

Information
for
employers

The essential guide to automatic enrolment

The Pensions
Regulator



Contents

What is automatic enrolment?	3
Your duties	3
Your key dates	4
Confirm who we should contact	4

All employers have duties and what you need to do for automatic enrolment will depend on your particular circumstances. You will need to work out if you need to put your staff into a pension scheme or whether you don't need to provide a pension scheme, but still have other duties. You should then read either Part A or Part B for guidance on your duties.

Part A: I need to provide a pension scheme	5
Find out your duties if anyone who works for you on your duties start date is:	
• aged between 22 and up to state pension age	
• and earns more than £833 per month (£192 per week)	

Part B: I don't need to provide a pension scheme now	8
Find out your duties if:	
• nobody who works for you is aged between 22 and up to state pension age on your duties start date, or	
• nobody who works for you is earning more than £833 per month (£192 per week) on your duties start date.	

What do I need to do if I haven't started my duties and my duties start date has passed?	11
---	-----------

Declaration of compliance	13
Checklist	13

Minimum contributions	18
------------------------------------	-----------

Ongoing duties	19
Including Re-enrolment	

What is automatic enrolment?

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

Whether you're an architect, a newsagent, have a personal care assistant or a nanny, you are an employer from the day your first member of staff starts working for you. You have automatic enrolment duties from this date.

Your duties

All employers have duties, but the duties you need to carry out will depend on your particular circumstances. You will have to work out if you need to provide a pension scheme or whether you don't have to provide a pension scheme, but still have other duties.

You should also use our online tool to work out what your duties are. It will ask you some simple questions to quickly work out what you need to do and to make sure that you only complete the tasks that are relevant to you. We have online guidance and tools to help you complete these tasks.

To work out your duties go to: www.tpr.gov.uk/onlinetool

This guide gives you an outline of what your duties will be depending on your circumstances. Part A tells you what you need to do if you work out you need to put staff into a pension scheme and Part B tells you what to do if you work out you don't have anyone to put into a pension scheme, but still have duties.

Your key dates

The table below explains some important dates that you need to be aware of.

Duties start date	The date your first member of staff starts working for you. Your legal duties begin on this date. If you put your staff into your pension scheme on this date, you need to start paying contributions into it from the next payday after this date.
Declaration of compliance deadline	<p>The date by which you must tell us how you have met your legal duties for automatic enrolment. You must do this by completing an online form known as your declaration of compliance. We will write to you to tell you your deadline.</p> <p>This is a legal duty and you must do this by your deadline even if you don't have any staff to put into a pension scheme. If you don't do this, you may face enforcement action including fines.</p>

Confirm who we should contact

We will send you a letter and once you have received this, you should confirm who the employer / owner / most senior person in the company is ('the employer contact'), as they are responsible for making sure the legal duties are met. This should only take around five minutes of your time.

If someone else is helping with your duties (such as an accountant, a financial adviser or a member of staff), you should give us their details, including their email address, as the 'additional contact'. We will send them guidance and information via emails. If no 'additional contact' information is provided, these emails will be sent to the 'employer contact'.

Confirm who to contact by going to: www.tpr.gov.uk/elect

Part A: I need to provide a pension scheme

You will need to provide a pension scheme and pay contributions into it if **anyone** who works for you on your duties start date is:

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



1. Choose a pension scheme

Do this as soon as you can to be ready for your duties start date.



2. Work out which of your staff need to be put into a pension scheme

Do this on your duties start date.



3. Write to your staff

Do this within six weeks after your duties start date.



4. Declare your compliance

This should be done within five months after your duties start date.



1. Choose a pension scheme

You should do this as soon as you can to be ready for your duties start date.

You and your staff will pay money into this scheme to help them save for their retirement.

You'll need to have a pension scheme that is set up for automatic enrolment. You should look at different schemes before you decide which is suitable for you and your staff.

You should choose an appropriate scheme that has been independently reviewed or is regulated by the Financial Conduct Authority. We have guidance available online to help you make the right choice for you and your staff.

Go to: www.tpr.gov.uk/choose



2. Work out if any of your staff need to be put into a pension scheme

Do this on your duties start date.

