

The Pension Regulator's Trustee Register individual application form (IND1)

The Pensions Regulator

For individual applications only - In addition to completing this application form, attach the necessary accompanying documents outlined in the attached checklist at the end of this form.

1. Applicant's details – general information on the applicant

<p>1.1 Applicant's name (in full), home address, contact details and date of birth.</p>	Name:
	Address:
	Email address:
	Telephone number:
	Date of birth:
<p>1.2 Provide the address of the premises in the United Kingdom from which you conduct your business as a trustee of occupational pension schemes.</p>	Business address:
<p>1.3 Provide the amount (%) of your annual turnover that is related purely to pension trustee work.</p>	%
<p>1.4 Supply copies of your full audited (or subject to audit) accounts for the previous three financial years (where these are not publically available).</p> <p>If you do not have accounts which are audited or subject to audit, provide copies of your accounts or statement of income and expenditure produced to accompany your tax return to the Inland Revenue for the same period.</p>	<p>Relevant accounts are publicly available <input type="checkbox"/></p> <p>Full audited (or subject to audit) accounts attached <input type="checkbox"/></p> <p>Accounts/statement of income and expenditure provided <input type="checkbox"/></p>

2. Experience

<p>2.1 Complete the attached Individual experience form (IND2).</p>	<p>Experience form attached <input type="checkbox"/></p>
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3. Fit and proper

3.1 How many IDR, TPAS or Pensions Ombudsman complaints have you received/are aware of in the last 5 years relating to, or arising out of or in connection with, your work as an occupational pension scheme trustee?	Number of complaints:				
	IDR	TPAS	PO		
3.2 If you have received/are aware of any such complaints (see question 3.1 above), in respect of each, provide the date it was first made, the name of the complainant, the scheme, the nature of the complaint and the outcome (if any)	Date	Complainant	Scheme	Nature of complaint	Outcome
3.3 Are you, or have you ever been, the subject of any regulatory/governmental body investigation or intervention?	Yes: <input type="checkbox"/> No: <input type="checkbox"/> If 'Yes', provide details of when any such investigation commenced, the matters investigated and the outcome (if any):				
	Commencement date	Matters investigated	Outcome		
3.4 Aside from family proceedings, are you, or have you ever been the subject of any civil proceedings, or received any pre-action protocol letter(s) or other letters indicating that such action might be taken against you?	Yes: <input type="checkbox"/> No: <input type="checkbox"/> If 'Yes', provide the date that any such proceedings commenced or letters were received, the matters in issue and the outcome (if any):				
	Date	Matters in issue	Outcome		

<p>3.5 Have you ever suffered an insolvency event, as defined in sub-sections 121(2), (3) and (4) of the Pensions Act 2004 (for LLP applicants, review sub-section 121(3), substituting 'LLP' for company)?</p>	<p>Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>If 'Yes', identify the event(s) and provide the dates upon which it/they occurred:</p>		
	Event	Date	
<p>3.6 a). Are you, or have you ever been, the subject of any proceedings leading up to or referring to any event referred to in question 3.5 above (including receipt of a statutory demand)?</p>	<p>Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>If 'Yes', tell us when the proceedings commenced or demand was sent, the issues raised in these and the outcome:</p>		
	Date proceedings commenced	Issues raised	Outcome
<p>b). Are you, or have you ever been, involved in any negotiations/compromises with your creditors?</p>	<p>Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>If 'Yes', provide details and the outcome:</p>		
	Details of negotiations/compromises with creditors	Outcome	

3.7 Have you ever been convicted of, or cautioned in respect of, any criminal offence (excluding convictions that are spent with the meaning of the Rehabilitation of Offenders Act 1974 and any offences that were dealt with by way of a fixed penalty notice)?

Yes: No:

If 'Yes', provide the dates of any such conviction(s) and/or caution(s), the case number, identify the offence and, if applicable, the penalty/fine/sentence imposed:

Date

Case no

Offence

Penalty

Fine

Sentence imposed

<p>3.8 Has a trustee appointment held by you been terminated or have you resigned or been asked to resign from a trustee appointment due to:</p> <ul style="list-style-type: none"> (i). Negligence or misconduct; (ii). Conflicts of interest; (iii). Fees or costs incurred; (iv). Lack of progress; or (v). Unspecified reasons. 	<p>Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>If 'Yes', provide details:</p>
<p>3.9 Have you been asked to resign, resigned, faced disciplinary action from your employer or professional or other governing bodies, or had your employment terminated as a result in whole or in part of any negligence or misconduct (whether or not this resulted in formal action taken against you)?</p>	<p>Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>If 'Yes', provide details:</p>
<p>3.10 How do you ensure that you maintain sufficient knowledge and understanding of the issues that are relevant/might be relevant to trustee appointments? For example, confirm that you have completed the regulator's online Trustee toolkit training (http://www.trusteetoolkit.com).</p>	<p>Toolkit completed <input type="checkbox"/></p> <p>Other information: <input type="checkbox"/></p>
<p>3.11 Describe how you ensure that all of your staff involved in trustee work have the necessary knowledge and understanding to undertake this work.</p>	
<p>3.12 Have you been unable to fulfil your trustee or employee duties (in whole or in part) for a period greater than 3 consecutive months?</p>	<p>Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>If 'Yes', please indicate when this occurred and the reason for it:</p>

