

REWARD STRATEGY

INCORPORATING PAYROLL WORLD

Issue 217



START GAME

How to engage staff
through gamification



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ARE YOU A PERFORMING PAYROLLER?

By the time this magazine lands, it is likely that many of you working in pay and reward will be at the wonderful Celtic Manor Resort, in South Wales, to attend the Annual CIPP Conference from October 2nd to 3rd. As media partner of the event, myself and the *Reward Strategy* team will be joining you.

Ben Miller, our commercial director, and I will be staying on in Wales to participate in the Cardiff Half Marathon on October 6th. We would be more than grateful if you would like to donate to our charity, Welsh Women's Aid - it is a very worth cause and one close to my heart as a Welsh girl. If you would like to contribute, please see the banner at the bottom of this page.

From something close to my heart, to something close to yours: the profile of payroll. It's a conversation I hear often, that payroll isn't valued as much as other departments within a business and that those not in payroll, don't realise what an important and fulfilling career it is. This magazine features content that is examining ways in which the profile of payroll can be raised - both in and out of the workplace (see pages 20 and 28).

I recently attended a roundtable that marked the start of National Payroll Week, on September 2nd, where this topic was very much in focus. One attendee said that to get payrollers noticed, by others in the business, they must "perform in their own circus - like an acrobat. Share KPIs with those in the business to show the targets they are hitting, costs they are saving - and basically say 'ta-da' at the end." The question is: are you willing to be a performing payroller?

If you have any ideas you think would make an interesting article, drop me an email at apritchard@shardfinancialmedia.com



Amber-Ainsley Pritchard

“Payrollers must perform in their own circus to get noticed by others in the business”

Support Reward Strategy's Amber-Ainsley Pritchard and Ben Miller running the Cardiff Half Marathon for Welsh Women's Aid this October

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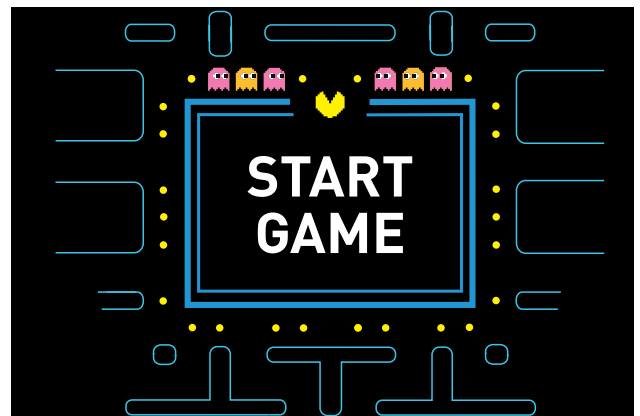
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SUPPORT WORKING PARENTS

Chris Browne explains why offering more than a standardised benefits package will make a difference to employees



Chris Browne,
Euromoney Institutional Investor

“Sharing parental responsibilities is a way to practically support closing the gender pay gap”



On joining international business information group Euromoney in May 2018, I was looking for ways to enhance the employee benefits package - in particular for the 800 or so London office employees.

There were limited funds available, but a strong desire to build on the improving culture at Euromoney and the various initiatives in place to be a supportive and inclusive employer. I immediately thought of a benefit provider I was familiar with from earlier in my career, Parental Choice.

The benefit

Parental Choice provide support for working parents in many different ways. The package we have at Euromoney includes the following benefits:

- Nursery, childminder and school searches (Parental Choice can produce independent and objective reports with details on, for example, all nurseries within a certain distance of an employee's home).
- Quarterly talks held in the office on subjects affecting working parents. These range from topics such as "A to Z of Childcare" to "How to talk so children will listen".
- Quarterly childcare advice sessions held on-site in the office, lasting two hours.
- Newsletters and factsheets with useful information for parents.
- On call advice for parents to ask any questions around childcare - seven days a week, 12 hours a day.
- Nanny-related services such as searches, payroll, contracts etc.

The launch

In November 2018, we launched Parental Choice with support from our Wellbeing Forum and Women@Euromoney group by sharing the message and publicising the new benefit.

Based on advice from an employee in our events business, the launch day

involved Parental Choice being in our office for several hours, with a brief introductory presentation repeated several times during the day. Our chief executive also attended one of the launch presentations to show his support of the introduction of the benefit.

For an employee population used to a more standard benefits package, this benefit stood out and really supported the view that Euromoney was trying to make a difference to employees. At the launch, employees provided a range of positive feedback, including: "It's great that the company recognises I have other responsibilities outside of work as a parent" and "Entirely in favour of this and a no-brainer in terms of the money."

Our global HR director at the time, Gillian Fox, summed up why we were implementing the Parental Choice benefit: "Euromoney is committed to ensuring that employees can fulfil their potential and bring their whole selves to work.

"We are very pleased to be offering the services of Parental Choice to our employees to support our working parents. This addition to our employee benefits package complements many of our initiatives that are currently ongoing to further foster an environment of inclusion at Euromoney."

