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# welcome to the miracle newsletter

Welcome to the Miracle Dynamics newsletter. At the moment, our time here at Miracle seems to be revolving around pensions and auto enrolment. We are keen to ensure that all of our customers are fully prepared for the new pension regulations. If you haven't started thinking about it yet, we strongly urge you to do so. We are currently collecting pension staging dates, to ensure we have enough resource to help every customer with their specific requirements. Some of you may need some consultancy time from us, so it's important that you get in touch with us as soon as possible to book some time.

We are also starting to plan and prepare for year end. It may seem like a long way off, but it's something we have to start planning now because of the amount of work involved and the number of sites that need upgrading. Our next newsletter will provide information on booking upgrades, why it needs to be done and what steps need to be taken by your organisation.

All our hard work seems to be paying off and we were delighted to have been awarded the Payroll Assurance Scheme (PAS) accreditation following an assessment by the CIPP. The PAS accreditation scheme independently reviews all payroll processes involved in paying an employee and we have been congratulated for operating at the high standards sufficient for the PAS accreditation.

Best Regards

**Alan Frost**

# People Matters Column with Vicky Stanton

*Welcome to our Guest Writer Vicky Stanton. In this edition Vicky writes about data and data protection. Vicky particularly focusses on data relating to recruitment, discipline and personnel records.*

Do you suffer from a mountain of paperwork (and other forms of records) relating to applicants and employees and wonder what you should do with it, how long you should hang on to it for and the precautions to take? Well let me help ... I know many of your records will be on Miracle but you are sure to have some other paper type or electronic records around relating to people.

Computerised records and paper records are both covered by the Data Protection Act 1998 and covers all types of data that refer to, or can be used to identify an individual.

## So what to think about in recruitment

In the context of the definition of personal data, a completed application form is likely to be classed as personal data. Other documents used in the recruitment process such as equality monitoring forms, medical questionnaires and notes, may also contain 'sensitive personal data' (eg relating to a person's ethnic origin, religion, medical conditions) and due to its nature attracts a higher level of protection under the Act and needs handling with care.

Job applicants have the right to make a subject access request under the DPA and are entitled to find out what personal data is held and have a copy.

## So some tips to help ...

- Be clear at the start of the process whether information from unsuccessful applicants will be held 'on file' for future processes and for how long. Make sure they have the opportunity to request removal of their data (or you could actively ask them if they wish to be kept on file for up to 12 months, for example).
- If you use an electronic recruitment process, restrict the access of the information to those who are involved in the recruitment process and need to see it.
- If you collect equal opportunity/diversity monitoring data for use in house, be mindful this is likely to be sensitive data, so you will need the applicant's permission to collect it and use it.

Be clear it does not have any role in the selection process and make it a separate document to be separated before the paperwork passes to the recruiting manager.

- Only keep recruitment records for 6 months after the process is concluded. The statutory period for claims of discrimination following a process is 3 months but can be extended by a Tribunal, in exceptional circumstances, to 6. Do not keep recruitment information from the successful applicant unless it is relevant to the employment relationship going forward.

It is worth a comment that any notes taken during the interview process may constitute personal data and would be disclosable as part of a subject access request.

## What about Discipline records?

Accurate records of disciplinary action are important. They allow management to deal with matters fairly and consistently and they may also be useful if an employee brings a claim of unfair or wrongful dismissal.

Most discipline outcomes should be recorded, unless it is an informal, verbal warning.

Most warnings should be disregarded for disciplinary purposes after a specific period (eg 12 months for a first written warning) subject to satisfactory conduct and performance. Many organisations have a process of 'wiping clean' the discipline record after that time, in which case the actual written warning needs to be physically removed off the file. If a copy had been given to the employee, representative or manager, they should all be advised to destroy their copy too.

However, it is in fact advisable to retain such documents on personnel files. This is because there is case law that gives limited scope for an employer to take into account previous similar misconduct in deciding whether to dismiss an employee for subsequent misconduct. Therefore, it is useful to retain documents relating to warnings on file to build a picture of an employee's disciplinary record. However,



when issuing a written warning it should be made clear that although the warning will only remain 'active' for a certain period, it will remain on the employee's personnel file.