If anyone who works for you on your duties start date is:

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

you are an employer who has to provide a pension scheme.

You'll need to put your staff into your pension scheme on your duties start date and you will need to start paying contributions into it from the next payday after this

date. You need to make sure that at least the minimum contribution is being paid, unless you have agreed a different amount with your pension scheme. The total minimum contribution until 5 April 2018 is currently 2%. Page 18 has more information on minimum contribution levels.

We have more information on our website which will help you work out who to put into a pension scheme on your duties start date.

Go to: www.tpr.gov.uk/pension-staff



3. Write to your staff

It is your legal duty to write to all your staff individually to explain how automatic enrolment applies to them.

You must do this within six weeks after your duties start date.

We have letter templates for you to use.

Go to: www.tpr.gov.uk/write-staff



4. Declare your compliance

You have a deadline to complete this five months after your duties start date.

This is your legal duty to tell us how you've met your other duties.

Failure to do this could result in you being fined.

Go to page 13 to find out what you need to do to complete your declaration.

Part B: I don't need to provide a pension scheme now

You don't need to provide a pension scheme now if nobody who works for you on your duties start date is:

- aged between 22 and up to state pension age
- **and** earns more than £833 per month (£192 per week).

However you still have other legal duties.

If your circumstances change or you take on a new member of staff you will need to check what your duties are. For help with this, go to: www.tpr.gov.uk/onlinetool



1. Check that you don't have staff to put into a pension scheme

You must do this on your duties start date.

If you made an initial assessment before your duties start date, use our online tool if any of your staff's age and / or earnings have changed.



2. Write to your staff

You must do this within six weeks of your duties start date.



3. Declare your compliance

You should do this within five months of your duties start date.



1. Check that you don't have staff to put into a scheme

If you made an initial assessment before your duties start date, you should check to see if any of your staff's age and / or earnings have changed as you may now need to put them into a pension scheme.

Also, if you have taken on new staff you may now have someone to put into a pension scheme.

We have information and guidance online to help you complete your tasks.

Use our online tool to check whether you need to provide a pension scheme.

Go to: www.tpr.gov.uk/onlinetool



2. Write to your staff

It is your legal duty to write to all your staff individually to explain how automatic enrolment applies to them, even if you don't have anyone to put into a pension scheme.

You must do this within six weeks after your duties start date.

We have a letter template for you to use.

Go to: www.tpr.gov.uk/letter-staff



3. Declare your compliance

You have a deadline to complete this five months after your duties start date.

This is a legal duty to tell us how you've met your other duties.

Failure to do this could result in you being fined.

Go to page 13 to find out what you need to do to complete your declaration.

What do I need to do if I haven't started my duties and my duties start date has passed?

What you will need to do will depend on how far you are from your duties start date:

I'm less than six weeks after my duties start date

As you have legal duties for automatic enrolment, you must immediately use our online tool to work out what these are and complete them straight away. We will send you a letter to tell you your deadline date as the timings within this guide and online tool will not be relevant to you.

Go to: www.tpr.gov.uk/onlinetool

Do not ignore your duties, act straight away to comply. If you do not comply on time we will take enforcement action, including fines.

I'm more than six weeks after my duties start date

As you have legal duties for automatic enrolment, you must immediately use our online tool to work out what these are and complete them straight away. We will send you a letter to tell you your deadline date as the timings within this guide and online tool will not be relevant to you.

Go to: www.tpr.gov.uk/onlinetool

Backdating contributions

If you have staff who need to be put into a pension scheme, you'll need to backdate any contributions you've missed. You must pay all the unpaid employer contributions and your staff member must pay theirs, unless you choose to pay it for them.

You must backdate contributions to the day that your member of staff first met the age and earnings criteria to be put into a workplace pension scheme.

For more information, go to: www.tpr.gov.uk/backdate

Do not ignore your duties, act straight away to comply. If you do not comply on time we will take enforcement action, including fines.

Is your duties start date incorrect?

If you think your duties start date is incorrect, please call us on 0345 600 1011 to tell us this is the case. We may ask you for evidence to support this.

Declaration of compliance

This should be done within five months after your duties start date.

