

Equity Pension Scheme

PROCEDURES IN THEATRE

Administered by:
Chester Rose Financial Planning Limited

SOCIETY OF
**LONDON
THEATRE**

EST 1908

**UK
THEATRE**

EST 1894



And others.

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EQUITY

The UK's performing arts and entertainment trade union devised the [EPS](#).



Authorised and regulated by the FCA (No. 726620). Designed and administer the [EPS](#).



Product Provider and Fund Manager of the [EPS](#).

EQUITY PENSION SCHEME (EPS)



The EPS is a qualifying workplace pension scheme (since 01.10.2012).

Established in October 1997, the EPS is the only pension scheme approved by Equity and is the only arrangement that permits artists, stage managers and stunt coordinators/performers to benefit from contract related employer contributions.

Type

UK scheme. The scheme is a registered pension scheme under part 4 of the Finance Act 2004. PSRN: 10079060.

Ownership

The member is the plan holder.

Eligibility for membership

All members of Equity are eligible to join as well as **non-members of Equity** (in respect of contract related contributions).

This applies whether engaged on a **self-employed basis or via a limited company**.

Age range

No lower age limit¹ and must be under 75 years of age.

Regardless of nationality - a UK NI number must be present.

¹ Child Stakeholder below the age of 16

CONTRACT RELATED CONTRIBUTIONS

Society of London Theatre – West End 01.04.2024

Provided that the member has notified the manager that they are a member of the EPS, the manager shall contribute an amount equal to 5% of the member's weekly rehearsal or performance wage, up to a maximum of 5% of 1.75 times the applicable minimum salary (see example below).

Depending on the theatre category the maximum weekly manager contribution will change.

CATEGORY A theatre - performance

ASM/performer £880.10 £77.00

$$880.10 \times 1.75 = 1540.18 \times 5\% = 77$$

To obtain the manager contribution, the member's commitment is to contribute 3% of their weekly rehearsal or performance wage, again subject to the above maximum fee.

Continual employment with the same manager (not necessarily the same production) increases² the manager contribution to 7.5% on the 2nd anniversary and 10.0% from the 5th anniversary onwards.

The member contribution also increases to 3.75% and 5.0% respectively.

All current caps, rates etc can now be found on the excel spreadsheet via this link to on our website's EPS procedures page.

² Increases are mandatory for the manager but can be treated as discretionary if the member chooses not to take the increase.



UK Theatre – commercial sector 01.04.2024

Provided that the member has notified the manager that they are a member of the EPS, the manager shall contribute an amount equal to 5% of the member's weekly rehearsal or performance wage, up to a maximum of 5% of 1.5 times the relevant basic minimum weekly rehearsal or performance wage (see the example below).

Depending on the theatre category the maximum weekly manager contribution will change.

Tier A* venue – performance

ASM/performer £570.37 £42.77

$$570.37 \times 1.5 = 855.56 \times 5\% = 40.74$$

To obtain the manager contribution, the member's commitment is to contribute at least 3% of their weekly rehearsal or performance wage.

Note that this is an increase to the previously advised 2.5%. Do not attempt a retrospective backdate if you are only just now adopting the 3%.

All current caps, rates etc can now be found on the excel spreadsheet via this link to on our website's EPS procedures page.

IMPORTANT NOTE

To qualify for Tier A*, 60% of a tour must be performing in theatres of more than 1,500 seats.

Capacity relates to tickets on sale, not seating capacity of theatre 60% relates to the number of performing weeks, not the number of venues in the tour.

Overseas touring venues do not change capacities.



UK Theatre – subsidised sector 01.04.2024

Provided that the member has notified the manager that they are a member of the EPS, the manager shall contribute an amount equal to 5% of the member's weekly rehearsal or performance wage, up to a maximum of 5% of 1.5 times the appropriate Middle-Range Salary Levels.

Current MRSLs are

- £612.68 for grade 1 theatres
- £540.27 for grade 2 theatres
- £501.27 for grade 3 theatres

Grade 1 max: $£612.68 \times 1.5 = £919.02 \times 5\% = £45.95$

Grade 2 max: $£540.27 \times 1.5 = £810.40 \times 5\% = £40.52$

Grade 3 max: $£501.27 \times 1.5 = £751.90 \times 5\% = £37.59$

To obtain the manager contribution, the member's commitment is to contribute 3% of their weekly rehearsal or performance wage, again subject to the above maximum.

All current caps, rates etc can now be found on the excel spreadsheet via this link to on our website's EPS procedures page.

Independent Theatre Council 06.04.2024

Ethical managers

Provided that the member has notified the manager that they are a member of the EPS, the manager shall contribute an amount equal to 5% of the member's weekly rehearsal or performance wage.

To obtain the manager contribution, the member's commitment is to contribute 3% of their weekly rehearsal or performance wage.



Non-ethical managers

Provided that the member has notified the manager that they are a member of the EPS, the manager shall contribute an amount equal to 3% of the member's weekly rehearsal or performance wage.

