

ELIGIBILITY FOR PENSION AND AUTO-ENROLMENT

Status	Example	Contractually eligible to join pension	Which pension scheme(s) apply	Auto-enrolment duties apply	Which auto-enrolment process applies
Oxford University employee ordinarily working in UK	Standard fixed-hours contract (permanent, open-ended, fixed-term or self-financed)	Yes	USS or OSPS (NHSPS/MRCPS/SAUL in certain cases)	Yes	Employee
	Variable hours contract (permanent, open-ended, fixed-term or self-financed)	Yes	USS or OSPS (NHSPS/MRCPS/SAUL in certain cases)	Yes	Employee
Non-employee working for or providing services to Oxford University	Casual worker Casual teacher Examiner	No	NEST	Yes	Worker
Employed by other employer or self-employed	Agency worker Contract cleaner Seconded Self-employed	No	-	No	-
Working at or for Oxford University - ordinarily working outside UK (see note 1)	Local staff overseas	No	-	No	-

Note 1: **Ordinarily working in the UK.**

The auto-enrolment regulations offer no clear definition. Location is an obvious guide in most cases. But the key criterion is whether or not the person's location is temporary (and this is not time-limited). Examples:

- A University employee usually based in Oxford who happens to be on a short trip abroad on his/her auto-enrolment Assessment Date is still considered as ordinarily working in UK.
- A University employee on a CMS contract who is working abroad and is expected at the end of their work overseas to return to the UK is likely to be considered as ordinarily working in the UK, however long their work overseas lasts.
- Someone working at the same overseas office who has been locally engaged or who is expected to return to a country other than UK at the end of this work is unlikely to be considered as ordinarily working in the UK.
- A foreign national who is working in Oxford and for whom there is no clear expectation that they will leave the UK at the end of their work here is likely to be considered as ordinarily working in the UK.
- A foreign national who is working in Oxford for a defined period at the end of which there is a clear expectation that they will leave the UK is likely to be considered as not ordinarily working in the UK.

If there is any doubt, the balance of doubt should go in favour of treating the person as ordinarily working in the UK. Marie Curie researchers, for example, are to be treated as working in the UK for auto-enrolment purposes.

Note 2: **Multiple appointments**

- For auto-enrolment purposes, the University's duties only apply to University staff – no account need be taken of the College element of any joint or multiple appointments.
- As a general rule, if a member of staff has multiple appointments within the University each will be treated as a separate employment relationship and the auto-enrolment duties applied separately to each contract. An exception has to be made where in fact the multiple contracts represent a single employment relationship. In such cases the earnings from the different contracts must be aggregated for auto-enrolment purposes. These exceptions have to be discussed and agreed with Personnel Services and are only likely to apply where a member of staff has multiple contracts with the same department, and those contracts all confer eligibility for the same pension scheme.