

## NHS Pensions - Contractual Enrolment vs Auto Enrolment

### What's the difference?

NHS Pension Scheme legislation provides a legal obligation that all NHS employers must enrol all eligible employees into the NHS Pension Scheme from their first day of employment – this is known as contractual enrolment.

Auto Enrolment is required under Pensions Act 2008 (and associated legislation) requires all eligible workers to have access to a pension. The NHS Pension Scheme is the default pension scheme for all eligible NHS workers under this initiative. Employers only have a duty to enrol those workers not currently contributing to the NHS Pension Scheme usually at either the employers staging or re-enrolment date. If an employee is not eligible to join the NHS Pensions scheme, but eligible for auto-enrolment you must enrol them into an alternative qualifying pension scheme under Auto Enrolment rules.

Further information is available on our website at: <https://www.nhsbsa.nhs.uk/employer-hub/technical-guidance/joiners>

	<b>Contractual Enrolment</b>	<b>Auto Enrolment</b>
<b>Eligibility</b>	<p>The Scheme is open to any NHS workers aged between 16 and 75 who are:</p> <ul style="list-style-type: none"> <li>• Directly employed by the NHS.</li> <li>• Medical, dental and ophthalmic practitioners and trainees who have a contract with the NHS.</li> <li>• General medical practice staff.</li> <li>• Eligible staff of IP/Direction bodies granted access to the scheme.</li> <li>• Non-general practitioner providers.</li> <li>• Freelance locum medical practitioners.</li> </ul>	<p>Eligible jobholder who:</p> <ul style="list-style-type: none"> <li>• Is aged between 22 and State Pension Age.</li> <li>• Is working or ordinarily works in the UK under their contract.</li> <li>• Has qualifying earning above the earnings trigger for auto enrolment.</li> </ul> <p>Qualifying earning trigger for auto enrolment is £10,000 for 2015/16.</p>

	<p>For practice staff from 1 September 1997 this includes all employees including employed practitioners, reception staff, practice nurses, practice managers etc.</p> <p>Locum practitioners are enrolled into this Scheme upon completion of Locum Form A and B.</p>	<p>Dental practice staff who are not qualified dentists are not eligible to join the NHS Pension Scheme they are subject to auto-enrolment with an alternative qualifying pension scheme.</p>
<b>Not eligible/ Exceptions</b>	<p>Employees will not be able to join if they:</p> <ul style="list-style-type: none"> <li>• Only hold honorary NHS appointment.</li> <li>• Are dental practice staff who are not qualified dentists.</li> </ul>	<p>In certain circumstances employers may not have to auto-enrol employees:</p> <ul style="list-style-type: none"> <li>• Who are in the process of leaving – employees who intend to leave and are in their notice period.</li> <li>• If they have cancelled their membership within the last 12 months.</li> <li>• Who have provided current evidence to prove they have a protected tax status.</li> </ul> <p>General information about the self-employed (e.g. practitioners):</p> <ul style="list-style-type: none"> <li>• Auto-enrolment does not apply to the self-employed, this includes all self-employed practitioners.</li> </ul>
<b>When must the employee be enrolled?</b>	<p>The member <b>must</b> be enrolled and made a member from the day they start or rejoin in NHS employment.</p> <p>Employees who have previously opted out and elect to rejoin this Scheme <b>must</b> be enrolled from the beginning of the next pay period.</p>	<p>Employer must enrol the eligible jobholder from the following dates:</p> <ul style="list-style-type: none"> <li>• Staging date.</li> <li>• New joiner commencement date.</li> <li>• Date they reach the eligible jobholder age and earnings trigger.</li> <li>• Re – enrolment date (every three years following staging date).</li> </ul>
<b>Responsibilities</b>	<p>The employer must:</p> <ul style="list-style-type: none"> <li>• Send joiner details to NHS Pensions.</li> </ul>	<p>The employer must:</p> <ul style="list-style-type: none"> <li>• Send joiner details to NHS Pensions.</li> </ul>

	<ul style="list-style-type: none"> <li>• Provide the member with a copy of the relevant Member Guide (paper or electronically).</li> <li>• Apply the correct contribution rate based on employees' earnings.</li> </ul>	<ul style="list-style-type: none"> <li>• Inform the member they have been automatically enrolled and what that means.</li> <li>• Inform them of their right to opt out and their right to opt back in.</li> <li>• Provide the member with a copy of the relevant Member Guide (paper or electronically).</li> <li>• Apply the correct contribution rate based on employees' earnings.</li> </ul>
<p><b>Where can employers find more information?</b></p>	<ul style="list-style-type: none"> <li>• <a href="http://www.nhsbsa.nhs.uk/nhs-pensions">www.nhsbsa.nhs.uk/nhs-pensions</a></li> <li>• Employer helpline - 0300 330 1353.</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="http://www.nhsemployers.org">www.nhsemployers.org</a></li> <li>• <a href="mailto:pensions@nhsemployers.org">pensions@nhsemployers.org</a></li> <li>• <a href="#">Auto enrolment guidance   The Pensions Regulator</a></li> </ul>