

## Complying with the duty to report breaches of the law – code related guidance

### Transcript of the Decision-tree: deciding whether to report

1. **Is there reasonable cause to believe that a breach has taken place?**

Check what the law requires. If you are not sure, ask for advice.  
Check the facts. Ask the people who can confirm them.

No – No duty to report

Yes - go to 2

2. **Is the breach likely to be of material significance to The Pensions  
Regulator?**

Consider the:

- Cause of
- Effect of
- Reaction to
- Wider implications of the breach

**Red** – Clear cut: Red breach - report to The Pensions Regulator and record.

**Amber** – Not clear cut: Amber breach - consider context, apply principles of code and refer to guidance if necessary. Use judgement and decide.

**Green** – Clear cut: Green breach – don't report to The Pensions Regulator but record.