

Detailed guidance for employers

Information to workers: The new duties

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Information to workers

Summary of information requirements in a quick-reference table format



The different types of worker

Diagram of the different categories of worker and the criteria for each category



Employer duties and safeguards

At-a-glance summary of the duties and safeguards

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About this guidance

This guidance is aimed at professional advisers and employers with in-house pensions professionals. Trustees, managers and pension scheme providers should also familiarise themselves with the automatic enrolment process.

This guidance collects together all the different information requirements that the employer is subject to. Employers reading this guidance should have already read the following guidance in this series:

- Detailed guidance no. 1 – Employer duties and defining the workforce
- Detailed guidance no. 2 – Getting ready
- Detailed guidance no. 3a – Postponement
- Detailed guidance no. 3b – Transitional period for DB and hybrid pension schemes
- Detailed guidance no. 3c – Having completed the assessment
- Detailed guidance no. 5 – Automatic enrolment
- Detailed guidance no. 11 – Automatic re-enrolment.

‘Month’ means ‘calendar month’ throughout this guidance.

We recognise that many employers will already have pension provision for their workers, and that this will often match or exceed the minimum requirements contained in the duties. In these cases, such employers may just need to check that the minimum requirements are covered in their existing processes.

Use our automatic enrolment planner to understand what you need to do and when for automatic enrolment. It also summarises the main steps towards achieving compliance. Employers may find this helpful when navigating this guidance: www.tpr.gov.uk/ae-planner.

It will be helpful to employers to be familiar with the different categories of workers. These are explained in detail in **Detailed guidance no. 1 – Employer duties and defining the workforce** or a quick reminder is available in the Key terms.

This guidance forms part of the latest version of the detailed guidance for employers (published April 2014).

The Department for Work and Pensions (DWP) introduced some technical changes to the legislation which came into effect on 1 April 2014. These changes were previously identified by relevant footnotes. In this version of the guidance footnote references to forthcoming legislative changes have been removed including all references to the one month deadline with a footnote highlighting the change to take effect from 1 April 2014. The content has been updated with the six week deadline. These are the only changes since the last version.



**This guidance
is about giving
information to
your workers**

Introduction

1. One of the employer duties is to give certain information to their workers. Irrespective of the category of worker into which those individuals fall, every employer will almost certainly have an obligation to give specified information to groups of their workers within prescribed time limits.
2. The information must be given by the employer¹ to the worker in writing and before the end of a specified period. The different information requirements for an employer are:
 - information to eligible jobholders and the trustees, managers or provider of pension schemes as part of the automatic enrolment, re-enrolment and enrolment process
 - information to jobholders about the right to opt in to an automatic enrolment scheme
 - information to entitled workers about the right to join a pension scheme
 - information to jobholders who are active members of a qualifying scheme with that employer
 - postponement notice, where an employer chooses to use postponement
 - DB transitional period notice, where an employer chooses to use the transitional period for DB schemes and hybrid schemes with DB benefits.
3. These information requirements are to ensure that when a worker is being automatically enrolled, automatically re-enrolled or enrolled they understand what is happening to them. Or where automatic enrolment will not apply because the worker is both a jobholder and an active member of a qualifying scheme with that employer, that they understand what is happening to them. And that where automatic enrolment is delayed through postponement or the transitional period for DB and hybrid pension schemes with DB benefits, the worker understands that pension provision is being delayed but that they are entitled to opt in or join during the period of delay.
4. Finally the requirements ensure that when a worker changes category for the first time they understand which pension provision they are entitled to join or be enrolled into. The employer is only obliged to give the information relevant on a change of worker category once per worker, per employment. Once the information has been given as required there is no recurring duty on every subsequent change of worker category.

¹ The employer must make arrangements so that the terms and conditions of the personal pension scheme being used for automatic enrolment, re-enrolment or enrolment are given to the jobholder. Whilst in practice the provider may issue the terms and conditions, it remains the employer's responsibility under the law to make arrangements for this to happen. For more information see our section called Give jobholders the terms and conditions of the personal pension scheme into which they are being automatically enrolled, re-enrolled or enrolled.

