



The
Pensions
Regulator

Making workplace pensions work

Information
for
employers

The essential guide to automatic enrolment



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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 scheme5

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 now8

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.

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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 is 8% of your member of staff's earnings.

The employer must pay at least 3% of this, but you can choose to pay more. Page 17 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 12 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 12 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 must complete your declaration of compliance to tell us how you have met your legal duties.

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, third party or your pension scheme will do it for you.
3. Start ahead of time with information you already know – anything you add can be saved at any time.
4. If you have to put staff into a pension scheme, complete your declaration as soon as you've done this.
5. Only tell us about pension schemes you've used to put your staff into for automatic enrolment.
6. Make sure you know about and tell us about every PAYE scheme you use.

This checklist is designed to help you comply with your legal duties under the Pensions Act 2008 and Regulations. While we can offer guidance, this checklist should not be regarded as a substitute for, or definitive interpretation of, the law. If you have any doubts about your legal duties then you should seek legal or other specialist advice.

Information you'll need to provide	Guidance notes	✓
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"/>
Letter code from The Pensions Regulator	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.	<input type="checkbox"/>
Your contact details	Your name, address, telephone number and email address.	<input type="checkbox"/>
Your relationship to the employer	For example, an agent such as an accountant or financial adviser.	<input type="checkbox"/>
Companies House number	An eight-digit number, or two alpha characters with a six-digit number.	<input type="checkbox"/>
Industrial and provident society number Registered charity number VAT registration number	If you've told us that you don't have a Companies House number, you must select one of the following options instead: Industrial and provident society number; Registered charity number; VAT registration number. If you don't have any of these, then select 'None of the above'.	<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"/>
Contact preferences	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"/>

Information you'll need to provide	Guidance notes	✓
Type of pension scheme(s) used for automatic enrolment (personal or occupational)	<p>If you are unsure what type of scheme you have then please contact your pension scheme.</p> <p>Note NEST is an occupational pension scheme.</p>	<input 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 '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 don't have a PSR you must complete this section. Be as precise as possible.</p>	<input type="checkbox"/>
The total number* of staff employed on your duties start date	<p>This is the number of staff you employed on your duties start date. This includes personal care assistants and people employed to help you in your home.</p>	<input type="checkbox"/>

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

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 postponement date). This should include anyone who asked to leave the scheme or left your employment since your duties start 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.	<input type="checkbox"/>
The number* of staff who were already members of a pension scheme (on your duties start date)	This is the number of people who, on your duties start 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. Don't include anyone who asked to join or was put into the scheme after the duties start date.	<input type="checkbox"/>
The last day of the postponement period(s). This only applies if you used postponement.	You can't complete your declaration until after this date. We encourage you to start your declaration as soon as possible.	<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 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.	<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 is 8%. The minimum employer and staff contributions are shown in the table below.

Date effective	Employer minimum contribution	Staff contribution	Total minimum contribution
6 April 2019	3%	5%	8%

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

For more information on making contributions to your pension scheme, go to: www.tpr.gov.uk/contributions

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. You will then need to complete and submit a re-declaration of compliance to tell us how you have met your re-enrolment duties.

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/elect

Warnings, notices and payment of fines

There are certain legal duties you must meet for automatic enrolment. You, the employer, are responsible for meeting them and if you don't comply, you may face enforcement action including compliance notices and penalty notices (fines).

Key points

- What happens if I don't comply? Those who do not comply may face enforcement action in line with our risk-based approach.
- If you receive a penalty notice, you can pay your fine online or by BACS transfer.
- If you comply late or do not keep up to date with your pension contributions, we expect you to pay back any missed contributions to put staff in the position they would have been in if you had complied on time; this would include backdating contributions to the day that your staff member first met the age and earnings criteria to be put into a scheme.
- When backdating contributions, you must pay all the unpaid employer contributions and your staff member must pay theirs, unless you choose to pay it for them. As part of any enforcement action we may require that you pay your staff member's contributions as well as your own.
- Failure to maintain payment of the correct contributions to a scheme may result in penalties. If you don't pay your fine, we can recover the debt through the courts.
- If you received a penalty notice you still need to complete a declaration of compliance. If you've completed a declaration of compliance at the time of being issued a penalty, you need to ensure that you have paid the fine or arranged a payment plan with us.

Go to: www.tpr.gov.uk/notices-fines



How to contact us

**PO Box 348
Abbey View
WYMONDHAM
NR18 8HZ**

www.tpr.gov.uk/auto-enrol

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

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