

The essential guide to re-enrolment and re-declaration

Every three years employers must put certain members of staff back into an automatic enrolment pension scheme. This is called 're-enrolment'.

The Pensions
Regulator



A guide to ensure you meet your re-enrolment duties every three years

Every three years you must put certain members of staff back into an automatic enrolment pension scheme. This is called 're-enrolment'.

Re-enrolment duties must be completed approximately three years after your automatic enrolment staging date.

You will also need to complete a re-declaration of compliance to tell us how you have completed your duties.

Re-enrolment and the re-declaration of compliance are legal duties and if you don't act you could be fined.

How to use this guide?

This essential guide explains how you can prepare for re-enrolment and will help you understand your duties.

It will take you through the steps you need to follow to complete your duties and advise when you need to do them. Your duties will vary depending on whether you have staff to re-enrol or not. The guide will help you identify who you need to re-enrol and when to complete your re-declaration of compliance.

Your re-enrolment steps



1. Choose a re-enrolment date

You should do this now



2. Assess and re-enrol staff

You should do this on your re-enrolment date



3. Write to staff you have re-enrolled

You must do this within six weeks of your re-enrolment date



4. Complete your re-declaration of compliance

You must do this within five months of the third anniversary of your staging date

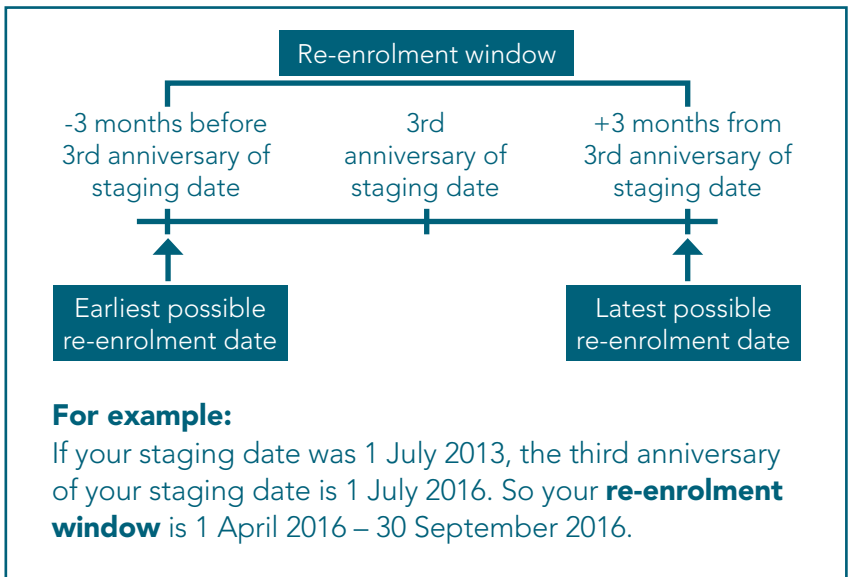


1. Choose a re-enrolment date

You should do this now.

Your re-enrolment date is a date chosen by you when you will assess your staff for re-enrolment.

You have a six month 'window' from which you can choose a re-enrolment date. This window starts three months before and ends three months after the third anniversary of your automatic enrolment staging date.



You don't need to tell us your chosen date until you complete your re-declaration of compliance.

Please note: postponement cannot be used for re-enrolment.

You can check what your staging date is by going to:
www.tpr.gov.uk/reenrol-staging



2. Assess and re-enrol staff

Work out which staff to include in your assessment

You should do this on your re-enrolment date.

You only need to assess certain staff for re-enrolment.

You need to assess staff who have:

- asked to leave (opted out of) your pension scheme
- left your pension scheme after the end of the opt-out period
- stayed in your pension scheme – but chosen to reduce the level of pension contributions to below the minimum level, and who meet the age and earnings criteria to be re-enrolled.

You can leave out any staff member who, on your chosen re-enrolment date:

- is already in the pension scheme you use for automatic enrolment
- is aged 21 or under
- is at state pension age (SPA) or over
- has not yet met the age and earnings criteria for automatic enrolment, or has been postponed.

If you work out you have staff to put back into your pension scheme you must follow all the steps detailed in this guide.