5. These requirements mean that an employer will need to assess their worker on an ongoing basis each pay reference period to identify the first time their category changes, until the worker has been given:
 - information about the right to opt in to an automatic enrolment scheme (the first time they become a jobholder with a right to opt in)
 - information about the right to join a pension scheme (the first time they become an entitled worker), and
 - information about the scheme (the first time they become a jobholder and are already an active member of a qualifying scheme with that employer).
6. Employers may, at the beginning of their duties for a worker, for example at their staging date or the worker's start of employment, choose to provide all of these information requirements to the worker in one go. This may be because they have chosen to use postponement and a specific type of postponement notice (see paragraphs 41 to 51). When deciding to combine a number of the different information requirements for a worker in one notice (whether as part of choosing their postponement notice or not) the employer should have regard to the appropriateness of doing so for their workforce. More information can be found in paragraphs 85 to 94.
7. These statutory information requirements are minimum requirements. We recognise that many employers will already have processes and channels in place which they use to communicate with their workers more frequently, and that these will often match or exceed the minimum requirements in the duties. An employer may also wish to provide additional information about the introduction of automatic enrolment. To help communicate automatic enrolment more generally to their workers, employers can adapt and use the resources available on our website at: www.tpr.gov.uk/writing.

Giving information

8. It is the employer's responsibility to give the statutory information to a worker, and to give the information in writing. 'Giving' information, in the regulator's view, includes:
 - sending hard copy information by post or internal mail
 - handing over hard copy information by hand
 - sending information in the body of an email
 - sending information in PDF format or other attachments by email.
9. 'Giving' information does not include merely signposting to an internet or intranet site, attaching a URL or displaying a poster in the workplace. In these circumstances the employer is merely providing the worker access to the information about the duties but is not giving the actual information.
10. In deciding on the method of giving the information an employer should consider the appropriateness of the format for their workers, for example the extent to which electronic access is available to all the workers the information must be given to. A range of formats may be required to ensure the information is given to all the workers to whom the employer is required to give information.
11. An employer should also consider the completeness and accuracy of the data they are using for giving the information. For example, where post is returned as 'gone away' or email is bounced back as the address is not recognised, an employer cannot be considered to have given the information to the worker. Using the most up-to-date records (eg email addresses) for their workers should minimise the risk that the information cannot be given.
12. Someone acting on the employer's behalf, such as an independent financial adviser (IFA), benefit consultant, accountant or bookkeeper can send the information, but it remains the employer's responsibility to make sure it is given, on time, and is correct and complete.
13. The information must be given before the end of a prescribed period. This period varies depending upon the specific information requirement. Each information requirement and the time period for giving the information are described in the next section.

14. The Pensions Act 2008 does not define the point at which information is 'given'. Where legislation is silent, legal convention is that the Interpretation Act 1978 should be considered in the first instance unless a contrary provision applies. Where a document is to be given by post this Act provides that 'the service is deemed to be effected by properly addressing, pre-paying and posting a letter containing the document and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post'.
15. Where an employer is giving information by post to a worker, they should allow sufficient time before the end of the specified time limit for giving the information for the delivery of the letter in the ordinary course of post in order that the information can be given on time.
16. When giving information by hand or electronically to a worker, receipt is likely to be instant and the point at which the information was given can be taken as the point of receipt.

The different information requirements

Information on the jobholder's right to opt in

17. The employer must give jobholders information that explains their right to opt in to an automatic enrolment pension scheme. This information must be given no later than six weeks after the worker becomes a jobholder with a right to opt in for the first time.
18. The first time a worker is a jobholder with a right to opt in to an automatic enrolment scheme will be:
 - a. the first occasion the worker becomes a non-eligible jobholder on or after the employer's staging date, and they are not an active member of a qualifying scheme that the employer provides
 - b. the first occasion the worker becomes a jobholder (eligible or non-eligible) after they cease active membership of a qualifying scheme, for workers who were active members of a qualifying scheme that the employer provides on the employer's staging date
 - c. the first occasion the worker becomes a jobholder (eligible or non-eligible) after they cease active membership of a qualifying scheme for eligible jobholders who were automatically enrolled, were never previously a non-eligible jobholder prior to automatic enrolment and who have ceased active membership after the opt-out period.
19. The employer is only obliged to provide this information once, per worker, per employment. The postponement notices – general notice A, general notice B, and the tailored notice for jobholders contain prescribed information about the right to opt in. Therefore if the employer uses postponement and has given any of these notices they do not need to provide the information about opting in again.
20. The notice for the DB and hybrid transitional period also contains information about the right to opt in. So if the employer has applied the transitional period to a worker and given this notice, there is no requirement to give the information about the right to opt in separately.

21. So, the information about the right to opt in must be given to a worker on the first occasion they become a non-eligible jobholder on or after the employer's staging date unless:
 - a. they are an active member of a qualifying scheme that the employer provides, or
 - b. they have previously been an eligible jobholder who was automatically enrolled and opted out, or
 - c. the employer has previously applied postponement and provided the worker with any one of postponement notices general notice A, general notice B or the tailored notice for jobholders, or
 - d. the non-eligible jobholder is subject to the DB/hybrid transitional period (note the transitional period can only be applied to a worker who was an eligible jobholder on the employer's first enrolment date).