## Are your personnel records accurate?

The Data Protection Legislation requires anyone that keeps personal data to ensure it is accurate. I am sure you will have policies that require employees to notify HR/Payroll or whoever maintains the records of changes to names, addresses, telephone numbers etc. However not everyone remembers. It is doubly imperative now with the introduction of RTI and the direct monthly links to HMRC coupled with the statutory requirement.

So how often do you ask your employees to check the personal data you hold on them? The law requires it to be done on a regular basis. What regular means is down to the individual organisation but you need to be able to show due diligence, I would suggest. This will depend on the size of the organisation but annually is probably a good measure.

## How long should you keep personnel records?

The Data Protection Act does not detail how long an organisation should retain personnel data and records once someone has left but it does state that personal data should not be kept for longer than is necessary for the purposes for which it was obtained.

However advice is that records should be kept for 6 years after the date of termination. This takes into account that there is the possibility that any documents relating to an employee could be relevant to a Tribunal, County Court or High Court claim, for up to six years after termination of employment. The Information Commissioner considers this as acceptable on the basis that an employer is keeping information to protect against legal risk.

So whilst you may have heaps of paper records, do make sure that you retain what you need to keep to be in line with legislation and good practice and if you are seeking more filing cabinet space see what you can scan and file electronically.

## Ask Alison?



**Alison Firth, one of our Senior Consultants** shares some handy hints and tips with you, we hope you find them useful.

**National Minimum Wage** - Don't forget the rates are changing from 1st October and that the rates for agricultural workers are being abolished.

**Christmas Pay Date Changes** - Christmas is fast approaching and payment dates may need to be adjusted. Enterprise and Progress users can notify employees of revised payment dates using messages on pay advices.

**Contract changes** - Do you need to review your employee's contracts and handbooks for Pensions auto enrolment? This should be done sooner rather than later.

## Payroll Assurance Scheme (PAS) Accreditation



Miracle Dynamics are delighted to have been awarded the Payroll Assurance Scheme (PAS) accreditation on 28th June 2013 following an assessment by the CIPP.

The PAS accreditation scheme independently reviews all payroll processes involved in paying an employee and we have been congratulated for operating at the high standards sufficient for the PAS accreditation. The CIPP were most impressed by our organisations robust payroll procedures.

The CIPP Payroll Assurance Scheme was developed to provide payroll departments and bureaux with assurance that:

- Their payroll and associated processes are fit for purpose and comply with government legislation
- They have the right payroll activities in place
- They have suitable processes in place for picking up and preparing for legislative changes

We take great pride in the products and services we provide to our customers. We are always striving to continuously improve our offerings and believe that being awarded this industry recognised accreditation by the CIPP shows our long term commitment to our customers and the payroll industry.

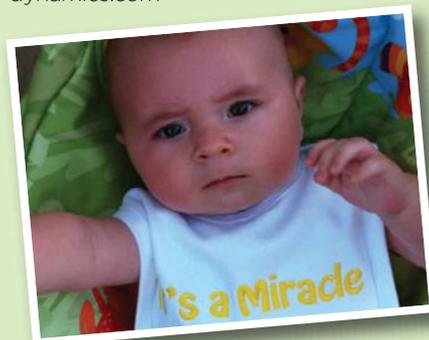
## Myth Buster - There is no longer an end of year process! Not True!

Many people believe that with the introduction of RTI, there is no longer a year end process. This is not true, there is still an end of year process and it's actually a month earlier than normal. In the past customers have had to do a P35 & P14 EOY submission, the deadline was always the 19th May. With the introduction of RTI, HMRC is receiving pay information from employers each month, therefore a P35 & P14 submission is no longer required. However, an RTI file must be sent with the final declarations selected by the 19th April! Final declarations can be included in either a final FPS file or a final EPS file but they should only be declared once. In addition to this, employers must still provide P60s to their employees by 31st May. There is also a requirement for a software upgrade which includes latest statutory changes, software changes, new functionality etc. You will be contacted as usual to agree a date for upgrading both your test and live environments.

## It's a Miracle ...

If you, a member of your family or any of your colleagues are expecting a baby, please let us know. We have some "It's a Miracle" bibs to give away. We have some beautiful babies modelling our bibs for us. Pictured below is the gorgeous Claudia, daughter of Kevin Breen from Mulholland Contracts and the very handsome Ross, son of Colin Henderson of Weatherproofing Advisors Ltd. We also have Alison Firth's adorable Niece, Isla Rose and the beautiful Georgiana Juno daughter of Tammie Massey-Ford of Massey Feeds. Thanks to all for sending in their pictures!