Your declaration is your legal duty to tell us how you have met your other legal duties. You can complete your declaration of compliance using our online form.

Start your declaration of compliance any time after you have received a letter from us reminding you of your deadline. **You must complete it by the date specified in your letter.**

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

Go to: www.tpr.gov.uk/declare-web

Checklist

This checklist has been designed to help you complete your declaration of compliance online. It shows you all of the information you will need and where you can find it.

You need to provide all of the information below to us. Make sure you start your declaration ahead of your deadline because the information you will need may take time to prepare.

Top tips

1. Make sure you're prepared – you'll need all of the information on this checklist.
2. This is your responsibility as an employer – don't assume an agent or third party will do it for you.
3. Start before your declaration of compliance deadline with information you already know, once you have received your letter from us – anything you add can be saved at any time.
4. Only tell us about pension schemes you've used to put your staff into for automatic enrolment.
5. Make sure you know about and tell us about every PAYE scheme you use.

Information you'll need to provide	Guidance notes	<input checked="" type="checkbox"/>
Government Gateway User ID	<p>You will need a Government Gateway User ID to complete your declaration and will be asked to create one when you log in for the first time. You will need to register as an 'organisation' not as an 'individual'. When you have done this you will receive an email to say that you've registered with the Government Gateway. This does not mean that you've completed your declaration.</p> <p>If you are completing a declaration for only one employer select 'employer'. For more than one employer select 'acting on behalf of an employer'.</p> <p>For more help please go to: www.tpr.gov.uk/declare-web</p>	<input type="checkbox"/>
Letter code from The Pensions Regulator	<p>Your unique 10-digit number shown at the top of each automatic enrolment letter you receive from us. If you need to complete a declaration for more than one employer, you'll need the letter code for each one. If you don't have one go to: www.tpr.gov.uk/letter-code (you will need your full PAYE scheme reference and accounts office reference number).</p>	<input type="checkbox"/>
Your contact details	<p>Your name, address, telephone number and email address.</p>	<input type="checkbox"/>
Your relationship to the employer	<p>For example, an agent such as an accountant, or financial adviser. If you are the employer please state 'Employer'.</p>	<input type="checkbox"/>
Name of the employer	<p>The organisation or person who employs staff.</p>	<input type="checkbox"/>

Information you'll need to provide	Guidance notes	<input checked="" type="checkbox"/>
1. Companies House number 2. Industrial and provident society number 3. Registered charity number 4. VAT registration number	You only need to complete one of these if you have it. If you don't have any of these then tick the series of boxes stating that you don't have them.	<input type="checkbox"/>
Employer contact details	The name and job title of the owner or most senior person at the employer. This could be the person who employs a personal care assistant or someone to help them in the home. This must not be the name of an agent or third party completing a declaration on the employer's behalf.	<input type="checkbox"/>
Employer email address	The Pensions Regulator will send all official documents and legal notices to you by post. If you agree, we may also send them by email.	<input type="checkbox"/>
Employer correspondence address	Your main address or your registered company address.	<input type="checkbox"/>
PAYE scheme reference(s) for all PAYE schemes the employer uses	If you operate more than one PAYE scheme, you must provide details for each of them. Your PAYE reference can be found on the letter you received from us about automatic enrolment. You can also find it on your letter from HMRC when you first registered as an employer, or from your payroll software.	<input type="checkbox"/>
Type of pension scheme(s) used for automatic enrolment (personal or occupational)	If you are unsure what type of scheme you have then please contact your pension scheme. Note NEST is an occupational pension scheme.	<input type="checkbox"/>