22. It must also be given to a jobholder who has ceased active membership of a qualifying scheme, on the first occasion they are a jobholder (eligible or non-eligible) after active membership ceased unless:
 - a. they were previously a non-eligible jobholder and received this information, or
 - b. they have previously been an eligible jobholder who was automatically enrolled and opted out, or
 - c. the employer has previously applied postponement and provided the worker with any one of postponement period notices general notice A, general notice B or the tailored notice for jobholders, or
 - d. the jobholder is subject to the DB/hybrid transitional period. (Note the transitional period can only be applied to a worker who was an eligible jobholder on the employer's first enrolment date.)

23. The information that must be included in the notice is:

Mandatory information

- A statement that the jobholder may, by giving written notice to the employer, require the employer to make arrangements for them to become an active member of an automatic enrolment scheme and that the jobholder will be entitled to employer's contributions
- A statement that a written notice from the worker must be signed by the worker or, if it is given by means of an electronic communication, must include a statement that the worker personally submitted the notice
- Where to obtain further information about pensions and saving for retirement.

24. A template of this notice is available at: www.tpr.gov.uk/non-eligible-no-postponement. This template is one way that an employer may choose to communicate the information. An employer may add their own wording or use their own templates as long as the underlying requirements in the box above are met.

25. For more information about opting in see **Detailed guidance no. 6 – Opting in, joining and contractual enrolment**.

Information on the entitled worker's right to join

26. The employer must give entitled workers, who are not active members of a pension scheme that the employer provides, information that explains their right to join a pension scheme. This information must be given no later than six weeks after the worker becomes an entitled worker with a right to join for the first time.

27. The first time a worker is an entitled worker with a right to join a pension scheme will be:

- a. the first occasion the worker becomes an entitled worker on or after the employer's staging date, and they are not an active member of a pension scheme that the employer provides
- b. the first occasion the worker becomes an entitled worker after they cease active membership of a pension scheme, for workers who were active members of a pension scheme that the employer provides on the employer's staging date

- c. the first occasion the worker becomes an entitled worker after they opt out or cease active membership of a pension scheme, for eligible jobholders who were automatically enrolled, were never previously an entitled worker prior to automatic enrolment and who have ceased active membership or opted out.
28. The employer is only obliged to give this information once, per worker, per employment. The postponement notices – general notice A, general notice B, and the tailored notice for entitled workers contain prescribed information about the right to join. Therefore if the employer uses postponement and any of these notices they do not need to give the information about joining again.
 29. So, the information about the right to join must be given to a worker on the first occasion they become an entitled worker on or after the employer's staging date unless:
 - a. they are an active member of a pension scheme that the employer provides, or
 - b. the employer has previously applied postponement and provided the worker with any one of postponement period notices general notice A, general notice B or the tailored notice for entitled workers.
 30. It must also be given to a worker who has ceased active membership of a pension scheme, on the first occasion they are an entitled worker after active membership ceased unless:
 - a. they were previously an entitled worker and received this information, or
 - b. the employer has previously applied postponement and provided the worker with any one of postponement period notices general notice A, general notice B or the tailored notice for entitled workers.
 31. The information that must be included in the notice is:

Mandatory information

- A statement that the worker may, where they are working or ordinarily work in the UK and are aged at least 16 and under 75, by giving written notice to the employer, require the employer to make arrangements for the worker to become an active member of a pension scheme

continued...

- A statement that a written notice from the entitled worker must be signed by the entitled worker or, if it is given by means of an electronic communication, must include a statement that they personally submitted the notice
- Where to obtain further information about pensions and saving for retirement.

32. A template of this notice is available at: www.tpr.gov.uk/entitled-no-postponement. This template is one way that an employer may choose to communicate the information. An employer may add their own wording or use their own templates as long as the underlying requirements in the box above are met.
33. For more information about joining see **Detailed guidance no. 6 – Opting in, joining and contractual enrolment**.

Information on the jobholder's active membership of a qualifying pension scheme

34. The employer must give jobholders, who on the employer's staging date are active members of a qualifying scheme that the employer provides, information about their membership. This information must be given no later than two months after the staging date.
35. The employer must also give this information to any worker who becomes both a jobholder and an active member of a qualifying scheme with that employer after the employer's staging date. This information must be given no later than two months after the worker becomes both a jobholder and an active member of a qualifying scheme for the first time.
36. The first time a worker is both a jobholder and an active member of a qualifying scheme with that employer after the staging date will be:
- a. where a worker was an entitled worker on the employer's staging date and an active member of a qualifying scheme, the first occasion they become a non-eligible or eligible jobholder
 - b. the start date of employment for a jobholder who is being contractually enrolled from the start of their employment.

