Appendix B - Assessing a worker – Transcript

This is a transcript of the flowchart intended as supporting material for **Detailed guidance no. 3 – Assessing the workforce**.

Please note:
* Prior to 1 April 2015 an employer would have needed to distinguish between a non-eligible jobholder and entitled worker in this group as there were separate information requirements for each. Since 1 April 2015 there is no longer this requirement but an employer who staged before 1 April 2015 can continue to make this distinction as they can choose to continue giving information about only the right of a jobholder to opt in or of an entitled worker to join. More information can be found in Detailed guidance no. 10 – Information to workers.

** This amount is for the 2020-2021 tax year. These figures are reviewed annually by the Department for Work and Pensions (DWP). Where there is a change, the figures for the next tax year after they have been announced by the DWP, as well as the historic and current amounts can be found on our website at: www.tpr.gov.uk/earnings-thresholds.

1. Are they working, or ordinarily working, in the UK under their contract?

No – No duties
Yes – Go to 2

2. **How old are they?**

15 or younger – No duties
75 or older – No duties
State pension age to 74 – Go to 6
At least 22 but under state pension age – Go to 4
16 to 21 – Go to 3

3. Does not need to be automatically enrolled but as a jobholder they can choose to opt in to an automatic enrolment scheme or as an entitled worker they can choose to join a pension scheme. An employer will need to separately identify a jobholder or an entitled worker within this age bracket when:

a. they are given an opt in of joining notice
b. immediate re-enrolment is triggered
c. if the worker is an active member of a scheme that is not qualifying, or
d. if they choose to give separate information about either opt in or joining*

Now go to 7

4. Assess earnings

(1) Identify pay reference period

(2) Assess qualifying earnings payable in that pay reference period

(3) Compare against the earnings trigger for automatic enrolment (£10,000) appropriate to the pay reference period

More than £10,000 (pro rata)** – Eligible jobholders
£10,000 (pro rata)** or below – Go to 5

5. Does not need to be automatically enrolled but as a jobholder they can choose to opt in to an automatic enrolment scheme or as an entitled worker they can choose to join a pension scheme. An employer will need to separately identify a jobholder or an entitled worker within this age bracket when:

a. they are given an opt in of joining notice
b. immediate re-enrolment is triggered
c. if the worker is an active member of a scheme that is not qualifying, or
d. if they choose to give separate information about either opt in or joining*

Now go to 7

6. Does not need to be automatically enrolled but as a jobholder they can choose to opt in to an automatic enrolment scheme or as an entitled worker they can choose to join a pension scheme. An employer will need to separately identify a jobholder or an entitled worker within this age bracket when:

a. they are given an opt in of joining notice
b. immediate re-enrolment is triggered
c. if the worker is an active member of a scheme that is not qualifying, or
d. if they choose to give separate information about either opt in or joining*

Now go to 7

7. To distinguish between jobholder and entitled worker on these occasions:

1. Identify pay reference period
2. Assess qualifying earnings payable in that pay reference period
3. Compare against the lower level of qualifying earnings (£6,240) appropriate

£6,240** (pro rata) or below – Entitled worker
More than £6,240 (pro rata)** – Non-eligible jobholder