

Helping pension scheme trustees navigate their roles and responsibilities.

ENDGAME PLANNING



Endgame planning

Maturity dates of DB pension schemes are coming within tangible reach. The pensions industry is developing new solutions for managing liabilities to maturity. Trustees can expect a renewed focus by The Pensions Regulator on a scheme's long-term objective.

Trustees need to understand the opportunity and requirement for Endgame Planning as part of, and against the backdrop of, their legal fiduciary duties.

Understanding scheme outcomes and objectives



“We believe that focussing trustees on the long-term objective for the scheme will give both the trustee and the scheme sponsors greater clarity about the actions and the time frame in which to meet the SFO for example through a journey plan. The Regulator will produce further guidance in their SFO in line with their long-term objective and the specific circumstances of their scheme.”

Key factors for determining the appropriate Endgame strategy

Endgame Planning is scheme specific. But the factors which shape the endgame strategy are common.

Time to maturity

By 2037, DB liabilities will have reduced significantly.

Endgame planning should factor in the likely scheme size at the point of destination – this could be markedly different from today.

Funding

The ultimate outcome is a function of the current funding level, the achievable target funding level, and how risks and challenges can be managed.

Each endgame outcome has a differently sized funding requirement, supported by different funding regimes. Trustees need to understand the basis of each.

Covenant

Analysing the covenant and the risk it poses are crucial.

- Firstly, it reflects the ability of the sponsor to fund shortfalls / deficits
- Secondly, it fundamentally affects the ability to reach a desired outcome, and the timing of that outcome

Any long-term objective which counts on the continued existence of the sponsor is fatally exposed to an insolvency of the sponsor. If an insolvency event occurs in



respect of the sponsor, the scheme will enter into a PPF assessment.

At this point there are only two possible outcomes:

- If the value of the assets is below PPF levels, the scheme will enter into the PPF (with a cut of all benefits to PPF levels); or
- If the value of the assets is above PPF funding levels, the scheme will be required to insure the affordable benefits in the insurance market, again with a cut back to benefits.

In both cases this could mean that reduced benefits will be paid. This means that the initial long-term objective will not be achieved.

Risk management

Trustees have to identify, understand, and manage a range of risks.

Covenant risk	Investment risk: <ul style="list-style-type: none">• Market risk (interest & inflation)• Reinvestment risk• Counterparty credit risk• Liquidity risk• Manager negligence
Expenses	
Human resource capability	
Optionality in benefits	
Data risk	
Administration risk	Longevity risk
Operational risk	Change of law risk

Approach to endgame planning

Understand:

- The difference between outcomes and strategies
- Trustees' legal duties
- The factors relevant to endgame planning – and how they apply to a scheme.

Monitor the strategy – as factors change, so might the strategy. Endgame planning is dynamic not static!



The team “clearly understands the client's needs and has the knowledge to execute a comprehensive and reliable plan”.



Pro bono

Pro bono initiatives giving individuals and organisations across the globe access to premier legal advice.

- Award-winning support for Refugees at Home (matching spare rooms with refugees' needs).
 - Advocates for International Development (focused on eradicating global poverty).
 - City YMCA (supporting new hostel construction and its merger with YMCA North London).
-



Diversity & Inclusion

Dedication to diversity and inclusion delivered through a range of initiatives and activities.

- Diversity by Design art initiative.
 - Trans-inclusive policies and activities.
 - Dedicated support and awareness-raising not just in Mental Health Awareness Week, but 24/7.
 - Ranked 12 in the Stonewall Top 100 LGBT Employers List.
 - Listed as a Top Trans Employer.
-



Corporate Social Responsibility

CSR activities touching the lives of thousands of communities in UK & internationally.

- Grants through the Travers Smith Foundation.
 - Major charity partnerships like Contact the Elderly.
 - Community engagement through multiple local organisations and schools.
 - Supporting emerging artists through our CSR Art Programme.
-

The information in this document is intended to be of a general nature and is not a substitute for detailed legal advice. Travers Smith LLP is a limited liability partnership registered in England and Wales under number OC 336962 and is regulated by the Solicitors Regulation Authority. The word "partner" is used to refer to a member of Travers Smith LLP. A list of the members of Travers Smith LLP is open to inspection at our registered office and principal place of business: 10 Snow Hill, London EC1A 2AL.

Travers Smith LLP 10 Snow Hill, London EC1A 2AL +44 (0)20 7295 3000 | traverssmith.com

Key contacts



Daniel Gerring
Head of Pensions
daniel.gerring
@traverssmith.com
+44 (0)20 7295 3341



Sebastian Reger
Partner
sebastian.reger
@traverssmith.com
+44 (0)20 7295 3335



Susie Daykin
Partner
susie.daykin
@traverssmith.com
+44 (0)20 7295 3247



Jonathan Gilmour
Partner
jonathan.gilmour
@traverssmith.com
+44 (0)20 7295 3425



Niamh Hamlyn
Partner
niamh.hamlyn
@traverssmith.com
+44 (0)20 7295 3287



Peter Hughes
Partner
peter.hughes
@traverssmith.com
+44 (0)20 7295 3377



David James
Partner
david.james
@traverssmith.com
+44 (0)20 7295 3087



Andy Lewis
Partner
andrew.lewis
@traverssmith.com
+44 (0)20 7295 3444



Dan Naylor
Partner
dan.naylor
@traverssmith.com
+44 (0)20 7295 3454



Joseph Wren
Partner
joseph.wren
@traverssmith.com
+44 (0)20 7295 3401



Sarah Boon
Consultant
sarah.boon
@traverssmith.com
+44 (0)20 7295 3421



Charlotte Feld
Consultant
charlotte.feld
@traverssmith.com
+44 (0)20 7295 3469



Helen Rowan
Senior Counsel
helen.rowan
@traverssmith.com
+44 (0)20 7295 3314



Karen Sahota
Senior Counsel
karen.sahota
@traverssmith.com
+44 (0)20 7295 3348



Harriet Sayer
Senior Counsel
harriet.sayer
@traverssmith.com
+44 (0)20 7295 3815



Chris Widdison
Senior Counsel
chris.widdison
@traverssmith.com
+44 (0)20 7295 3604



Nick White
Knowledge Counsel
nick.white
@traverssmith.com
+44 (0)20 7295 3472
