

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>

	Contractual Enrolment	Auto Enrolment
Eligibility	<p>The Scheme is open to any NHS workers aged between 16 and 75 who are:</p> <ul style="list-style-type: none"> • directly employed by the NHS • medical, dental and ophthalmic practitioners and trainees who have a contract with the NHS • general medical practice staff • eligible staff of IP/Direction bodies granted access to the scheme • non-General Practitioner providers • freelance locum medical practitioners. <p>For practice staff from 01.09.1997 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>Eligible jobholder who:</p> <ul style="list-style-type: none"> • is aged between 22 and State Pension Age • is working or ordinarily works in the UK under their contract • has qualifying earning above the earnings trigger for auto enrolment. <p>Qualifying earning trigger for auto enrolment is £10,000 for 2015/16</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>
Not eligible / Exceptions	<p>Employees will not be able to join if they:</p> <ul style="list-style-type: none"> • only hold honorary NHS appointment • are dental practice staff who are not qualified dentists • are in receipt of benefits from the 1995 Section of the NHS Pension Scheme (except ill health pension and aged under 50 when rejoining). Please take extra care in respect of 1995 Section members that retired on or after 01.04.2008 and before 01.10.2009. 	<p>In certain circumstances employers may not have to auto-enrol employees:</p> <ul style="list-style-type: none"> • who are in the process of leaving – employees who intend to leave and are in their notice period • if they have cancelled their membership within the last 12 months • who have provided current evidence to prove they have a protected tax status. <p>General information about the self-employed (e.g. practitioners):</p> <ul style="list-style-type: none"> • Auto-enrolment does not apply to the self-employed, this includes all self-employed practitioners.

<p>When must the employee be enrolled</p>	<p>The member must 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 must 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"> • Staging date. • New joiner commencement date. • Date they reach the eligible jobholder age and earnings trigger. • Re – enrolment date (every three years following staging date)
<p>Responsibilities</p>	<p>The employer must:</p> <ul style="list-style-type: none"> • Send joiner details to NHS Pensions. • Provide the member with a copy of the relevant Member Guide (paper or electronically). • Apply the correct contribution rate based on employees earnings. 	<p>The employer must:</p> <ul style="list-style-type: none"> • Send joiner details to NHS Pensions. • Inform the member they have been automatically enrolled and what that means. • Inform them of their right to opt out and their right to opt back in. • Provide the member with a copy of the relevant Member Guide (paper or electronically). • Apply the correct contribution rate based on employees earnings.
<p>Where can employers find more information</p>	<ul style="list-style-type: none"> • www.nhsbsa.nhs.uk/nhs-pensions • Nhsbsa.pensionsemployers@nhs.net • Employer helpline - 0300 330 1353 	<ul style="list-style-type: none"> • www.nhsemployers.org • pensions@nhsemployers.org • http://www.thepensionsregulator.gov.uk/employers/automatic-enrolment-detailed-guidance.aspx