If you would like to receive one of these bibs, please email [sales@miracle-dynamics.com](mailto:sales@miracle-dynamics.com)



Ross Henderson



Isla Rose Firth



Claudia Breen



Georgiana Juno

## Competition time



As you all know we love our Rubber Ducks here at Miracle, no surprise then that our competition this month is about a Rubber Duck! **Who sang a tribute to one of their favourite toys, Rubber Duckie?**

The first correct entry to be picked will win a prize of their choice from the following list:

- IPOD 5th Generation 16MB
- Kindle Fire
- Case of Wine
- £100 Amazon Voucher
- £100 John Lewis Voucher

Please send your entry to [sales@miracle-dynamics.com](mailto:sales@miracle-dynamics.com) before the end of Thursday 31st October.

## Competition Winner

Congratulations to Val Newton of Carclo Technical Plastics who won our August competition. Our question was name 10 songs with the word Miracle in them. Val correctly named 10 songs and choose a Kindle Fire as her prize.



Diana Bruce, MCIPP Dip

## Welcome to Diana Bruce our Guest Writer from the CIPP

(The Chartered Institute of Payroll Professionals)

*Diana is the Senior Policy Liaison Officer at the CIPP and joined the team in 2009 with 20 years of payroll and HR experience from both public and private sectors.*



## What does your payroll department actually do other than pay employees?

It is a common misconception that the payroll department exists exclusively to pay employees. So where perhaps a four weekly payroll operates, one could make the assumption that for three out of every four weeks the working life of the payroll department must be a cinch, with the real work required just a few days before pay day. If only this were true; paying employees is most certainly the principal function of payroll, but by no means is it the only function.

### Changing times

Payroll has changed enormously over the years; departments used to have many more staff than they do now who would manually calculate the tax and national insurance deductions and physically count out the exact money for a pay packet and hand write the pay slips. With the introduction of new and online technology overheads can be reduced, certain tasks can be automated so the number of people required in a department is less. This does not mean that the knowledge required is less, far from it as with the volume of changing legislation, keeping up to date is an on-going challenge and the responsibility to be compliant is greater than ever before. The skills required today are very different from those of even just ten years ago because a great many payroll departments use some form of computerised system. Payroll professionals have to understand how the software works, its limitations and scope and how to produce all the reports required for checks and internal departments.

### Obligations

The payroll department carries out a role crucial to the success of an organisation as it ensures the execution of its contractual

and statutory obligations in relation to payroll. Both obligations are legally binding and enforceable and failure in either can result in hefty penalties for the employer. In brief the contractual obligations are to ensure that each employee receives all the pay, allowances, expenses and benefits etc. which are due in accordance with the terms and conditions of their contract of employment. The statutory obligations are to ensure that the correct deduction of income tax, national Insurance contributions, student loans and attachment of earnings orders (where applicable) are made. Statutory payments are also required where an employee qualifies for Statutory Sick Pay, Maternity Pay, Adoption Pay and Paternity Pay. And let's not leave out the regular statutory payments that need to be made to HMRC and of course the Pay As You Earn (PAYE) reporting requirements which have changed recently with the introduction of Real Time Information.

Payroll also has obligations to many different people within an organisation and also to various external bodies; HMRC, Department for Work & Pensions (DWP), Courts, Child Support Agency (CSA), and Local Authorities to name but a few. The Payroll department cannot go it alone - it needs the help of the other departments to function effectively and is often reliant on these departments or outside bodies to provide information to enable the processing of payments to employees. For example HMRC provide the relevant tax code, Courts will inform if an attachment of earnings order is issued, the CSA for child support deductions and HR for new employees and those leaving.

### My pay is wrong

What's the one thing that is guaranteed to de-motivate any member of staff, including you or me? Not receiving the correct pay at any time is frustrating but if you have just started a new job and it's your first pay that is wrong or worse still, not there at all, then this does tend to sully your opinion of your employer from the offset. If employees are paid correctly then there is at least a good chance that they will be satisfied and do the job for which they have been employed. Inaccurate or late payment of wages could also lead to industrial relation problems and an unhappy work force may be less productive than normal. The additional knock on effect will be that employees will spend time making pay enquiries to try and have the problems rectified, during which time they are not working, and consequently the employer incurs the cost of lost production time.

