

The Declaration of Compliance (registration) & record keeping requirements

The Declaration of Compliance

Completing a declaration is the legal requirement to submit information to the regulator to demonstrate how you have complied with your employer duties. You can do this by providing details to The Pensions Regulator (TPR) online. If you don't do it in time, you could be fined.

Key points:

1. Make sure you're prepared – you will need all of the information on the checklist provided by TPR
2. This is your responsibility as an employer – the pension scheme will not do it for you
3. You must complete registration even if you do not have anyone to automatically enrol
4. Start ahead of time with information you already know – your online progress will be saved
5. Complete registration as soon as you have automatically enrolled your eligible jobholders
6. With more than one employer within your corporate group, you must treat each employer separately
7. Tell TPR only about pension schemes you have used for automatic enrolment
8. Make sure you know about and tell TPR about every PAYE scheme you use

What information do you need to provide?

You'll need your letter code and PAYE reference to access the automatic enrolment registration online:

- Your letter code is a 10-digit reference which is on all letters you have been sent by TPR about automatic enrolment
- Your PAYE reference is on your P35 (employer annual return) or P30BC pay slip booklet

You'll need to tell the TPR information such as how many people were in employment on your staging date, how many of those you have automatically enrolled and how many people were already in a pension scheme with you. You'll need to account for everyone who worked for you on your staging date, so make sure you provide exact numbers.

The TPR will also need details about the pension scheme (or schemes) you are using for automatic enrolment, particularly the employer pension scheme reference (EPSR) or pension scheme registry number (PSR number). If you do not have this reference on your scheme paperwork, make sure you contact your financial adviser, trustees or managers of the scheme to get this in good time.

When do you have to do it?

Your registration deadline is five calendar months from your staging date. Filling in details as you go through your planning process will help you avoid missing your deadline. Because the purpose of registration is to tell TPR about every person who was in employment on your staging date, you will not be able to complete it or submit it to them until after your staging date.

If you have postponed automatic enrolment for any of your staff, you must not submit your registration until after the postponement period has ended. This could mean there is less time between the end of the postponement period and your registration deadline, which is why it is a good idea to fill in details as you get them. You can complete everything in advance except for the information about your workforce.

Do not leave it until the last day to start – you are likely to run out of time and will not be fully compliant.

You will need to re-register your scheme with TPR every three years.

Record keeping

There are now legal requirements on employers - as well as trustees, managers and providers of a pension scheme – to keep records about their workers and the pension scheme used to comply with the employer duties.

You can use electronic or paper filing systems to keep or store any records, as long as these records are legible. Most records must be kept for six years; those that relate to opting out must be kept for four years. The records must be provided to TPR if requested.

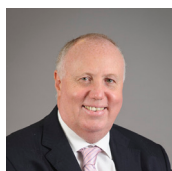
You must ensure that you cleanse and update your worker records in preparation for your employer duties. You will need to have up to date earnings and age information to enable you to assess what duty you have in relation to each worker. You'll have to provide correct worker details to the pension provider to achieve active membership in the scheme for those that need to be enrolled and you'll need current contact details to be able to write to all of your workers.

You must also keep certain records in support of the employer duties that will enable you to demonstrate your ongoing compliance.

By law, there are two different types of records that you must keep. These are:

- Records about jobholders and workers – e.g. name, NI number, opt-in notice and joining notice.
- Records about the pension scheme – e.g. employer pension scheme reference and scheme name and address

You'll need to build these record-keeping requirements into your existing processes.



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