

Making sense of workplace pension reforms

Part 9

Keeping records

Step-by-step

guide series for employers



Jelf | Employee Benefits

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9.1 Key points

Starting from 2012, there will be new 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.

An employer can use electronic or paper filing systems to keep or store records, as long as these records are legible or can be produced in a legible way. The records they must keep will enable them to prove that they have complied with their duties. Most must be kept for six years; those relating to opting out must be kept for four years.

Keeping accurate records can help an employer to avoid or resolve potential disputes with employees, and help check or reconcile contributions made to the pension scheme.

Good governance, including record-keeping, has always been considered vital to the effective and efficient running of a pension scheme.

The records they must keep
will enable them to
**prove that they
have complied
with their duties.**

All trustees, managers and scheme providers – and employers where they administer a pension scheme – should familiarise themselves with The Pensions Regulator's 'good practice' guidance on record-keeping.



After an employer's staging date, they must:

- keep certain records on aspects of their compliance with the new duties
- preserve those records
- produce those records to The Pensions Regulator, if requested

Types of records that must be kept

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

- Records about jobholders and workers – such as name, National Insurance number, opt-in notice etc
- Records about the pension scheme – such as employer pension scheme reference, scheme name and address etc

A full list of records that must be kept, and how long they must be kept for, is provided in section 9.3.

Collecting and storing scheme records

Employers can use their existing business documentation (e.g. payroll records) for the purpose of collecting and storing records, but should note that the notices (an opt-in notice, joining notice or opt-out notice) must be retained in the original format, as this is proof of an individual exercising a right. Copies of the original format, or electronically-stored versions, are acceptable. All records must be kept in such a form and manner that they are legible or can be provided to The Pensions Regulator in a legible format.

Employers who outsource business or pensions administration may authorise the third party to keep, preserve or provide the records on their behalf. However, it remains an employer's legal responsibility to ensure these records are kept and, if requested, produce them.

Notices must be
retained in the
original format,
as this is proof of an
individual exercising a right.

Records an employer must keep about jobholders and workers

Who the record relates to	What record must be kept	How long it must be kept
Jobholders and workers who become members	• Name • National Insurance number (where one exists) • Date of birth • Gross earnings in each relevant pay reference period • The contributions payable in each relevant pay reference period by an employer to the scheme, and the amount payable – this includes contributions due on the employee's behalf and deductions made from earnings • The date contributions were paid to the scheme	6 years
Additional information for jobholders only	• Automatic enrolment date • Opt-in notice (original format) • The contributions to which the jobholder is entitled under the scheme rules (this demonstrates that the scheme used is a qualifying scheme)	6 years
	• Opt-out notice (original format)	4 years
Additional information for workers only	• Date from which the worker became an active member • Joining notice (original format)	6 years
All workers for whom the employer has used postponement	• Name • National Insurance number (where one exists) • Date the notice was sent to the worker	6 years

Any questions?

Email us on
autoenrolment@jelfgroup.com

Records an employer must keep about the pension scheme

Type of pension scheme being used	What record must be kept	How long it must be kept
Defined contribution (DC), defined benefit (DB) or hybrid scheme	• Employer pension scheme reference • Scheme name and address • Scheme contracting-out certificate (this applies to contracted-out DB schemes only) • Any evidence showing that a scheme meets the test scheme standard (this applies to DB schemes that are not contracted-out only) • Non-UK administered schemes must keep: – the address of the scheme – name of the authority which carries out functions that correspond to those of the Regulator in the country where the scheme is based	6 years
Personal pension scheme	• Employer pension scheme reference • Name and address of the pension provider • Non-UK administered schemes must keep: – the address of the scheme – name of the authority which carries out functions that correspond to those of the Regulator in the country where the scheme is based	6 years

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9.3 List of records that must be kept

Records the pension scheme must keep

All records must be kept in such a form and manner so they can be linked to their corresponding employer pension scheme reference.

Who the record relates to	What record must be kept	How long it must be kept
Active member	• Full name • Date of birth • National Insurance number (where one exists) • Gender • Residential address, including postcode (last notified to the scheme by either the employer or member) • The date on which the person became an active member of the scheme • The date on which the person ceases to be an active member of the scheme • A description of the member's status in the scheme, which as a minimum must be either active or inactive	6 years
Jobholders who opt out	• Full name • The date on which the scheme was informed by the employer of a jobholder's decision to opt out	4 years
Pension scheme	• Employer pension scheme reference	6 years

Any questions?

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If you have **any questions** about the information in this document, or on wider automatic enrolment or pensions issues, please contact us.

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This document has been prepared with all reasonable care to ensure its accuracy. It is based on our understanding of current legislation and The Pensions Regulator's practice, which may change in the future. As information in this guide is reliant on current legislation and practice, should this change in the future this guide may cease to be effective. Neither we nor any of our employees or directors can accept any responsibility for any errors or omissions. It does not constitute advice and should not be relied upon in isolation.

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