37. If the worker is both a jobholder and an active member of a qualifying scheme by virtue of automatic enrolment, automatic re-enrolment or opting in, this information requirement does not apply. This exception applies both on the employer's staging date or on the date they first become a jobholder and an active member.
38. The employer is only obliged to give this information once, per worker, per employment. The general notice A postponement notice contains prescribed information about existing active membership of a qualifying scheme. Therefore if the employer uses postponement and this notice they do not need to give the information about the active membership again.
39. The information that must be included in the notice is:

Mandatory information the employer must give to a jobholder who is an active member of a qualifying scheme

- Confirmation that the jobholder is an active member of a qualifying scheme
- A statement that if the jobholder, on a date, ceases to be an active member of a qualifying scheme (without the jobholder ceasing to be employed by the employer), by reason of something other than an action or omission by the jobholder, the employer must make arrangements by which the jobholder becomes an active member of an automatic enrolment scheme with effect from the day following that date
- Where to obtain further information about pensions and saving for retirement.

40. A template of this notice is available at: www.tpr.gov.uk/already-qualifying. This template is one way that an employer may choose to communicate the information. An employer may add their own wording or use their own templates as long as the underlying requirements in the box above are met.

Information to workers about postponement

41. An employer exercises the choice to use postponement in relation to a worker by giving that worker a notice.
42. The postponement notice tells a worker:
 - that automatic enrolment has been postponed
 - the deferral date, and
 - that on the deferral date, if they meet the criteria to be an eligible jobholder, they will be automatically enrolled.
43. In addition there are varying levels of detail included about some of the other information requirements an employer is required to fulfil in respect of a worker, such as:
 - the requirement to tell a jobholder about their right to opt in to an automatic enrolment scheme
 - the requirement to tell an entitled worker about their right to join a pension scheme
 - the requirement to tell a jobholder who is an active member of a qualifying scheme about the scheme.
44. There are four levels of information that an employer can choose to include in their postponement notice. We have grouped these four levels of information into four types of postponement notice:
 - **General notice A** – contains the information that must be provided to all the different categories of worker. General notice A is issued to any worker irrespective of worker category and whether or not they are a member of a qualifying scheme with that employer
 - **General notice B** – the same as general notice A but excluding the information for jobholders who are active members of a qualifying scheme with that employer. General notice B is only issued to a worker or workers who are not active members of a qualifying scheme with that employer
 - **Tailored notice for a jobholder** – contains information specific to a jobholder who is not an active member of a qualifying scheme with that employer
 - **Tailored notice for an entitled worker** – contains information specific to an entitled worker who is not an active member of a qualifying scheme with that employer.

45. An employer can choose which of these types of postponement notices to give, except when using postponement at the date the criteria to be an eligible jobholder are met. In this instance, there is no choice available and the employer must give the tailored notice for a jobholder.
46. Regardless of which type of postponement notice the employer uses, the notice must be given no later than six weeks after the day after:
 - the employer's staging date, if they are choosing to use postponement on their staging date in respect of any workers employed on their staging date
 - the first day of employment, if they are choosing to use postponement on the first day of employment in respect of any worker starting employment after the employer's staging date.
47. Where the employer is using postponement on the date the criteria to be an eligible jobholder are met, they must issue the tailored notice for a jobholder no later than six weeks after the day after the date the criteria to be an eligible jobholder was met.
48. Where the employer is using postponement where they have applied the transitional period, the employer must issue the postponement notice no later than six weeks after the day after the date with effect from which arrangements fall to be made under the transitional period.

49. The information that must be included in the notice is:

Mandatory information to be included in the different types of postponement notices	General notice A	General notice B	Tailored notice (jobholder)	Tailored notice (entitled worker)
A statement that the employer has deferred automatic enrolment until the deferral date.	✓	✓	✓	✓
The deferral date.	✓	✓	✓	✓
A statement that the employer will automatically enrol the worker into an automatic enrolment scheme if, on the deferral date, the worker is aged 22 or more but less than state pension age and earnings of more than the earnings trigger for automatic enrolment are payable to the worker.	✓	✓	✓	✓
The amount of the earnings trigger for automatic enrolment.	✓	✓	✓	✓
A statement that, by giving a written notice to the employer, the worker, may: <ul style="list-style-type: none"> a. where they earn more than the lower level of qualifying earnings and are a jobholder and not an active member of a qualifying scheme, opt-in to an automatic enrolment scheme and that the jobholder will be entitled to employer's contributions b. where they are not a jobholder, (for the sole reason that they earn no more than the lower level of qualifying earnings), and are not a member of a pension scheme, require the employer to make arrangements for the worker to become an active member of such a pension scheme. 	✓	✓	✗	✗
The lower level of qualifying earnings.	✓	✓	✗	✗