Has it worked?

So far, we've had two of our 2019 quarterly talks and there has been standing room only at each of them. The extremely popular talks were on the topics of: "How to talk so children will listen" and "Managing guilt as a working parent".

Interestingly, the gender split of employees attending was 50:50. As a father who believes in equality, I feel that sharing parental responsibilities equally with my wife is one of the best ways I can practically support equality, her career and closing the societal gender pay gap.

It was great to see that many of my fellow Euromoney fathers seemed to

share this view and were also keen to learn how to improve their skills as parents.

Parental Choice has also allowed us to upload their presentations to our intranet, so those who couldn't make the talks can download the slides and take a look when they have time.

Our package with Parental Choice includes a number of searches for childcare or schools. We've chosen to offer these searches for free to our employees and this is seen as a great bonus. Within a few weeks of launching we have had some great feedback from employees who have used this service. It really feels like this benefit is having an impact on relieving some of the logistical burden of seeking childcare for our employees.

Outcome

Parental Choice has been well received by our employees and has been an extremely cost-effective benefit that has helped differentiate our benefits package from many other employers. Supporting working parents is aligned to many key challenges facing employers, including employee wellbeing and addressing the gender pay gap.

What's next?

Euromoney is a global company and we always aim to be as aligned as possible with our global employees. During 2019, Parental Choice launched in the Asia Pacific region and we are currently working to arrange some Parental Choice talks to support our employees in Hong Kong and elsewhere in the Asia Pacific.

In the future, we are also considering broadening the appeal of our talks to incorporate the wellbeing of all our employees. It's good to know Parental Choice can help us deliver a programme which appeals to a cross-section of our employees, even beyond our large population of working parents. ■

Chris Browne, global reward director, Euromoney Institutional Investor



START GAME

Amber-Ainsley Pritchard explores how
reward managers are beginning to use
gamification to engage staff



Amber-Ainsley Pritchard
Reward Strategy

Gamification is the application of typical elements of game playing (e.g. point scoring, competition with others, rules of play) to other areas of activity, which is typically used to encourage engagement with a product or service.

It isn't something new, but it is something businesses are starting to realise can be applied in the workplace to better engage and incentivise the workforce.

The earning points element of gamification has been around for years - schools and supermarkets have long been rewarding pupils and customers for collecting X amounts of points. So why not mirror this in our day-to-day work lives, in an age where the reward profession is referring to its employees as customers and creating strategies that aim to offer the highest level of service?

It's also worth noting that a rise of millennials and Generation Z in the workplace is seeing companies compete harder than ever before to attract and retain people. This new army of workers know what they want and aren't afraid to dictate their terms to potential employers, which could be a reason why organisations are looking to use gamification in a bid to make their workplace offering more attractive.

Studies show that gamification is a way for employers to make work more enjoyable for its staff and that by tapping into the need for instant rewards, gratification and feedback, gamification tools can be an effective way to engage employees, improve productivity and reduce staff turnover.

Online learning platform TalentLMS recently carried out its 2019 *Gamification*

“You can have all the sparkly technology, but if employees don't engage with it there's no point”

at Work Survey, this found employees are more productive and happier at work because of gamification - 89 percent and 88 percent respectively.

The research also found that rewards are a crucial part of gamification - being ranked as the number one motivator by employees for two years in a row.

Given these statistics, *Reward Strategy* wanted to find out how reward managers are starting to use gamification and how else it could be used going forward.

In practice

Reward Strategy asked the reward profession if they are using gamification in the workplace and if so, how.

Jo Rackham, head of reward at Sky, said: “We use it a lot for our internal communications and find it really effective in engaging employees in key business messaging. It's also a more agile way of getting information out to people fast. Traditional communication

“Our whole benefits platform is gamified into a virtual town”

cascade processes don't work so well at Sky as it's such a large and diverse company, it's 'on' 24/7 and moves so fast - we have too many messages to get out.

“We also use gamification in our customer service incentives and are currently planning a pilot to test the effect of peer-performance ranked reward, either in combination with or without the more customary target setting.”

Megan O'Shaughnessy, senior consumer reward specialist at BT, said she is not yet using gamification at work, but her team is exploring how it can be used to help colleagues to understand their total reward package.

Explaining how he uses gamification as part of a reward package, Ian Hodson, head of reward at the University of Lincoln, said: “In the workplace we are often just looking to mirror what is happening in society, so it is important that we replicate this gamification in how we engage the workforce. At the University of Lincoln, our whole benefits platform is gamified into a virtual town with buildings that host similar benefits and we use a Top Trumps-style card layout to present details on each benefit.

“We also build learning games into activities such as our financial wellbeing programme, to support learning and make dryer subjects more fun. Gamification also plays a big part in our wellbeing agenda, where we encourage people to collect points and trophies as part of committing to and embedding change in their lifestyle.”

