

Information  
for employers  
of personal  
care assistants

# The essential guide to automatic enrolment

The law on workplace pensions has changed. Under the Pensions Act 2008, every employer in the UK must put certain staff into a pension scheme and contribute towards it. This is called 'automatic enrolment'.

If you employ a personal care assistant you are an employer and you have certain legal duties.

The Pensions  
Regulator



# How to use this guide

This guide is split into two sections, but you will only need to use the one that applies to your circumstances.

## Which section applies to me?

If your personal care assistant will be:

- aged between 22 and up to state pension age on your staging date
- and earns more than £833 per month (£192 per week) on your staging date

...you **will need to provide a pension scheme** for your personal care assistant. Read Section 1 – page 4.

However, if you find that:

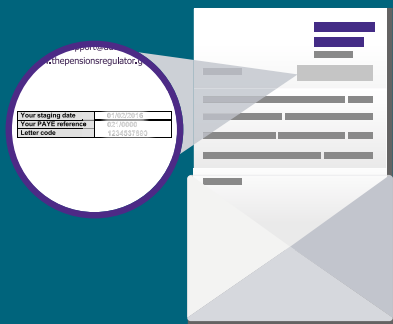
- your personal care assistant will not be aged between 22 and up to state pension age on your staging date, or
- your personal care assistant will not be earning more than £833 per month (£192 per week) on your staging date

...you **don't need to provide a pension scheme** for your personal care assistant now. Read Section 2 – page 8.

Alternatively you, or someone who may be helping you, can use our Duties Checker to work out your legal duties.

# The Duties Checker

The online Duties Checker will ask you some simple questions to help work out which legal duties apply to you. You will need to know your PAYE reference, your letter code (both of which can be found on the letters we send you) and, if you employ anyone, their age and earnings.



Go to: [www.tpr.gov.uk/assess-tasks](http://www.tpr.gov.uk/assess-tasks)

## Your staging date

This is when the law comes into effect for you. Your staging date can be found on the letters we send you or when you use our Duties Checker.

## Your declaration deadline

This is the date by which you must tell us how you have met your legal duties. You must do this by completing an online form known as your declaration of compliance. Find your declaration deadline by using our Duties Checker.

# Section 1

## I employ a personal care assistant and need to provide a pension scheme



**1. Confirm who to contact**  
You should do this now.



**2. Choose a pension scheme (or check your existing one)**  
Do this around 6 months before your staging date.



**3. Work out who to put into a pension scheme**  
Do this on your staging date.



**4. Write to your care assistant**  
Do this within 6 weeks after your staging date.



**5. Declare your compliance**  
Do this within 5 months after your staging date.



## 1. Confirm who to contact

You should do this now. This step will take around 5 minutes.

If you haven't already done so, you should now confirm your details and let us know if someone will be helping you with your duties, for example an accountant or member of your family.

We will send you letters to keep you up to date with the tasks you need to complete and by when. We will send emails with help and guidance to the person who may be helping you with your duties. Confirm who to contact by going to:

**[www.tpr.gov.uk/select-contact](http://www.tpr.gov.uk/select-contact)**



## 2. Choose a pension scheme (or check your existing one)

You should do this around 6 months before your staging date.

You'll need to have a pension scheme that is set up for automatic enrolment. You and your personal care assistant will pay money into this scheme to help them save for their retirement.

If you have an existing scheme in place for your personal care assistant you should check with your provider to see if it can be used for automatic enrolment. If it can't, or you don't have an existing pension scheme, you'll need to find a new one.

The government has set up the National Employment Savings Trust (NEST) which must accept any employer that wishes to join it.

Other pension schemes are also available. For more information for you or anyone who may be helping you, go to: **[www.tpr.gov.uk/pension-ae](http://www.tpr.gov.uk/pension-ae)**



### 3. Work out who to put into a pension scheme

You must do this on your staging date.

On your staging date, you or the person who may be helping you, must work out how much your personal care assistant earns and how old they are.

We have more information and a useful tool on our website which will help you work out who to put into a pension scheme on your staging date.

You should use this information in order to complete your declaration of compliance.

Go to: [www.tpr.gov.uk/determine-pension](http://www.tpr.gov.uk/determine-pension)



### 4. Write to your care assistant

You must do this within 6 weeks after your staging date.

It is your legal duty to write to your personal care assistant to explain how automatic enrolment applies to them.

We have letter templates for you to use.