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Mandatory information to be included in the different types of postponement notices	General notice A	General notice B	Tailored notice (jobholder)	Tailored notice (entitled worker)
A statement that a written notice from the worker must be signed by the worker or, if it is given by means of an electronic communication, must include a statement that the worker personally submitted the notice.	✓	✓	✓	✓
A statement that where the worker is a jobholder and an active member of a qualifying scheme and, on a date, ceases to be such a member (without the jobholder ceasing to be employed by the employer) by reason of something other than an action or omission by the jobholder, the employer must make arrangements by which the jobholder becomes an active member of an automatic enrolment scheme with effect from the day following that date.	✓	✗	✗	✗
Where to obtain further information about pensions and saving for retirement. Workers can go to www.gov.uk/workplace-pensions for more information on pensions and saving for retirement.	✓	✓	✓	✓
A statement that the jobholder may, by giving written notice to the employer, require the employer to make arrangements for the jobholder to become an active member of an automatic enrolment scheme and that the jobholder will be entitled to employer's contributions.	✗	✗	✓	✗
A statement that the worker may, by giving written notice to the employer, require the employer to make arrangements for the worker to become an active member of a pension scheme.	✗	✗	✗	✓

50. Templates for each of the postponement notices are available on our website:
- General notice A – www.tpr.gov.uk/postponement-all
 - General notice B – www.tpr.gov.uk/postponement-all-except
 - Tailored notice for a jobholder – www.tpr.gov.uk/non-eligible-postponement. Please note this template refers to non-eligible jobholders and so will need adapting for eligible jobholders or where the employer has only identified jobholder status
 - Tailored notice for an entitled worker – www.tpr.gov.uk/entitled-postponement

These templates are one way that an employer may choose to communicate the information. An employer may add their own wording or use their own templates as long as the underlying requirements in the table above are met.

51. For more information about postponement including the deferral date and the different types of postponement notices see **Detailed guidance no. 3a – Postponement**.

Giving eligible jobholders information about the transitional period for schemes with defined benefits

52. The transitional period for schemes with defined benefits allows the employer to choose to delay automatic enrolment. This is only applicable to employers who provide a DB or hybrid pension scheme with DB benefits and can only be used in respect of eligible jobholders who meet certain conditions.
53. The way the employer exercises their choice is to give a notice to the eligible jobholder who meets the conditions.
54. An employer must give the notice no later than six weeks after the employer's first enrolment date.
55. An employer's first enrolment date is the date that they first have an eligible jobholder. This will either be:
- a. their staging date, if the assessment of their workers on this date identifies at least one eligible jobholder, or
 - b. the automatic enrolment date of the first eligible jobholder identified after the staging date.

56. The information that must be included in the notice is:

Mandatory information to be included in the notice for the transitional period for schemes with defined benefits

- A statement that the employer intends to defer automatic enrolment in respect of that jobholder until the end of the transitional period for defined benefit and hybrid schemes
- A statement that the jobholder may, by giving written notice to the employer, require the employer to make arrangements for the jobholder to become an active member of an automatic enrolment scheme and that the employer will make contributions
- A statement that a written notice from the worker must be signed by the worker or, if it is given by means of an electronic communication, must include a statement that the worker personally submitted the notice
- A statement where further information about pensions and saving for retirement may be obtained.

57. A template of this notice is available at: www.tpr.gov.uk/eligible-pre-existing. This template is one way that an employer may choose to communicate the information. An employer may add their own wording or use their own templates as long as the underlying requirements in the table above are met.

58. For more information about the transitional period for DB and hybrid pension schemes with DB benefits including the conditions that the eligible jobholder must meet see **Detailed guidance no. 3b** – Transitional period for DB and hybrid pension schemes.

Give information to jobholders about automatic enrolment, automatic re-enrolment or enrolment

59. The employer must give eligible jobholders who are being automatically enrolled or automatically re-enrolled at the triennial re-enrolment date ('cyclical' automatic re-enrolment) information about automatic enrolment or re-enrolment and their right to opt out (but see paragraph 65 below).