<p>3.13 List all companies in which you are a director.</p>	<p>Date appointed</p>	<p>Company name</p>
<p>3.14 List any companies, partnerships or LLPs where you exercise control, whether alone or together with others (either directly or indirectly), over the management of that body. Describe your role in these organisations.</p>	<p>Company/Partnership/LLP</p>	<p>Your role</p>
<p>3.15 How do you ensure that any conflicts of interest which arise (or might arise) in relation to or following any trustee appointment are identified, avoided or managed?</p>		
<p>3.16 Describe how you ensure that any of your staff involved in trustee work understand what a conflict of interest is, how conflicts might arise and the options for avoiding or managing these.</p>		
<p>3.17 If different from the information provided in response to question 1.4 above, provide copies of your full audited (or subject to audit) accounts in respect of your occupational pension scheme trustee work for the previous three financial years.</p> <p>If you do not have accounts which are audited or subject to audit, provide copies of your accounts or statement of income and expenditure in respect of your occupational pension scheme trustee work produced to accompany your tax return to the Inland Revenue for the same period.</p> <p>In addition, attach details of any income/expenditure in respect of your trustee work that does not appear in your accounts.</p>	<p>Information already provided in Q1.4 <input type="checkbox"/></p> <p>Full audited (or subject to audit) accounts attached <input type="checkbox"/></p> <p>Accounts/statement of income and expenditure provided <input type="checkbox"/></p> <p>Income/expenditure details that do not appear in accounts provided (if applicable) <input type="checkbox"/></p>	

4. Administrative and accounting procedures

<p>4.1 Describe your processes for taking and reviewing key business decisions which should include procedures and controls for managing key business decisions (for example ensuring they are duly recorded and, where necessary, properly authorised).</p>	
<p>4.2 Describe your business' approach for identifying, evaluating, managing and monitoring key business risks.</p>	
<p>4.3 Describe the key administrative processes and procedures of your own business' operations which ensure affairs are properly managed, including those related to the acceptance of new business, financial management, training and outsourcing arrangements.</p>	
<p>4.4 Describe how delegated authorities and procedures are clearly documented, including delegations to third parties.</p>	
<p>4.5 Describe how statutory reporting and disclosure requirements for the applicant's business affairs are understood and adhered to.</p>	
<p>4.6 In relation to scheme appointments, how would you ensure that accurate and complete member and financial records are maintained? Outline data and financial management controls you would expect the scheme administrator (whether in-house or outsourced) to operate. This should include controls relating to the collection of contributions, benefit calculations and financial reporting.</p>	
<p>4.7 In relation to scheme appointments, detail the processes for selecting and appointing scheme advisers (administrators, investment managers and auditors etc) and the controls for assessing the quality of the service provided following appointment.</p>	

<p>4.8 In relation to new business, describe how, prior to accepting new business, the risks identified with it are identified, recorded, assessed and addressed including (but not limited to) whether there:</p> <ul style="list-style-type: none"> • is a sufficient understanding of the new business; • is capacity and personnel (including cover) to undertake the new business; • is sufficient competency to undertake the new business; and • are the appropriate systems in place to cope with the new business, <p>all in the light of the issues facing the scheme and its size.</p>	
<p>4.9 In relation to scheme appointments, describe your processes and procedures for ensuring that the scheme is run in accordance with constitutional documents (trust deed and rules and contracts etc) and regulatory framework (including compliance with codes of practice and other regulatory material).</p>	
<p>4.10 In relation to scheme appointments, describe your procedures for ensuring that all reporting requirements (including disclosures to members) are fulfilled.</p>	
<p>4.11 In relation to scheme appointments, outline your approach to establishing and ensuring that the scheme operates adequate internal controls.</p>	
<p>4.12 How do you ensure scheme assets are safeguarded from misappropriation? Describe the controls you operate to ensure the safe custody of scheme assets.</p>	
<p>4.13 Describe how you ensure that the fees and expenses are completely and accurately recorded.</p>	