Go to: [www.tpr.gov.uk/contact-staff](http://www.tpr.gov.uk/contact-staff)



## 5. Declare your compliance

You must do this within 5 months after your staging date.

You can start your declaration of compliance at any time but you must complete it by your declaration deadline.

Your declaration is an online form for you to tell us how you have met your legal duties.

Even if someone else has helped you with your duties and may even be completing the declaration for you, it is your legal duty to make sure that the declaration is completed on time and the information entered is correct. If not you may be subject to fines.

Go to: [www.tpr.gov.uk/dofc-online](http://www.tpr.gov.uk/dofc-online)

### Ongoing duties

Once you have completed your declaration of compliance you still have ongoing duties towards your personal care assistant.

These include:

- paying money into their pension scheme
- dealing with requests to join and leave the pension scheme
- monitoring the age and earnings of your personal care assistant
- keeping accurate records of what you have done.

For more information on these tasks go to:

[www.tpr.gov.uk/continued-duty](http://www.tpr.gov.uk/continued-duty)

# Section 2

## I employ a personal care assistant and don't need to provide a pension scheme now



### 1. Confirm who to contact

You should do this now.



### 2. Check that nothing has changed

Use our Duties Checker around 3 months before your staging date.



### 3. What to do on your staging date



### 4. Declare your compliance

Do this within 5 months after your staging date.





## 1. Confirm who to contact

You should do this now. This step will take around 5 minutes.

If you haven't already done so, you should now confirm your details and let us know if someone will be helping you with your duties, for example an accountant or member of your family.

We will send you letters to keep you up to date with the tasks you need to complete and by when. We will send emails with help and guidance to the person who may be helping you with your duties. Confirm who to contact by going to: [www.tpr.gov.uk/contact-select](http://www.tpr.gov.uk/contact-select)



## 2. Check that nothing has changed

3 months before your staging date you, or anyone who may be helping you, should check to see if any of your personal care assistants' age and/or earnings have changed as you may now need to put them into a pension scheme. You should use our **Duties Checker** to do this (see page 3).

If you have taken on a new personal care assistant you may now also have to put them into a pension scheme.

To check this, go to: [www.tpr.gov.uk/verify](http://www.tpr.gov.uk/verify)



## 3. What to do on your staging date

### Assessing your personal care assistant

On your staging date, you, or anyone who may be helping you, must work out how much your personal care assistant earns and how old they are. This is because you may need to put them into a pension scheme if their age and/or earnings have changed.

We have more information and a useful tool on our website which will help you work out what you need to do.

You should use this information in order to complete your declaration of compliance.

Go to: [www.tpr.gov.uk/on-sd](http://www.tpr.gov.uk/on-sd)

### Write to your care assistant

You will need to write to your personal care assistant to tell them how automatic enrolment applies to them, even if you don't have anyone to put in a pension scheme.

We have a letter template for you to use.

Go to: [www.tpr.gov.uk/tell-staff](http://www.tpr.gov.uk/tell-staff)



## 4. Declare your compliance

You must do this within 5 months after your staging date.

You must complete your declaration of compliance by your declaration deadline. This is an online form for you to tell us how you have met your legal duties.

It is your legal duty to make sure that the declaration is completed on time and the information entered is correct, even if you have nobody to put into a pension scheme or someone else has helped you with your duties.

If you do not complete your declaration you may be subject to fines. To complete your declaration go to:

**[www.tpr.gov.uk/ontime-dofc](http://www.tpr.gov.uk/ontime-dofc)**

## Ongoing duties

Once you have completed your declaration of compliance you still have ongoing duties towards your staff.

These include:

- dealing with requests to join and leave the pension scheme
- monitoring the age and earnings of your personal care assistant
- keeping accurate records of what you have done.

For more information on these tasks go to:

**[www.tpr.gov.uk/continued-tasks](http://www.tpr.gov.uk/continued-tasks)**

# How to contact us

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**[www.thepensionsregulator.gov.uk](http://www.thepensionsregulator.gov.uk)**

This guide is designed to assist employers in complying with their duties. This guide is not intended to be a definitive way of complying with the duties of the Pensions Act 2008 and the regulations made under the Act. The Pensions Regulator cannot provide a definitive interpretation of the law; only the courts can do this. If you have any doubts of your legal rights or obligations please seek legal advice. Any alternative approach to that appearing in this guidance will nevertheless need to meet the underlying legal requirements.

## **The essential guide to automatic enrolment – information for employers of personal care assistants**

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