To obtain the manager contribution, the member's commitment is to contribute 5% of their weekly rehearsal or performance wage.

IMPORTANT NOTE

The 'pensionable' wage for calculating the above percentages is based on banded earnings as laid down in the current auto-enrolment legislation. This is the wage from £120.00 per week to £967.00 per week. Earnings under and over these amounts can be ignored.

The following are to be excluded for the purpose of pension contribution calculation if they are automatically included in the basic weekly rehearsal or performance wage:

- Understudy responsibilities and performance payments push and pull
- Overtime
- Bank holiday pay
- Swing payments
- Dance captain and assistant dance captain responsibilities
- EPK (Electronic Press Kit) payments
- Click track payments
- Cast recording payments
- Ad-hoc television payments

The following are to be included for the purpose of pension contribution calculation if they are not automatically included in the basic weekly rehearsal or performance wage but must be treated as a separate entity so as not to breach the weekly cap:

- Holiday pay
- Workshops

WEST END THEATRES BY CATEGORY

| Category A theatres (1100 + seats) | | Category B theatres (800 – 1099 seats) | | Category C theatres (799 seats and below) | |
|---------------------------------------|-----------|---|------|--|-----|
| Adelphi | 1500 | Gielgud | 889 | Apollo | 775 |
| Aldwych | 1198 | Lyric | 916 | Harold Pinter | 795 |
| Apollo Victoria | 1832 | Gillian Lynne | 920 | Criterion | 591 |
| Barbican | 1162 | Noel Coward | 877 | Duchess | 476 |
| Cambridge | 1253 | Novello | 1052 | Duke of York's | 586 |
| Dominion | 2137 | Old Vic | 1067 | Fortune | 432 |
| Drury Lane | 2188 | Peacock | 1000 | Garrick | 724 |
| Her Majesty's | 1161 | Phoenix | 1020 | New Ambassador's | 410 |
| London Palladium | 2291 | Playhouse | 800 | Royal Court | 400 |
| Lyceum | 2107 | Sondheim | 990 | St James | 312 |
| Palace | 1390 | TR Haymarket | 894 | St Martin's | 546 |
| Piccadilly | 1200 | | | Trafalgar Studio 1 | 381 |
| Prince Edward | 1625 | | | Vaudeville | 686 |
| Prince of Wales | 1131 1157 | | | Wyndham's | 759 |
| Savoy | | | | | |
| Shaftesbury | 1405 | | | | |
| Victoria Palace | 1575 | | | | |

TAXATION, VAT & NATIONAL INSURANCE

| Taxation | VAT | National Insurance |
|--|--|--|
| <p>Producer: As the members are, in the main, Schedule D for tax purposes, the manager pension contribution is effectively treated as an addition to the weekly performance wage.</p> <p>Therefore, the manager pension contribution will be treated as an allowable business expense.</p> <p>In all cases the manager pension contribution must be added to the weekly salary of the member before being deducted.</p> <p>The above also applies to those engaged via a limited company.</p> <p>Member: The effect is neutral as the manager contribution is directed into a Personal Pension, which benefits from tax relief being granted at source.</p> <p>The claiming of any additional tax relief due to the member being a higher rate tax-payer is the responsibility of the member.</p> | <p>As the manager contribution forms part of the overall wage for the member it is also subject to VAT where a member is VAT Registered.</p> <p>If the manager is VAT Registered, the additional VAT might be recovered in the manager's VAT Return.</p> | <p>This changed on 06.04.2014 The HMRC Summary of Responses can be found here.</p> <p>However, the recommendation from Chester Rose is as follows.</p> <p>Producer: Producer to interpret or seek independent advice</p> <p>Member: Member to interpret or seek independent advice</p> |

INFORMING EMPLOYERS



It is the responsibility of the member to notify the employer that they are a member of the EPS and to provide their EPS membership reference in the space provided in the contract.

Only accept a member reference starting with 'P', 'A' at the end, and seven numbers in between.

A unique reference issued by Chester Rose to all EPS Members; it provides permission to deduct the personal contribution, and the guarantee that reduced duties in regard to auto-enrolment compliance can be applied; the EPS being a Qualifying Workplace Pension Scheme.

If a 'TK' reference is given instead of a 'P', refuse it, insist on the latter; if neither member nor agent can provide, Chester Rose can.

PROCESSING PAYMENTS



It is important that the member's basic engagement fee is increased by the employer contribution and then this should be shown as a deduction, thus bringing the basic engagement fee back to its original level. A further deduction of the member's contribution should also then be made.

CONTRIBUTION PAYMENT PROCEDURE

Contributions should be remitted to Chester Rose on a monthly basis commencing as soon as practicable after the deductions have been made from the member's salary.

Current, legislation dictates that pension deductions made in one month must be paid across by the employer to the member's pension provider no later than the 22nd of the month following the deduction.

Any late payments will be monitored and may be reported to the industry regulator, The Pension Regulator (TPR), which has the power to impose fines. In the event of a late payment being received, Chester Rose is duty bound to investigate whether an EPS Member has been disadvantaged in any way by the delay.