<p>4.14 Describe the safeguards in place to maintain the continuity and integrity of computerised systems and information technology, including disaster recovery plans and system controls.</p>	
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5. Indemnity insurance

<p>5.1 Provide a copy of your current professional indemnity insurance certificate. If your certificate does not do so, provide a letter from the appropriate insurance broker(s) confirming that your policy meets all of the regulator's requirements[†].</p>	<p>Indemnity insurance certificate provided <input type="checkbox"/></p> <p>Letter of confirmation provided (if applicable) <input type="checkbox"/></p>
<p>5.2 What is the policy excess (if applicable)? Explain how the resources in your business are sufficient to meet its full value.</p>	<p>£ Policy excess</p> <p>Explanation</p>

We may contact you for further details in relation to any information supplied on this application form.

Information received in this application will be used for searches in connection with the compiling and maintenance of The Pensions Regulator's Trustee Register. All information will be processed in line with the Data Protection Act 1998 and our Fair Processing Notice (see www.thepensionsregulator.gov.uk/docs/fair-processing-notice.pdf).

You must now read and sign the declarations on the next pages. **Ensure that you have completed the checklist at the end of this form and supplied all the requested documentation.**

[†] See guidance on The Pensions Regulator's Trustee Register webpage

6. Signature and Declaration

You must read and sign the declaration below before your application can be processed.

Applicant

The applicant confirms that he/she is not the subject of a prohibition order made under section 3 of the Pensions Act 1995.

The applicant confirms that he/she is not the subject of a suspension order made under section 4 of the Pensions Act 1995.

The applicant confirms that he/she is not disqualified from being a trustee of any trust scheme on any of the grounds set out in subsection (1) of section 29 of the Pensions Act 1995, by virtue of being subject of an order made under subsection (3) or (4) of that section.

The applicant agrees to have his/her fees and costs scrutinised by an independent adjudicator and to be bound by that adjudicator's final adjudication as to his/her fees and costs.

The applicant agrees to The Pensions Regulator disclosing his/her name, business address and the areas of trustee work in which he/she specialises on the version of the trustee register which is to be publicly available.

The applicant agrees to comply, as soon as reasonably practicable, with reasonable requests of The Pensions Regulator to provide information to The Pensions Regulator.

The applicant agrees to inform The Pensions Regulator as soon as is reasonably practicable if he/she becomes disqualified under section 29 of the Pensions Act 1995.

It is accepted by the applicant that The Pensions Regulator will hold the information provided by the applicant in the exercise of its functions and that it will be used by The Pensions Regulator for the purposes of, or for any purpose connected with or incidental to, the exercise of its functions.

The applicant certifies that the information he/she has provided in this form is accurate and complete and, in accordance with section 80 of the Pensions Act 2004, acknowledges that it would be a criminal offence for the applicant to knowingly or recklessly provide this information to The Pensions Regulator if it is false or misleading in a material particular. The applicant also acknowledges that the provision of inaccurate information may be used by The Pensions Regulator as a reason to refuse registration or remove from the register, as applicable.

The applicant confirms that he/she has provided all information that is or might be relevant to The Pensions Regulator's assessment of the Conditions (as defined in The Pensions Regulator's guidance on its website [link to be confirmed]), including information that may be adverse to his/her application and acknowledges that full disclosure is required by it, notwithstanding that some information may already be in the public domain.

It is acknowledged and agreed by the applicant that any acceptance on to the Trustee Register does not represent, and is not to be represented as being, an endorsement or approval by The Pensions Regulator of any services provided by the applicant.

The applicant agrees to inform The Pensions Regulator of (1) any new information relevant to questions 5.1 – 5.2 inclusive or (2) any new information relevant to questions 3.1. - 3.16 inclusive, within 10 working days of the changes occurring or the new information becoming known to the applicant.

The applicant agrees that The Pensions Regulator may check the information he/she provides against (1) information which is already held by The Pensions Regulator; and/or (2) information subsequently obtained by The Pensions Regulator; and/or (3) information from other sources.

The applicant acknowledges that The Pensions Regulator will assess the applicant's suitability for registration/remaining on the Trustee Register on the basis of the information provided in this form and any other information that The Pensions Regulator considers relevant.

Signed for and behalf of applicant
Print name
Position
Date

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Accompanying document checklist

For individual applications only - This checklist has been produced to ensure that when the application is submitted, all accompanying documentation is supplied. All of the below documents must be attached to the application form in order for the application to be considered.

- Individual experience form (IND2)
- Accounting information (Questions 1.4 and 3.17 (if applicable))
- Indemnity insurance certificate and letter from broker (if applicable) (Question 5.1)