Employment law is another area of continual change, with increased tribunal cases going through the courts. If employment regulations are breached the organisation could find itself subject to prosecution or faced with an Employment Tribunal instigated by an employee. One of the most common reasons for an employer being taken to court by an employee is through unlawful deduction from wages. The Employment Rights Act 1996 sets out rules for the protection of wages so if an employee is overpaid, unless something is specifically written into their contract of employment, you cannot just recover the money from their next pay. So it is easy to see why paying employees accurately and on time is vital to the core of any business.

### Know-it-all

I keep referring to payroll 'departments' but there are a large number of employers in the UK who have only a few employees so do not have the luxury of a department to run their payroll. According to 2011

figures from the distribution of enterprises by employment size band, businesses with 250 or more employees accounted for only 0.4%. Statistics showed that 88.8% of businesses had less than 10 employees and 98% had less than 50, showing that by far the smaller and medium size enterprises (SMEs) outweigh the large. The makeup of a business is of course dependent on its size so bigger companies may have several staff who individually deal with certain elements of payroll, whereas in a small company one or two people may have to know it all and there is a lot to know. The following is a non-exhaustive list of some of the other areas of complexity (or perhaps perplexity is more apt) that 'payroll' has to deal with.

**National Minimum Wage** - non-adherence can be very costly and employers can be publically named and shamed from October 2013. **Salary Sacrifice Schemes** - Employer Supported Childcare, pensions? **Expenses and Benefits** - company cars, fuel, tax liabilities on the provision of computers for the use of employees who work from home? **Redundancy Payments** - Payment in Lieu of Notice, Compromise Agreements, Statutory entitlements, Restrictive Covenants. **Statutory Sick Pay and Leave** - calculating entitlement. **Online Filing** - P11D/P14/P60/P35/P38A and now real time information. **Late filing and payment penalty regime** - cost to the employer if payroll miss the deadlines. **Double Taxation** - employing from abroad, do they pay UK tax? **Benefits and allowances** - Travel and subsistence, accommodation, removals, disturbance, relocation, education and training.

**And there's more ...**

Starters and Leavers, Payroll Giving Schemes, Student Loans, Pension contributions, Pay awards, bonuses, Director's NICs, PAYE Settlement Agreements, Special NICs legislation relating to teachers, lecturers & instructors, Construction Industry Scheme, Election Payrolls, Strikes and trade disputes ... did I mention the check, double check, triple check and cross check before pressing the magic button where everyone gets paid? And just when employers think they have more than enough to deal with, the government bring in even more changes - pension reforms and automatic enrolment, shared parental leave, devolution of Scottish income tax ...

For those non-payrollers reading this article, I hope this has given an indication of what payroll might be doing for the other three weeks of the month!

**Irish Payroll** We just wanted to remind our Irish customers that a new updated release for our Irish payroll will be available in December this year rather than January. This is due to the budget being moved to mid-October rather than early December. For those customers who are unaware, we do have an Irish Payroll which adheres to the statutory rules as set out by the Office of the Revenue Commissioners and the Department of Social and Family Affairs for PRSI contributions. We currently have many customers running this payroll. If you would like further information please contact our sales team - sales@miracle-dynamics.com.

## Help Desk Service Levels

After our Customer Conference, we had some comments from customers regarding expectation levels and response times for our Help desk. We have therefore put together some information and guidelines to clarify how our Help desk operates.

**Response Times and Priorities**

The following table is a guide to the response times we work towards and are based on a priority level. However we will endeavour to resolve issues as quickly as we can, particularly when dealing with those queries where a payroll cannot be run. You can expect to receive a call log reference number within the first two hours of logging your call.

as; what version of NAV are you running? What application were you working on at the time? What transaction were you trying to perform? A concise description of the problem and screen shots of error messages.

If we are unable to resolve your issue over the phone or via email, we may need to look at your actual data using remote access or we will request a copy of your database.