Both Rackham and Hodson said gamification should definitely be used as part of a reward strategy. Rackham said it is key to be used for incentives, communications and engagement in

products, while Hodson focussed on development plans, reward packages and competency frameworks.

However, O'Shaughnessy said it depends on what you are trying to achieve: “If it's just because it's what so-called millennials like to interact with then no it shouldn't have to be included, there should be a tangible link with strategy. You can have all of the sparkly technology, but if employees do not engage with it there is no point.”

Speaking of new generations in and/or entering the workforce, Hodson added: “When you look at how they live their lives, I think we will find that getting and maintaining interest will become a lot harder. We have to try to keep pace with the types of technology that they use outside of work and use that to our benefit in the workplace.

“Any time you launch a new benefit the reward team need to be aware of gamification techniques when they are discussing how they will drive engagement and awareness.”

Engagement

Research from TalentLMS found 89 percent of employees believe they'd be more productive if their work was more gamified. Therefore, *Reward Strategy* asked reward managers if they believed gamification could increase productivity and reduce turnover.

Rackham said: “That's a hard one to answer. In theory yes, but that's like a lot of reward/HR practices – they all help but often the dial only moves when a number of things are focused on.

“Gamification might improve productivity through our incentives trial, and is hoped it will, but we need

to wait to see on that one as we're only in very early design stages."


Hodson explained: "When you want to motivate employees with some of your positive initiatives, gamification can help achieve this. As reward packages become more diverse and communication channels multiply, any method to grab attention is helpful."

Phil Harrison, reward specialist, added: "Healthy competition, through the use of gamification, can be a great motivational tool that drives productivity. However, there must be a sense of fairness or it can have the opposite effect and make the workforce disengage. Like so many other projects, it all depends how well it is rolled out."

Speaking on turnover, O'Shaughnessy said: "The jury is still out on this. I think we need to come back to exactly what keeps people in roles, most of it is down to management and then flexibility and pay. I find that benefits still aren't scoring significantly high on retention surveys, so for gamification to have an impact at BT it would need to be linked to more than just benefits sign up."

Sammy Rubin, the former chief executive of insurance provider Vitality Life, has launched a new wellbeing life insurance company called yulife. It is a platform that uses gamification to encourage financial, mental and physical wellbeing by rewarding people for everyday healthy behaviour.

Rubin said: "Companies that adopt gamification in the workplace are proven to see lower rates of turnover, improved productivity and an increase in prospective new talent. When used effectively, gamification can help employers take care of their people's



"Gamification can help employers take care of their people's financial, mental and physical wellbeing"

financial, mental and physical wellbeing.

"This creative way of fostering greater engagement in the workplace is due to continue to grow in the UK. The sense of achievement associated with gamification – be it completing tasks or securing reward incentives – helps keep staff in a positive mindset, which in turn boosts productivity in the workplace."

The future

Thinking about how else gamification could be used going forward, O'Shaughnessy said: "There is a piece here around pensions. I have seen a few things online where you have a shopping basket to fill of things you want in

retirement, the basket then automatically calculates what you will need in your pension pot and how far away you are from achieving it. Gamification like this really brings things to life and prompts change. We need to build on things like this to get the younger workforce engaged earlier with pensions."

Rubin added: "Gamification can also be applied to many other areas of employee benefits. We have started with life insurance as we believe life insurance is the foundation of financial planning and a great starting point."

Hodson looked to an advantage of using gamification – to capture people data which could help inform employee reviews. He said: "It is important that this data is collected from gamification to understand where the next steps need to be. For example, why not create a wellbeing passport for each employee where they can collect points from dietary habits, physical, financial and mental wellbeing activities, and this data should form part of the annual appraisal process with new objectives set."

It may be hard to measure just how effective gamification is in terms of staff turnover and productivity, gamification may not even be a key driver to what employees actually look for from an employer, but it is being used effectively – by reward managers – as a tool to communicate with the workforce.

Therefore, the future of gamification in reward may not be to give an employer a competitive edge in how fun it is, but to better serve the current employee base – in terms of how to communicate the reward package it has in place. ■
Amber-Ainsley Pritchard, editor, Reward Strategy

A PIONEER

Jane Allen, global head of reward at Travelport, on serving a tech business, why more money needs to be put behind recognition and the need for pay transparency



“Recognition is something that reward needs to put more money and emphasis behind”

The reward role is becoming increasingly common in companies large and small across the UK, Europe and the rest of the world. One professional that has been working in the profession longer than most is Jane Allen, global head of reward at Travelport.

With more than 20 years of reward experience, Allen is eager to make others aware of how great a career it is. With most falling into the profession, herself included, she feels the career pathway is not highlighted as a fulfilling one.

In an interview with Amber-Ainsley Pritchard, at London bridge workspace Fora, Allen describes how she draws inspiration from other countries to create a reward strategy that best serves a global, tech-focussed business; why a less rigid framework around pay transparency is key; and the need for the reward profession to spend more time and money on recognition.