This could either be in the form of loss of investment growth or allocation into the wrong tax year.

If it is found to be so, the Production Company will be sent reasons, details and calculations of the compensation due and an invoice for full settlement within seven days of receipt by the Production Company. Our fee is £250.00 per hour/minimum charge £250.00

A schedule, similar to the following, is to accompany the remittance to Chester Rose.

EXAMPLE SCHEDULE

| Member's name | Membership number | Artist contribution | Contract contribution | Total contribution | Period covered | Production |
|---------------|-------------------|---------------------|-----------------------|--------------------|----------------------|------------|
| A B Sample | P5232154A | 25.00 | 50.00 | 75.00 | 01.01.00 31.01.00 | ABC |
| C D Sample | P5232155A | 20.00 | 40.00 | 60.00 | 01.01.00 31.01.00 | ABC |
| Cheque total | | | 135.000 | | | |

An excel spreadsheet to aid you in the calculation of these figures is available from Chester Rose and can also be found on our website.



IMPORTANT NOTE

All contribution payments to the EPS must be by BACS, quoting a reference from us and must be in GBP. Cheques are not permitted. A unique BACS reference and bank details shall be issued upon receipt of:

- (i) your formal request to bacs@chesterrose.co.uk and
- (ii) your fulfilment of our response requesting a, b and c below.
 - a) Name & address of the production company
 - b) Name on the paying bank account
 - c) Receipt of £40 fee to cover costs relating to anti money laundering and sanctions checks, which are requirements of our regulators (invoice will be issued).

To ensure correct processing of submissions, you shall also be given instruction as to the subject of your submission e-mails.

BACKDATING CONTRIBUTIONS



Avoiding problems

Whilst agreed³ backdated payments can be accepted into the EPS, we fully understand the problems that can be incurred with regard to their calculation and from when to backdate to.

We therefore recommend that as soon as a full cast, stunt and stage management listing is available for a production, it is e-mailed to Chester Rose. Any information received will be kept in the strictest of confidence.

E-mail c4c@chesterrose.co.uk

We shall then check the list against our member records and report our findings back to you if existing EPS members are found.

The result of this exercise will mean that you can identify and contact all those in the EPS at outset and remove the possibility of having to consider or authorise back-payments at a later date.

We shall not use the cast lists you send us to encourage joining of the EPS.

Refunds - from April 2023

Please be aware that any schedule containing monies paid over for non members who do not subsequently join and therefore must have monies refunded shall incur an administration cost of £25 per member, per schedule.

³ Agreed backdated payments differ from late and backdated payments arising from a requirement to get up to date.

REFERENCE & COMPLIANCE



Every individual in the EPS will, at some point, have made the personal decision to join the scheme.

Historically, this was by completing and submitting an application form, and in more recent times has migrated to a more convenient and simple on-line registration process.

[CLICK TO JOIN THE EPS SCHEME](#)

Completing the registration produces a unique EPS Membership Reference which will start with 'P', then a 'five', six more numbers, and end with 'A' **P 5 * * * * * A**

This format provides you, the employer, with the guarantees you need: a)

that the engaged individual is an EPS Member,

b) with the EPS being a QWPS, AE is not required,

c) you will have no legacy duties once they leave your employ.

References beginning TK or any other format should never be accepted as they cannot provide the guarantees mentioned above and which you need to fulfil your AE compliance duties

Contact us to obtain or check on any EPS Membership Reference issues

If a 'TK' reference is given instead of a 'P', refuse it, insist on the latter; if neither member nor agent can provide, Chester Rose can.

FEES



Employers in the creative sector currently enjoy fee-free access to the EPS, bar the following exceptions:

£40.00⁴

Upon registering a new company to become a contributor to the EPS, a one-off charge to cover costs relating to the necessary sanction checks. (3)

£25.00

A fee per member per submission when a refund is required. This relates to those that are not yet EPS Members and are included on a schedule or when an error, such as an overpayment for an EPS Member has been made.

Hourly rated fee⁵

Payable with regard to late payments of contributions where the timescale involved may have had an adverse effect on the value of the members' EPS.

Bespoke requests; such as access to the EPS for the benefit of the Employer's Staff; are initially costed hourly at our minimum rate, moving to an agreed annual fee if suitable.

£250.00

Our minimum hourly rate, which is subject to change at any time and without prior notice.

⁴ Subject to change at any time and without prior notice.

⁵ Refer to relevant page

CONTACT US



Scheme enquiries

For any further inquiries about the scheme, please contact our specialist administration and scheme processing team:

Phone: 020 3342 1282 Email:

c4c@chesterrose.co.uk

Technical insight

If you need additional technical insight, please reach out to the scheme's Technical Lead, Andrew Barker:

Phone: 020 3342 1282

Email: andrew.barker@chesterrose.co.uk

Schedules

Email: schedules@chesterrose.co.uk

BACS reference request

Email: bacs@chesterrose.co.uk



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