60. The employer must also give the same information to jobholders who are being enrolled after they opted in to an automatic enrolment scheme, or who are being automatically re-enrolled immediately after certain events have caused active membership of a qualifying scheme to cease ('immediate' automatic re-enrolment).
61. This is part of the prescribed steps for completing automatic enrolment, re-enrolment or enrolment.
62. The information must be given no later than six weeks after the eligible jobholder's automatic enrolment date (in the case of automatic enrolment), or the jobholder's automatic re-enrolment date (in the case of automatic re-enrolment) or enrolment date (in the case of opt-in).
63. The information that must be given is:

Mandatory enrolment information

About being automatically enrolled/re-enrolled

- A statement that the jobholder has been, or will be, automatically enrolled into a pension scheme to help save for the jobholder's retirement²
- The jobholder's automatic enrolment date³
- The name, address, telephone number and electronic contact details of the pension scheme of which the jobholder is, or will be, an active member
- The value of any contributions payable to the pension scheme by the employer and the jobholder in any applicable pay reference period. The value can be shown as a fixed amount or a percentage of any qualifying earnings or pensionable pay due to the jobholder in any pay reference period
- If the pension scheme chosen for automatic enrolment is a defined contribution (DC) occupational pension scheme or personal pension scheme, a statement advising the jobholder of the phased increase in contributions as part of the introduction of the reform. A statement that any contributions payable to the scheme by the jobholder have been, or will be, deducted from any qualifying earnings or pensionable pay due to the eligible jobholder
- Confirmation as to whether tax relief will be given through relief at source or relief under net pay arrangements

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If giving this information to a jobholder who is opting in, replace with: 'a statement that the jobholder has been, or will be, enrolled into a pension scheme to help save for the jobholder's retirement'. If giving this information to a jobholder who is being automatically re-enrolled, replace with: 'a statement that the jobholder has been, or will be, automatically re-enrolled into a pension scheme to help save for the jobholder's retirement'.

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If giving this information to a jobholder who is opting in, replace with: 'the jobholder's enrolment date'. If giving this information to a jobholder who is being automatically re-enrolled, replace with: 'the jobholder's automatic re-enrolment date'.

- A statement that if the jobholder, on a date, ceases to be an active member of the pension scheme (without the jobholder ceasing to be employed by the employer), by reason of something other than an action or omission by the jobholder, the employer must make arrangements by which the jobholder becomes an active member of an automatic enrolment scheme with effect from the day following that date.

About the jobholder's right to opt out and opt back in

- A statement that the jobholder has the right to opt out of the pension scheme during the opt-out period
- If the start and end of the opt-out period are known by the employer: the start and end date of the opt-out period for the jobholder
- If the start and end of the opt-out period are not known by the employer: a statement that the opt-out period is to be determined in accordance with regulation 9(2) or (3) of the Occupational and Personal Pensions Schemes (Automatic Enrolment) Regulations 2010
- The source from which the opt-out notice may be obtained
- A statement that opting out means that the jobholder will be treated for all purposes as not having become an active member of the pension scheme on that occasion
- A statement that after a valid opt-out notice is given to the employer, any contributions paid by the jobholder will be refunded to the jobholder by the employer
- A statement that where the jobholder opts out, the jobholder may then choose to opt in, in which case the employer will be required to arrange for that jobholder to become an active member of an automatic enrolment pension scheme once in any 12-month period
- A statement that a written notice from the worker must be signed by the worker or, if it is given by means of an electronic communication, must include a statement that the worker personally submitted the notice

continued...

- A statement that after the opt-out period, the jobholder may cease to make contributions towards their pension scheme in accordance with the scheme rules
- A statement that a jobholder who opts out or ceases active membership will normally be automatically re-enrolled into an automatic enrolment pension scheme by the employer, in accordance with section 5 of the Pensions Act 2008.

About where to find more information

- Where to obtain further information about pensions and saving for retirement.

64. A template of this notice is available at:
www.tpr.gov.uk/eligible-no-postponement.

This template should be adapted for enrolment information for a jobholder who has opted in, or is being automatically re-enrolled. The template is one way that an employer may choose to communicate the information. An employer may add their own wording or use their own templates as long as the underlying requirements in the box above are met.

65. Please note that if the jobholder being automatically re-enrolled or opting in is already a member of a personal pension scheme with that employer, and the employer wants to use that scheme to fulfil their re-enrolment or enrolment duty the automatic enrolment process is modified.
66. Under the modified process, the employer must make arrangements to achieve active membership for the jobholder, effective from their automatic re-enrolment date by making arrangements with the provider of a personal pension scheme, so that:
- the scheme is an automatic enrolment scheme, and
 - the eligible jobholder is an active member of that scheme.
67. If the existing scheme arrangements allow for a modified process and the employer chooses to do this, there is no requirement to give the enrolment information as part of this modified process at automatic re-enrolment or enrolment. This is because the employer and provider are reactivating agreements that were put in place when the jobholder was an active member of an automatic enrolment scheme previously.

