes which are suggested to stage in a single cohort and there are also unlikely to be new public service schemes.

Question 29: Do you agree with the proposed approach to allow for deferral of staging in limited circumstances?

We believe there should be other concessions as detailed below. Schemes were more easily able to defer or postpone their duties under auto-enrolment, which would seem a more pressing initiative in terms of improving retirement outcomes.

Question 30: Are there any other circumstances in which trustees or managers should be permitted to apply to defer their connection date to ensure they have a reasonable chance to comply with the requirements in the Regulations?

If they are administratively and practically unable to – due to conflicting scheme-specific pressures and priorities. And if the data that will be available at the proposed staging date will be incorrect and therefore potentially damaging to the credibility of the dashboard.

Chapter 6: Compliance and enforcement

Question 31: Do you agree that the proposed compliance measures for dashboards are appropriate and proportionate?

They appear to be, however, there will a period of 'bedding in' which we believe is alluded to in the section on 'per request' basis enforcement, when a particularly proportionate approach is required. We will encourage FRAs to use their current breach recording and reporting procedures in relation to dashboard compliance.

We also welcome the ability of TPR to issue notices to third parties, as circumstances outside an FRAs control may lead to non-compliance, as they primarily use third-party administrators and will presumably use an intermediary to connect to the dashboard. FRAs also have no direct contract management over the software used to hold their employee records and provide the value data.

Chapter 7: Qualifying Pensions dashboard services

Question 32: Do you agree that our proposals for the operation of QPDS ensure adequate consumer protection? Are there any risks created by our approach that we have not considered?

If QPDS must meet the same standards applicable to the MaPS non-commercial dashboard then they must offer the same level of consumer protection for the basic dashboard service. Our only concern would be around companies attempting to manipulate or benefit from the individual, for example, by advertising or marketing. See Q34.

Question 33: We are proposing that dashboards may not manipulate the view data in any way beyond the relatively restrictive bounds set out in Regulations and Standards, as a means of engendering trust in Dashboards. Do you agree that this is a reasonable approach?

It seems the safest and most consistent approach.

Question 34: Do you agree that not constraining the content placed around dashboards is the right approach for dashboard providers and users?

We would question whether not constraining the content placed around dashboards carries additional data protection requirements. Are providers likely to use it as advertising for products such as wealth management services? We are unsure otherwise as to the financial incentive or benefit.

Question 35: Do the proposals set out here provide the right balance between protecting consumers and enabling dashboards to deliver the best user experience? Are there ways in which consumers might be afforded more protection without negatively impacting the user experience?

TPR messaging around scams should be added. We believe users would welcome the opportunity to export data but agree that appropriate warnings and messaging need to be in place, so that members accept liability for decision making.

Accessibility also needs to be key – particularly from a PSPS point of view.

Thought could be given to a mechanism which allowed individuals to opt out of dashboard provision completely.

Question 36: Does the introduction of a 3rd party audit sound workable for potential dashboard providers? We are particularly keen to receive views on:

- The deliverability of such an approach.
- The availability of relevant organisations to deliver such an audit.
- The degree of assurance that individuals can take from this third-party audit approach.

- Who should be this third-party trusted professional to carry out the assessment on dashboards compliance with design and reporting standards.

We have no particular views on this but would be interested to understand whether this is this likely to be onerous.

Do DWP have a sense of how many companies will register to become QPDS, and whether is it likely to be existing fintech/ banking organisations?

The Regulations state that a provider has to appoint a third party; would it be 'safer' for MaPS to allocate and auditor and could TPR be involved?

Question 37: In what ways might prospective dashboard providers expect a third-party auditor to assume any liabilities?

We do not have a view on this question but is it likely to make it unattractive to potential auditors if they expected to assume liability.

Question 38: What would dashboard providers expect the cost of procuring such a service to be?

N/A

Question 39: What are your views on the potential for dashboards to enable data to be exported from dashboards to other areas of the dashboard providers' systems, to other organisations and to other individuals?

See Q35.

Question 40: If data exports were prohibited, would prospective dashboard providers still be keen to enter the market to provide dashboards?

We believe possibly less so, due to lack of potential marketing of services using the exported data. If dashboards are going to be free at the point of access, there seems little financial incentive for commercial organisations to become QPDS.

Question 41: Do you have any comments on the impact of our proposals on protected groups and/or views on how any negative effects may be mitigated?

It should be legislated that all dashboards which are displaying PSPS data should ensure they have standard web-accessibility principles applied i.e. they are fully accessible and can work with mobile phones and tablets that users can set to their own accessibility specifications. For example, it should work with a device in voiceover settings.