ALP: Can you tell me how you got into the world of reward?

JA: “I fell into reward, I think a lot of people do, but I grew to love the whole area.

“Originally I wanted to work in design, but that didn’t work out and I ended up working for an insurance company. On my first day they assigned me to the pensions department, and I have not looked back since. Over time, I have progressively broadened my role as I moved to different organisations.”

ALP: You’ve been working in reward since 1997 - how have you seen the profession change?

JA: “Increasingly, reward is recognised as a key tool in enabling and supporting organisational performance, creating alignment of performance expectations and reinforcing cultural change.

“Reward as a specialism should sit in the centre of finance, HR and strategy. It is now recognised that reward can be

much more than just what and how you pay people, but also understanding what will impact motivation, how does it link the organisation strategy, as well as affordability.

“The importance of reward as part of the ‘employee value proposition’ or the ‘people deal’ is also now considered to be critical to maximise employee engagement. This has also led to the role broadening out into new areas such as wellbeing.”

ALP: When you started working in reward, was it a common job role? What typical backgrounds do people have coming into reward?

JA: “I think it was less common when I started. Most people come into reward from a finance or HR background, but I came in from the benefits background and I think that influences how you do the job.”

ALP: Can you tell me more about your team and where reward sits in Travelport?

JA: “We have a team of 12 based across both our head office in Langley, England and our office in Atlanta, USA. We support the rest of the world out of those two offices. Our team is a centre of excellence and forms part of the wider HR function.

“We also work very closely with our global payroll teams on delivery.”

ALP: Do you believe reward managers need to be good marketeers in order to explain what they are doing to the wider workforce?

JA: “Yes, I think so. It’s an area of increasing focus.

“In the past this is one of the areas we probably have not been spending enough time on. For the projects and programmes we are currently working on, such as refreshed sales incentive plans, we are deliberately building more time into the overall project plan for change management and communications.”



ALP: How do you create a successful global reward strategy?

JA: "It's about having a core philosophy, understanding and being able to clearly express the link with the organisation's aims and culture. To be successful we also need to be able to adapt the strategies to address the needs of different segments of employees."

"Being a technology business, we find that we need to be able to flex our approach to attract and retain key staff with the scarce skills and capabilities. For example, data scientists."

"I think the expectation of employers has been increasing because there is a lot of visibility to what other companies are doing. We need to consider what we can offer as a wow factor - what makes you different."

"We've recently launched a new recognition programme called 'Applause'. It's a peer-to-peer points system, so

employees can reward each other with points in recognition of exceptional performance. Having something like this, which is instant, can be a lot more motivating than waiting for a once-a-year bonus when it might not be clear to an employee what they have done to contribute."

"I do think that recognition is going to be a great focus for reward, it's something that we need to put more money and emphasis behind."

ALP: With executive pay often in the limelight and more employees open to talking about their earnings, should HR and reward managers become more transparent about what the workforce is earning?

JA: "Yes, but pay transparency has its own challenges. We are working on clarifying an approach to broad banding pay scales and career paths."

"I think the challenge for us is having a



Jane Allen: THE CV

Global head of reward

Travelport
September 2017 - present

Group reward director

DMGT
May 2012 - September 2017

Head of reward

United Business Media
June 1997 - May 2012

“As a technology business, there has been a bit of a push back on flexible working”

structure and a framework that you can talk to people about, not necessarily ‘your pay is X’, but that ‘you’re within band X’. It’s about not having so much bureaucracy around it. Not tying yourselves up so that you are too rigid and it feels like a kind of civil service pay structure - but having enough structure to be able to make consistent and logical decisions about pay. I think it’s finding a balance within that.

“I also think more people are more prepared to talk about their pay and particularly equal pay. The gender pay gap is one of the areas where we wish to move beyond compliance to insights and ultimately to addressing the fundamental causes. It has been interesting to follow the different approaches taken across the world as many countries have now introduced their own requirements on gender pay.

“In Australia, they are looking at what they consider to be indicators that you actively encourage equality. So that might be flexible working policies, paid time off...etc. It’s interesting for us as a global company to learn from each country and decide what we think is the best approach.”

ALP: Are they any other areas of reward you look to other countries for examples of how they are working?

JA: “I think more broadly about how you adopt flexible working. As a technology business, there has been a bit of a push back to say: we need people in the office to enable the most effective team working.

“We’ve recently launched a working

practice called ‘Safe Agile’ where people work in trains to develop products. It’s multi-disciplinary and people might work on more than one train, but it’s critical that teams work closely together at pace. This is more difficult to achieve if team members are not based in the same location.

“We aim to have frameworks in place where we can empower people to work the way they want to work, but making sure that they are also able to deliver and maximise their contribution.”

ALP: What are your biggest reward headaches?