68. This modified process can also be used at immediate automatic enrolment where the jobholder is a member of an occupational pension scheme, but only where immediate re-enrolment has been triggered because active membership of a qualifying scheme has ceased as a result of the worker losing jobholder status.
69. For more information about automatic enrolment see **Detailed guidance no. 5 – Automatic enrolment**.
70. For more information about automatic re-enrolment (both cyclical and immediate) see **Detailed guidance no. 11 – Automatic re-enrolment**.
71. For more information about opting in see **Detailed guidance no. 6 – Opting in, joining and contractual enrolment**.

Give information to the pension scheme about a jobholder who is being automatically enrolled, re-enrolled or enrolled

72. As part of the prescribed process for completing automatic enrolment, automatic re-enrolment or enrolment, the employer must give certain personal information about the jobholder to the pension scheme trustees, managers or pension scheme provider (but see paragraph 75 below).
73. The information must be given no later than six weeks after the eligible jobholder's automatic enrolment date (in the case of automatic enrolment), or the jobholder's automatic re-enrolment date (in the case of automatic re-enrolment) or enrolment date (in the case of opt-in).

74. The information that must be given is:

Information to the pension scheme about the jobholder

- name
- sex
- date of birth
- automatic enrolment date⁴
- postal residential address
- National Insurance number (NINO) – if the employer does not have the jobholder's NINO, they can give it to the pension scheme at a later date. This must be within six weeks of the employer receiving it.

Employers should also provide the following information, unless the pension scheme does not require it. The jobholder's:

- postal work address
- work email address (if one exists)
- personal email address (if the employer holds this information)
- gross earnings in any pay reference period
- the value of any contributions payable to the pension scheme by the employer and the jobholder in any pay reference period (where this information is available to the employer. The value can be shown as a fixed amount or a percentage of any qualifying earnings or pensionable pay due to the jobholder).

75. If the employer has chosen to use the modified process for automatic re-enrolment or enrolment (see paragraphs 65 to 69), there is no requirement to give information to the pension scheme about the jobholder. This is because the employer and provider are reactivating agreements, if those agreements allow, that were put in place when the jobholder was an active member previously.

⁴ If giving this information to the pension scheme about a jobholder who is opting in, replace with: 'the jobholder's enrolment date'. If giving this information to the pension scheme about a jobholder who is being automatically re-enrolled, replace with: 'the jobholder's automatic re-enrolment date'.

Give jobholders the terms and conditions of the personal pension scheme into which they are being automatically enrolled, re-enrolled or enrolled

76. This is only applicable where the pension scheme the employer is using for the automatic enrolment, automatic re-enrolment or the enrolment following opt-in of a jobholder, is a personal pension scheme (but see paragraph 82 below).
77. Where this is the case, the employer must make arrangements with the provider of the pension scheme so that the eligible jobholder (in the case of automatic enrolment and cyclical automatic re-enrolment) or the jobholder (in the case of immediate automatic re-enrolment or opting in) is given the terms and conditions of the contract they are being entered into to become an active member of the pension scheme.
78. Whilst in practice the provider may give the terms and conditions, it remains the employer's responsibility under the law to make arrangements for this to happen.
79. The information must be given no later than six weeks after the eligible jobholder's automatic enrolment date (in the case of automatic enrolment), or the jobholder's automatic re-enrolment date (in the case of automatic re-enrolment) or enrolment date (in the case of opt-in).
80. The information that must be given is:

Terms and conditions of the contract between the pension scheme provider and the jobholder

The terms and conditions that the agreement must contain as a minimum are to:

- explain the purpose of the personal pension scheme
- specify the services to be provided by the personal pension scheme provider
- specify the value of any contributions payable by the jobholder, where this information is available to the pension scheme provider

continued...

- specify the charges payable to the pension scheme provider
- in the absence of a choice made by the jobholder, explain the investment strategy adopted by the pension scheme provider for the contributions made by the jobholder and employer.

81. Where an employer has chosen to use the modified process for automatic re-enrolment or enrolment (see paragraphs 65 to 69), there is no requirement to make arrangements for the terms and conditions to be given. This is because the employer and provider are reactivating agreements, if those agreements allow, that were put in place when the jobholder was an active member previously.
82. For more information see **Detailed guidance no. 6. – Opting in, joining and contractual enrolment** and **Detailed guidance no. 11 – Automatic re-enrolment**.

Give information to the pension scheme about an entitled worker who is joining

83. On receipt of a valid joining notice from an entitled worker, the employer must provide certain personal information about the entitled worker who has asked to join a pension scheme to the pension scheme trustees, managers or pension scheme provider of the scheme they have chosen.
84. The information that must be given is:

Information to the scheme about the entitled worker who is joining

- name
- sex
- date of birth
- postal residential address
- National Insurance number (NINO) – if the NINO is not available to the employer, the employer must provide it to the scheme within one month of receiving it.

continued...