If you work out you do not have staff to put back into your pension scheme you can go straight to step 4 'Complete your re-declaration of compliance' on page 9.

Assess your staff

You now need to work out if the staff you're assessing meet the criteria to be put back into the pension scheme.

Staff you must re-enrol

Anyone who left your automatic enrolment pension scheme **more than** 12 months before your re-enrolment date and:

- is aged between 22 and state pension age
- **and** earns over £10,000 a year, or £833 a month, or £192 a week

must be put into a pension scheme and you must both pay into it.

Staff you can choose to re-enrol

In addition to the staff you must re-enrol, you can also choose to re-enrol any staff member who:

- left your automatic enrolment pension scheme in the 12 months leading up to your re-enrolment date
- were paid a winding up lump sum in the 12 months before your re-enrolment date, then left your employment and were later re-employed by you
- have given notice or been given notice of the end of their employment
- have primary, enhanced or fixed protection from tax charges on their pension savings
- hold the office of director with the employer
- is a partner in a Limited Liability Partnership which is the employer, and is not treated for income tax purposes as falling within HMRC's 'salaried member' rules.

If you have worked out you don't have any staff to re-enrol, you still need to complete your re-declaration of compliance. This is detailed in step 4 on page 9.

More information on this can be found in 'Detailed guidance no. 1 – Employer duties and defining the workforce'. Go to: www.tpr.gov.uk/detailedguidance

Put staff back into your pension scheme

You must do this within six weeks of your re-enrolment date.

Having worked out who you are going to re-enrol you must now put them into a pension scheme that is suitable for automatic enrolment and start paying into it.



3. Write to staff you have re-enrolled

You must do this within six weeks of your re-enrolment date.

It is your legal duty to write to each member of staff you have put back into your pension scheme. Your pension provider may do this for you or you can amend our example letter template.

To use our example letter template go to:

www.tpr.gov.uk/reenrol-letter

You do not have to write to staff that are not being put back into your pension scheme.



4. Complete your re-declaration of compliance

You must do this within five months of the third anniversary of your staging date.

Completing and submitting your re-declaration of compliance is a legal duty to show how you have fulfilled your employer duties for re-enrolment.

You must complete your re-declaration even if you don't have any staff to put back into your pension scheme.

You can start your re-declaration at any time after you have re-enrolled staff, or as soon as you work out you have no staff to put into your pension scheme.

Re-declaration deadline date

You must complete and submit your re-declaration of compliance within five months of the third anniversary of your automatic enrolment staging date. Your re-declaration deadline does not change according to the re-enrolment date you choose.

For example – if an employer chooses the end of their six month re-enrolment window as their re-enrolment date the dates would be as follows:

Staging date: 1 June 2013

Re-enrolment date: 31 August 2016

Re-declaration date: 31 October 2016

We recommend that you don't leave your re-declaration until the last day to complete as some information may take time to prepare.

If someone is helping you with some of your re-enrolment duties, you need to make sure you know who will be completing the re-declaration. If someone completes it for you, it is still your legal duty to make sure that it is completed correctly and it is submitted on time.

Failure to complete your re-declaration could result in you being fined.

To start your re-declaration now go to:
www.tpr.gov.uk/reenrol-redec

On-going duties after re-enrolment

Each time you pay your staff you should carry out the following ongoing duties:

- monitor the age and earnings of your staff to see if you need to put any of them into a pension scheme
- manage requests to join and leave your pension scheme
- keep accurate records of what you have done
- pay money into a pension scheme if you have put staff into it.

Re-enrolment is also part of your ongoing duties and you must continue to do this every three years.

For more information on these ongoing duties go to:

www.tpr.gov.uk/reenrol-ongoing

Keep your contact details up to date

So we can send you letters and emails in the future, you should make sure the contact details we hold for you and your organisation are always up to date.

It's important we have the correct information for the owner or most senior person in the organisation as well as details of anyone who might be helping complete any tasks.

To check or update your contact details please go to:

www.tpr.gov.uk/reenrol-contact

How to contact us

PO Box 332
Darlington
DL1 9PS

customersupport@autoenrol.tpr.gov.uk
www.thepensionsregulator.gov.uk

This guidance is designed to assist employers in complying with their duties. This guidance 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.

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