JA: “Data and accuracy. Obviously you’ve got to get the strategy right, but you can easily be undermined by a lack of good quality data.”

ALP: What does it mean to you, to be a Reward 300 member?

JA: “It’s great to have greater visibility across the profession. I am keen to use this to help to communicate what a great career you can have in reward.” ■
Amber-Ainsley Pritchard, editor, Reward Strategy

As a Reward 300 member, Allen is able to attend the Autumn Update Conference as Reward Strategy’s guest, see p22.

Don’t forget, if you’re a member of the Reward 300 2019, accept your invite to the LinkedIn Private Members Group and start debating, sharing and discussing with your peers. Find the group easily here: [linkedin.com/groups/13663965/](https://www.linkedin.com/groups/13663965/)

HOW TO BUILD A REWARD PACKAGE

In the first article of a two-part series, Ian Hodson highlights the key areas to cover when creating a modern reward strategy



Ian Hodson,
University of Lincoln

“Helping celebrate with employees will generate huge loyalty”

The term “total reward package” gets used quite freely in modern scenarios, from job interviews to a company’s mission statement. However, what constitutes a reward package seems to have changed over time or perhaps we should say evolved over time.

Whilst the terminology has remained the same, society, workplace culture and an increasing need to follow the market leaders to be competitive, has seen the aspects covered by a reward package multiply.

Ultimately, the purpose remains the same: we are all in the business of attracting and retaining the best members of staff and, of course, whilst they are with us - motivating them to keep them productive in the workplace.

Keeping staff motivated is particularly important and not only because of productivity, but also as an advert to other staff who may be coming into the workplace.

Research shows millennials are much more likely to make a judgement on where they want to work based on what they observe from other employees and their outward happiness.

So if you are making the steps to construct a reward package, where do you start? Of course there are the overriding factors of what financial budget is available, what the senior leadership team want to achieve and the availability of reward experts to administrate, promote and engage the workforce. Yet, there are headline areas that should always be considered when determining what to offer. I will

explore those key issues in this article and my next (Issue 218). Here are the first themes of your strategy to review:

Pay structure

Think about the basic structure of how pay is determined. Focus on the construction of grades and the approach to senior pay:

- Will progression within grades be incremental with service or aligned to performance?
- How will pay awards be triggered?
- How important are ethical considerations, such as the Voluntary Living Wage?

The key here is to ensure that there are opportunities for managers to be able to reward their staff, whilst not creating broad or lapping bands that can result in equal pay issues.

Consideration will also need to be given to how the structures can support career pathways and if roles can have clear lines of pay progression to mirror them.

Underpinning the pay structures will need to be a fair and transparent methodology and approach to role evaluation and an assessment on the skills, level of responsibility and accountability attached to each role - to determine their placement on the structure. Typically the more transparent you can be with employees around the determination of pay, the more productive they will be.

Bonus schemes

It is always important to be able to have a carrot to dangle to improve performance, encourage behaviours or to simply celebrate corporate success.

When thinking about bonus design, thoughts need to include:

- Will the bonus be financial or not?
- Will any bonus be consolidated or simply a one off?
- Is the bonus in respect of personal performance or team performance?
- Are there any additional costs or reporting requirements to HMRC through the chosen method?

Bonus schemes can often be an important retention tool, particularly for those who may have reached the top of their pay structure. If designed correctly, they can drive results and create a driven and focused workforce. If designed badly, they can become the focus of dissatisfaction and, in many circumstances, it can be seen where poor performance has no differential to outstanding performance in the reward package.

Annual leave

This is becoming more valued by workforces who need to juggle their careers with young families, caring for elderly relatives or simply modern life.

When thinking about leave, think about how flexible you can make it for employees. Will individuals be rewarded with additional leave around events such as a birthday, service anniversary or just the ability to take more for a life event if needed.

When thinking about leave it is important to look at your demographic data and align your concepts. You may also want to think about closure periods at Christmas or times of public holidays,

“Society, workplace culture and competition has seen the aspects of a reward package multiply”

Helping celebrate with them will generate huge loyalty and financial support, along with the time to bond with new family can ensure the feel good vibe spreads through the workforce.

Wellbeing and health

This area is constantly evolving. In a robust wellbeing approach, we now expect to see the areas of financial, physical, mental, environmental and social wellbeing all supported with initiatives to enable them in the workplace.

It is good to challenge your organisation on what you have in place to support the five themes and this may vary from a community garden, battery recycling points, volunteering days, flu jabs, yoga classes or social trips.

In this area there tends to be the need for some reward administration to deliver the initiatives and equally to promote them.

Wellbeing and health can also influence the workplace culture and how it feels to be part of it - whether this is through the presence of physical equipment or simple ideas, such as health monitoring stations or fitness equipment. Also, look for new ideas that can set you apart from others and look for ideas from staff as to what would improve their wellbeing.