Information you'll need to provide	Guidance notes	<input checked="" type="checkbox"/>
Employer pension scheme reference (EPSR)	<p>This is your unique pension scheme reference, which can be found on any correspondence from your pension provider. For NEST it is the 'unique employer NEST ID' or for other schemes it may also be described as the group policy number.</p> <p>You can find this reference on correspondence from your pension scheme. If in doubt, please contact your pension scheme.</p>	<input type="checkbox"/>
Pension scheme registry number (PSR)	<p>You will need this for all pension schemes except NEST. This is an 8-digit number starting with 1. Your pension scheme should have provided this to you already. If in doubt please contact them.</p>	<input type="checkbox"/>
Name and address of the pension scheme(s) used for automatic enrolment	<p>If you do not have a PSR you must complete this section.</p>	<input type="checkbox"/>
<p>The last day of the postponement period(s)</p> <p>This only applies if you used postponement</p>	<p>You cannot complete your declaration until after this date, although we encourage you to start your declaration as soon as possible.</p>	<input type="checkbox"/>
The total number* of staff employed on your duties start date or staging date	<p>This is the number of staff you employed on your duties start date or staging date. This includes personal care assistants and people employed to help you in your home.</p>	<input type="checkbox"/>

Information you'll need to provide	Guidance notes	✓
The number* of staff you had to put into a pension scheme	This is the number of staff you had to put into a pension scheme on your duties start date or staging date (or postponement date). This should include anyone who asked to leave the scheme or left your employment since your duties start date or staging date. Don't include anyone who asked to join your pension scheme or who was already in a pension scheme on your duties start date or staging date.	<input type="checkbox"/>
The number* of staff who were already members of a pension scheme (on your duties start date or staging date.)	This is the number of people who, on your duties start date or staging date, were already in a pension scheme that you have set up for them. Don't include anyone that you had to put into a scheme on your duties start date or staging date. Don't include anyone who asked to join or was put into the scheme after the duties start date or staging date.	<input type="checkbox"/>
Are you using the defined benefit transitional period?	This facility is no longer available. Please enter 'No'.	<input type="checkbox"/>
The number* of staff who do not fall into the above categories	Everybody else who worked for you on your duties start date or staging date that you haven't already told us about. This includes those who have asked to join your pension scheme and anyone who has since left your employment. This must not include anyone who started working for you after your duties start date or staging date.	<input type="checkbox"/>

*Please provide accurate figures where we ask for numbers or figures to be provided.

Minimum contributions

By law a total minimum amount of contributions must be paid into your chosen pension scheme. You, the employer, must make a minimum contribution towards this amount and your staff member must make up the difference. If you decide to cover the total minimum amount required, your staff member won't need to pay anything. It is your responsibility to make sure the correct contributions are paid.

The total minimum contribution until 5 April 2018 is currently 2%. This amount will be increasing from 6 April 2018 and then again from 6 April 2019, as shown in the table below.

Date effective	Employer minimum contribution	Staff contribution	Total minimum contribution
Currently until 5 April 2018	1%	1%	2%
6 April 2018 to 5 April 2019	2%	3%	5%
6 April 2019 onwards	3%	5%	8%

The calculation for the type of scheme detailed above is based on a specific range of earnings.

For more information on these increases, go to:

www.tpr.gov.uk/increase

Ongoing duties

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

These include:

- assessing any new staff you take on to see if they meet the age and earnings criteria to be put into a pension scheme. Use our online tool to help you. Go to: **www.tpr.gov.uk/onlinetool**
- monitoring the ages and earnings of your staff every time you pay them to see if they need to be put into a pension scheme
- paying at least the minimum contribution levels into their pension scheme
- dealing with requests to join and leave the pension scheme
- keeping accurate records of what you have done.

For more information on these tasks go to:

www.tpr.gov.uk/continue-duties

Re-enrolment

Every three years after your duties start date you'll need to assess staff not in your pension scheme, this includes certain staff that were previously automatically enrolled but have left your pension scheme. If they meet the criteria to be put back into your pension scheme, then you must do so. This is known as re-enrolment. We will write to you nearer the time to explain what you need to do and by when. Please ensure you keep your contact details up to date to make sure we write to the correct person. To do this please go to:

www.tpr.gov.uk/nominate

How to contact us

PO Box 332
Darlington
DL1 9PS

customersupport@autoenrol.tpr.gov.uk

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

© The Pensions Regulator October 2017

You can reproduce the text in this publication as long as you quote The Pensions Regulator's name and title of the publication. Please contact us if you have any questions about this publication. We can produce it in Braille, large print or on audio tape. We can also produce it in other languages.

IN-AE1Guide-PSN (10/17)