We do ask that you refer to the manual in particularly when information is required about "How to complete a transaction or how to complete a screen". Copies can be downloaded from our FTP site.

Priority	Urgency	Response Time
1 - Severe Impact	Fix required today. For example it is stopping a payroll from being run today	8 working hours
2 - Medium Impact	Required as soon as possible but not critical	8 working days *
3 - Low Impact	Required as soon as possible or by a given date	1 working month *

\* Except non priority development

**How to Contact us**

All support calls should come through the Help desk preferably via email in the first instance to support@miracle-dynamics.com, alternatively call the helpdesk support line on 0845 634 2946. The Helpdesk is open between 9.00am and 5.00pm daily (Monday to Friday) - this excludes all public holidays in England.

**How we operate**

We have put a process in place to ensure you receive a timely and effective response to your support call.

- You will receive a call log number within 2 hours of your call being logged
- You may be asked for additional information to support your query such as screen shots
- If the Help desk establish the issue is software related it will be passed to our development team and the response time will be dependent on the nature and complexity of the issue

We do ask that you supply as much information as possible when logging a support call, so we are able to resolve your call in a timely and efficient manner such

Please note we are unable to offer advice or information on matters relating to PAYE or statutory legislation. We suggest that you contact your local HMRC Office or visit their website.

**Enhanced Support and Training**

We do provide enhanced support contracts that offer a range of additional services. Should you wish to discuss these further please contact the help desk or our sales team. In addition to our enhanced support, we also have a training department, where we offer standard training courses, master classes, end of year training and pension training. Please refer to our calendar of events or our website for dates and further information.

**Support Document**

We do have a support document available which supplies all of the above in more detail. If you would like a copy, please contact stacy.reynolds@miracle-dynamics.com who will be able to send you one.

Best Regards  
**Su Copley**  
 Help Desk Manager

# Pension Update Section?

## Understand the new functionality within MiraclePay with our new Pension Training Course

We will be running pension training courses for MiraclePay users to provide detailed user training on the new pension functionality. These courses are different to the pension seminars we have been running as they focus purely on the set-up and use of the new pension functionality within MiraclePay.

### Why should you attend a pension training course?

- To help you ensure compliance with the new pension regulations
- Provides detailed user training to help with the configuration of the system
- Provides training on the definition of the interface files to and from the pension provider
- Helps you to understand the implications the new regulations have on your business

We would recommend that at least one person from your organisation attends, due to the complexity of the new regulations. Course content is as follows:

- Parameters
- Pension Schemes
- Pension Providers
- Pension Processes
- Pension Letters
- Employee Pensions
- Enrolment
- Pension List
- Reports
- Payments
- Letter Templates
- Summary

For further information on the agenda for the pension training, please visit our website to download the factsheet or contact Sheila Wallett in the office.

### Course Details

Duration - 1 day

Location - Miracle offices in Tewkesbury

Cost - £475.00 per person + VAT

Includes - Lunch and Refreshments

Dates - See calendar of events or visit our website

On-site customer courses can be arranged if required

### How to Book

Visit the training section on our website and complete the booking form, alternatively call the office or email [sales@miracle-dynamics.com](mailto:sales@miracle-dynamics.com)

## Auto Enrolment - How successful has it been so far?

The Pension Regulator recently published some analysis on the initial implementation of Automatic Enrolment covering the first six months from October 2012 to the end of March 2013. This period mostly affected the UK's largest employers. Their analysis found the following:

- From October 2012 to March 2013, 83 employers completed registration, rising to 1,153 as of July 2013.
- Awareness of the changes in the workplace pension law increased significantly between Spring and Autumn 2012 and was high among all sizes of employers.
- The Pensions Regulator website received more than 320,000 unique visits to the automatic enrolment pages, mostly with regards to staging dates.
- The regulator's customer contact centre received nearly 8,000 telephone calls, 5,000 emails, more than 2,000 web forms, letters and faxes and had 600 face to face meetings.
- In July more than one million people were saving into a workplace pension as a result of Automatic Enrolment

The Pension Regulator state that so far the implementation of automatic enrolment has gone well and their focus ahead is to ensure that organisations with less experience of pensions are ready for their new duties. Their report shows that awareness and compliance amongst large employers is near universal and are hoping to see this mirrored amongst medium sized and smaller employers.