Consider these key themes until my next article, where I will take a look at travel, the workplace environment, lifestyle benefits, development and supporting the interaction between in and out of work. ■

Ian Hodson, head of reward, University of Lincoln

PROMOTE THE PROFILE OF PAYROLL

Richard George highlights ways you can market the value and achievements of your payroll team to the wider organisation



Richard George, *The Payroll Centre*

“Payroll sits in an unenviable position”



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I recently had the pleasure of taking part in a roundtable to celebrate National Payroll Week (see p28). During the day, we spoke a lot about the future of our profession, both in terms of technology but also in respect of people and the payroll department in general.


When we talked about the payroll department there was a general consensus that payroll itself is often perceived as a process rather than a department and as such usually falls under the banner of either HR, finance or something else entirely. Because of this it sits in the unenviable position that if it's working and there aren't issues, it doesn't have a big impact on the company and can therefore be overlooked.

This can also be a reason why, in many organisations, payroll struggles to sit at the top table and be involved in business decisions. You rarely see the role of a payroll director at board level.

We all know how important payroll is. For many organisations, people represent the largest cost to an organisation - so it's time we stepped up and marketed ourselves to our organisations because, whether they realise or not, we've changed. We're no longer the payroll specialists we were 20 years ago, we've become reward strategists - managing and dealing with a huge range of areas around payroll, benefits and reward.

You know your payroll team does fantastic work. As their manager you've invested in what they do and are more than aware of the value and success they bring to your organisation, but the big question is: does everybody else know? They probably don't unless you've promoted your teams' work and achievements.

Remember, no one usually thanks you for paying them correctly. If others in your organisation don't understand the part you play, it will make it hard for you to be involved and consulted on key



“We’re no longer payroll specialists, we’ve become reward strategists”

decisions - or even get the resources you need to function well. While it may seem like quietly doing your job should lead to appreciation, it's not always the case.

So, consider what you need to do to raise your visibility.

What do you deliver?

When your department works well and you're delivering what you should, you need to share the message about what the objectives of your department are and what are the outcomes of your service. A good start could be key performance indicators (KPIs) to show the quality of your work and to shout out about achievements. Why not schedule a good news story every week?

What does payroll actually do?

Imagine that you are making a presentation to everybody in your company. Can you distil what your team actually does? What critical tasks do you complete? Are you involved in departmental or company-wide projects? Are you responsible for particular areas? What do you output? What value do you

bring? Try to give anyone you speak to a report of a strong, memorable sense of your team's role in the company.

What are your achievements?

Lots of people find it very hard to sell themselves, let alone “blow their own horn” about their department, but for the good of your team you need to put any shyness to one side and plan on how you are going to market yourselves and your success. You need to ensure this is delivered to as high a level as possible within your business, so all understand what a great job you're doing. This will benefit both you individually and you as a team in ensuring you have the attention and resources you need from those higher up.

What value does your team provide?

Your department's value is a key statement, as that's how organisations judge their success. You may be able to clearly demonstrate your activities and output, but you must also be able to share the value you provide and how that has a positive influence on the business. Do you maximise profit? Remove or reduce risk? Are people aware just how specialised you and your team are and the knowledge and skills you have? Finally, consider what you are doing to make the whole company better?

By considering these four areas you can create a template of communication that will help you raise the visibility of the payroll department. Remember to involve your team: make them aware of your objectives and how you want your department to be perceived. I guarantee in most cases they're as proud, or more, of what they do.

National Payroll Week is a fantastic opportunity to raise the awareness of the payroll profession, but there are 51 other weeks in the year. ■

Richard George, director of education, The Payroll Centre

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PAYROLL AUTUMN UPDATE

Thursday 5
December 2019

DAY



Agenda

8.30	Registration and networking with Brella (available all day)		
9.15	Opening address		
9.25	Keynote: Preparing for the future of reward and payroll in 2020		
9.55	State of play in the on-demand economy: Deliveroo case study		
10.25	Morning tea		
10.45	Pension update: Key regulatory changes		
11.15	Employment law update		
11.45	Policies on leave: Maternity vs. paternity		
12.15	Lunch		
	Compliance	Strategic	New for 2019: Global
13.15	Payroll update 2020/2021	Segmentation of rewards: Changing demographics, changing expectations	Overcoming challenges to create a successful global payroll
13.45	Bereavement pay update	Future of AI-only payroll processing	Managing providers of global payroll
14.15	The tapered annual allowance three years on	Pay transparency: Tackling pay gaps	Creating successful reward practices across cultures
14.45	Afternoon tea		
15:10	Roundtables/Workshops		
15.40	Addressing employee wellbeing		
16.10	Providing employee financial support and guidance		
16.40	Closing remarks and end of conference		

Featured speakers



IAN DAVIS
Head of Payroll
Direct Line Group



JOANNE REES
Head of People Strategy
and Planning
M&S



TIM ROBERTSON
Head of Reward
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Norman Green

“The penalties of non-compliance should gain the attention needed”

SHIFTING RESPONSIBILITIES

Norman Green explains how payrollers can take advantage of incoming legislation, to portray the importance of the function

Once upon a time, P11Ds reported benefits with the costs to the provider and in most organisations, the P11Ds were completed by the personnel department. When that changed, so that the cash equivalent had to be calculated by the employer - the responsibility moved to the payroll department.