The employer must also provide the following information, unless the scheme does not require it. The entitled worker's:

- postal work address
- work email address (if there is one)
- personal email address (if the employer holds this information)
- gross earnings in any pay reference period (if the employer holds this information)
- the value of any contributions payable to the scheme by the employer and the entitled worker in any pay reference period (where this information is available to the employer. The value can be shown as a fixed amount or a percentage rate of any qualifying earnings or pensionable pay due to the entitled worker).

Combining different information requirements

85. As described in paragraphs 2 to 5 above, an employer has a duty to give information the first time any of their workers become:
 - a jobholder with a right to opt in
 - an entitled worker with a right to join, and
 - a jobholder and an active member of a qualifying scheme with that employer (other than by virtue of automatic enrolment, re-enrolment or enrolment).
86. Once the information has been provided there is no recurring duty, ie there is no need to provide the information every time the worker changes category.
87. With the introduction of postponement and the different postponement notices, an employer may choose to issue a type of postponement notice which combines the different information requirements that apply on a change of worker category with the postponement information. For example, general notice A includes:
 - the information to jobholders about the right to opt in to an automatic enrolment scheme
 - the information to entitled workers about the right to join a pension scheme
 - the information to jobholders who are active members of a qualifying scheme the employer provides.
88. Where the employer is not using postponement, they may still wish to give these different information requirements in one communication eg as part of a handbook or joining pack.
89. An employer who is considering combining multiple information requirements into one communication (whether as part of choosing their postponement notice or not) or considering whether to issue separate communications as and when any of the information requirements are triggered should, in our view, consider the appropriateness of their preferred approach for their workforce.
90. This includes a judgement about the ability of the workforce to absorb the level of detail all in one go and a judgement about the relevance of the information to the worker. For example if a non-eligible jobholder is salaried without fluctuating earnings it may not be relevant to tell them about the right of an entitled worker to join a pension scheme.

91. There is nothing that prevents an employer including the enrolment information that must be issued to an eligible jobholder who is being automatically enrolled as well, in a combined notice so that all the information requirements are discharged in one go (unless opt-in or re-enrolment occurs).
92. It will be necessary to tailor the information to workers individually as the specified information included in the enrolment information includes personal or individual data, but it is still possible to provide a communication which combines the different information requirements that may apply to that worker.
93. Again an employer should consider the appropriateness of adding this information to the combined notice for their workers. In making the judgement about the relevance of the information, an employer should consider:
 - how certain they are that the worker is, or will be in the future, an eligible jobholder, and
 - the length of time between the planned giving of the information and the likely automatic enrolment date (the date the information will become relevant).
94. It remains the employer's responsibility to make sure that the right information is given to the right individual on time, and that it is complete and correct.

What next?

A summary of these different information requirements and references to the detailed guidance which includes description of the requirements can be found in the Information to workers resource in the resource section of the detailed guidance on our website.

The employer will monitor the age and earnings of a group of workers for each subsequent pay reference period. This is in order to identify whether automatic enrolment or any of the information requirements are triggered for workers who are not active members of a qualifying pension scheme with the employer. In addition, as an employer approaches their cyclical automatic re-enrolment date, they will have to assess their workers as at this date, to identify any eligible jobholders whom they must automatically re-enrol.

The final guidance in the series, **Detailed guidance no. 11 – Automatic re-enrolment**, provides more information on the process of automatically re-enrolling workers back into pension saving.

Key terms

Summary of the different categories of worker

Category of worker	Description of worker
Worker	An employee or someone who has a contract to perform work or services personally, that is not undertaking the work as part of their own business.
Jobholder	A worker who: <ul style="list-style-type: none">• is aged between 16 and 74• is working or ordinarily works in the UK under their contract• has qualifying earnings.
Eligible jobholder	A jobholder who: <ul style="list-style-type: none">• is aged between 22 and state pension age• has qualifying earnings above the earnings trigger for automatic enrolment.
Non-eligible jobholder	A jobholder who: <ul style="list-style-type: none">• is aged between 16 and 21 or state pension age and 74• has qualifying earnings above the earnings trigger for automatic enrolment or <ul style="list-style-type: none">• is aged between 16 and 74• has qualifying earnings below the earnings trigger for automatic enrolment.
Entitled worker	A worker who: <ul style="list-style-type: none">• is aged between 16 and 74• is working or ordinarily works in the UK under their contract• does not have qualifying earnings.

How to contact us

PO Box 16314
Birmingham
B23 3JP

T 0845 600 1011
F 0845 606 9970
E customersupport@autoenrol.tpr.gov.uk

www.thepensionsregulator.gov.uk
www.trusteetoolkit.com

Detailed guidance for employers no. 10

Information to workers

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