## Are you following the guidelines on keeping records about workers and pension schemes used?

There are now 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 any records, as long as these records are legible or can be produced in a legible way.

Most records must be kept for six years; those that relate to opting out must be kept for four years.

The records must be produced to The Pensions Regulator, if requested. All trustees, managers and pension scheme providers – and employers where they administer a pension scheme – should also familiarise themselves with the regulator’s ‘good practice’ guidance on record-keeping.

To download a guide from the Pension Regulator Website visit – [www.tpr.gov.uk/guidance-record-keeping](http://www.tpr.gov.uk/guidance-record-keeping)

## Pension Definition Files – Make sure you let us know your pension provider!

Most of the pension providers are proving to have different requirements when it comes to the layout of the interface files to and from MiraclePay. When we are informed of a new Automatic Enrolment Pension Provider we need to review the definition of the interface files that they will provide. These files will inform you of any new members and the contributions made. In some cases, some providers have also asked for details of terminations where the employee either leaves the company or leaves the pension scheme. Miracle will need to review what is required for the files, ensuring we fully understand the fields that need to be exported and the explanations that are provided. It is surprising how many different ways there are to refer to “pensionable pay”!

Once we have done this, we will then need to speak to the pension provider to resolve any queries that may arise before deciding if we need to add any additional options to the extract fields. Once this has been dealt with, we then need to create a test pension scheme and a sample file. Usually this is sent to the pension provider for verification before we can confirm that the layout is supported by MiraclePay. Therefore it’s extremely important to let us know who your pension provider is to ensure that everything is in place for the pension definition files.

We are going to integrate the files for NEST, NOW and the Peoples Pension into MiraclePay free of charge. For all other providers, there will be a cost of £475 for those providers already defined and £850 for those providers we are yet to define. Contact our sales team for further information.

If you haven’t already done so please email [Amanda.sibley@miracle-dynamics.com](mailto:Amanda.sibley@miracle-dynamics.com) with your pension staging date and your pension provider.

“

Be prepared, start planning your **auto enrolment** now!

”



## Ducks Ahoy!

Many thanks to our friends at Crest Plus for sending in some photos of our Miracle ducks on trips away. We particularly like the duck on a camel! Well done to Crest Plus for sending them in. If you have any pictures of our ducks on holiday, we would love to see them.

Please email [sales@miracle-dynamics.com](mailto:sales@miracle-dynamics.com).



Please note all our events will be taking place at our offices in Tewkesbury. All of the training courses detailed below are for our Enterprise product unless otherwise stated.

### October 2013

- 15th - MiracleTime Training Course
- 16th & 17th - MiraclePeople Advanced Training Course
- 29th - Entitlements Masterclass
- 30th & 31st - MiraclePay Advanced Training Course

### November 2013

- 12th - MiraclePay Enterprise Pension Training Course
- 13th & 14th - MiraclePeople Standard Training Course
- 15th - MiraclePay Lite Pension Training Course
- 21st - Pension Seminar
- 28th & 29th - MiraclePay Standard Training Course

### December 2013

- 2nd - MiraclePay Enterprise Pension Training Course
- 16th - MiraclePay Lite Pension Training Course

### January 2014

- 14th - MiraclePay Enterprise Pension Training Course
- 15th - MiraclePay Lite Pension Training Course
- 20th - MiraclePay for Progress Pension Training Course
- 16th - Pension Seminar

### February 2014

- 12th - MiraclePay Enterprise Pension Training Course
- 13th - MiraclePay Lite Pension Training Course
- 18th - MiraclePay for Progress Pension Training Course
- 27th - MiraclePay EOY Training Course

### March 2014

- 5th - MiraclePay Enterprise Pension Training Course
- 6th - MiraclePay Lite Pension Training Course
- 27th - MiraclePay EOY Training Course

### April 2014

- 16th - MiraclePay Enterprise Pension Training Course
- 17th - MiraclePay Lite Pension Training Course

### May 2014

- 21st - MiraclePay Lite Pension Training Course
- 22nd - Pension Seminar
- 27th - MiraclePay Enterprise Pension Training Course

### June 2014

- 11th - MiraclePay Lite Pension Training Course
- 12th - MiraclePay Enterprise Pension Training Course

### July 2014

- 17th - Pension Seminar



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