With the requirements for off-payroll working to the private sector about to be introduced, another shift in responsibilities will happen.

From April 2020, large and medium-sized organisations in the private sector will, like public sector organisations already do, account for the income tax and National Insurance liabilities of workers who are paid through agencies (the rules known as IR35).

Any change to the rules that an organisation has to follow means a change to the way the organisation works. Instead of the payments to the off-payroll workers being paid direct to the agency, out of the finance department, the payments may have to be processed for income tax and National Insurance.

In addition, there will be a liability for employer's National Insurance and the apprenticeship levy. That means payroll will have to be involved and it is payroll that has the links, rules and processes to report to HMRC. Before that, the organisation needs to consider every payment to an agency to decide whether the payment is caught by the off-payroll working rules. Following that, the organisation making the payment must do a status assessment of the entity that it will be paying.

In the same way there is now a clear path for how information is passed around an organisation for the payment of a bonus or the reporting of benefits in kind, there must now be a way for the information relating to off-payroll working to be shared throughout the organisation, so that the organisation can meet its

obligations and avoid penalties.

This is an opportunity for payrollers to be proactive in their organisation and encourage all those involved in off-payroll working payments to take note.

It may well be that plans are well advanced in your organisation and that payroll has been involved. It is equally possible that plans are being made, but that payroll is being left out of the considerations. Or it could be that nothing has happened at all. The first of these three options is clearly the best and the second is, alas, the worst. If nothing has happened in your organisation, then it is important to ensure that your organisation and the decision-makers in the organisation are aware of their responsibilities. If nothing else, the penalties of non-compliance should gain the attention that is needed.

Take action

HMRC have provided some guidance on how to prepare which could be summarised as: detect, determine, dialog and do.

The first thing must be to detect all the workforce who provide their services through a personal service company.

Secondly, determine which of the contractors are caught by the off-payroll rules. This will almost certainly require an employment status for tax test to be undertaken which will need the engager to provide significant information. Should the determination mean that the worker has to be treated under the off-payroll working rules, then it is vital that there is a dialogue between the worker and the organisation – probably the engager.

Finally, the doing: the ongoing processing of the payments to the worker will need to be processed in a way that ensures the correct income tax and National Insurance is deducted.

With less than six months before this has to be operated, organisations need to act now to prepare the way they will process the new requirements. ■

Norman Green, payroll consultant

“EXPENSIVE ERRORS MAY OCCUR”

Alastair Kendrick helps you understand why more attention is needed when paying employees in the construction industry

From October 2019, we are seeing significant changes in regard to VAT and the introduction of the reverse charge. This is going to impact the cashflow of those working in construction and will add substantial complexity to tax rules.

The construction industry always appears to be under the focus of HMRC and it is interesting that the industry is not singled out purely for the VAT changes, but is part of the wider agenda of the taxes operated within the industry.

For the employers in the construction industry, including professionals in pay and reward, it's worth reading the following.

Status of workers

For some years there have been questions over whether it is right to assume that labour-only subcontractors can be considered self-employed.

In the past, the estimates prepared by HMRC have suggested this issue gives rise to a considerable loss of Class 1 National Insurance.

It's also, clearly, the view of HMRC that these subcontractors should be subjected to Pay As You Earn (PAYE) tax and/or National Insurance contributions (NIC).

The payroll profession expected to see more clarification on the rules following on from *The Taylor Review*, but that has not been case and we are seeing a number of challenges around this at the time of employer compliance reviews. It is unlikely that in the cold light of day, an engager will, at the time of a HMRC review, be able to justify that a labour-only subcontractor can be considered self-employed.

There have also been a number of employment cases by those working to claim employment rights not eligible to the self-employed. There appears to be significant interest in this regard by trade unions. In reality, this is the elephant in the room which many have avoided addressing, but there are significant risks here. This issue cannot be ignored.

Workers' rights

In addition to the above, we are seeing disputes over whether there are workers' rights for others who are considered self-employed.

We have seen the ruling in the case of Pimlico Plumbers, which found a self-employed plumber was in fact a worker and therefore had more rights.

Even if we consider that workers are self-employed, care is needed to ensure that given the basis of the contract they may be considered a worker and have rights which would not be available to the self-employed. An area of particular concern here is that workers have an entitlement to the National Minimum Wage, so very expensive errors may occur.

Construction Industry Scheme

We are seeing a significant number of HMRC reviews to ensure contractors are correctly complying with the rules of the Construction Industry Scheme (CIS).

Particular areas of interest to HMRC are ensuring that those engaged by the contractor have CIS applied when appropriate.

It is also necessary for those subcontractors, who do not have gross status for a contractor, to be comfortable that the split between labour and any materials billed is realistic. It is also necessary for contractors to file the required monthly returns. This is the case because of how the tax rules are drafted. If there are failures by a contractor, then the settlement of income tax, interest and penalties on them can prove substantial and the possibility of this being mitigated is very unlikely.

In conclusion, those working in this industry need to understand the issues that can arise and the special rules which exist. Given the risks possible, it is sensible to organise a programme of reviews either internally or by engagement of a third party specialist. ■
Alastair Kendrick, employment tax specialist



Alastair Kendrick,
Employment tax specialist

“It’s the elephant in the room which many have avoided addressing”

TAKE NOTE OF TAYLOR

Helen Hargreaves reports the most recent proposed measures in response to the Taylor Review



Helen Hargreaves, CIPP

“Consultation documents are like buses, you wait ages then several come together”



The government has published a plethora of consultations over the summer and it has been a very busy time for the CIPP's policy team.

As there are far too many to mention them all here, I will focus on those which have arisen through Matthew Taylor's review, resulting in what is now known as the *Good Work Plan*.

Compensation for flexible workers facing cancelled shifts

A consultation was published in July 2019, on proposed new measures including compensation for workers when shifts are cancelled at short notice, entitlement to a reasonable period of notice for their allocated shifts and additional protections for individuals who are penalised if they do not accept shifts last minute.

Following the Matthew Taylor review, which found zero hours contracts work for the majority of those on them - because it gives workers the flexibility they seek, the government recommended that the Low Pay Commission should examine the issue of one-sided flexibility.

Nearly 40 percent of UK workers say their hours can vary from week-to-week, with approximately 1.7 million individuals feeling anxious their working hours could change unexpectedly. In response to this, the government's proposed reforms will allow flexible workers to retain the autonomy that suits them, whilst allowing businesses to continue using them to cope with peaks in demand.

The proposed new measures for flexible workers, include:

- Compensation for workers when shifts are cancelled at short notice;
- Entitlement to a reasonable period of notice for their allocated shifts;
- Additional protections for individuals who are penalised if they do not accept shifts last minute.

The proposed measures follow the

government's announcement that it is consulting on creating a single labour market enforcement body, which will strengthen protections for workers and provide them with new rights.

Proposals to support families

Again in July 2019, the government launched a package of proposals seeking views on measures to support parents as they enter, remain and return to the workforce. The consultation covers three areas: parental leave and pay, neonatal leave and pay, and transparency of flexible working and family-related leave and pay policies.

Parental leave and pay: Shared parental leave now offers mothers the flexibility to transfer leave to the father and has given families much greater choice over who cares for their child in the first year. The government recognises that this kind of cultural change takes time and evidence shows that mothers still take on the majority of the childcare responsibilities.

The government is committed to giving parents equality of opportunities at home and work. The recent government document *Gender Equality at Every Stage: A Roadmap for Change* sets out a range of actions that the government is taking to support women's economic empowerment and close the gender pay gap.

The government is now seeking views on options for reforming parental leave and the role it can play in achieving these objectives. In addition, an evaluation of shared parental leave and pay is currently being undertaken and government will consider the responses to the consultation together with the findings of that evaluation.

Neonatal leave and pay: An internal review by the Department for Business, Energy and Industrial Strategy highlighted

that parents of premature, sick and multiple babies can experience significant challenges, particularly in cases where their baby or babies need neonatal care for a number of weeks or months. Evidence gathered so far suggests that current leave and pay entitlements do not adequately support parents in these circumstances. In response, the government is seeking views on a proposed new entitlement to neonatal leave and pay for parents of babies who require neonatal care following birth.

Transparency of flexible working and family related leave and pay policies:

Many employers already consider carefully how to offer roles that can be done flexibly. However to help ensure this good practice is spread more widely, the government is consulting on measures to encourage all employers to consider advertising all jobs as flexible from the outset.

Also under consideration is the possibility of a requirement for large employers (those with 250 or more employees) to publish their family-related leave and pay and flexible working policies to align with the overarching approach to gender pay gap reporting. This would help ensure that job applicants can make informed choices and eliminates concerns around asking about employer policies which could discourage employees from applying to a wide range of jobs.

Government consultation documents often seem like buses, you wait ages without any and then several all come together. And it's not ideal trying to respond to so many consultations in such a short space of time, but your views really matter. If you have experiences or views to share, please get involved. Details of all current consultation surveys can be accessed on our website. ■

Helen Hargreaves, associate director, policy and membership, CIPP

STOP FALLING, START FINDING

Amber-Ainsley Pritchard explores how payrollers can promote the profession as a career to choose, not “fall into”



Amber-Ainsley Pritchard
Reward Strategy

“Payrollers tend to be introverts and not natural promoters”

When you ask someone how they ended up working in payroll, the answer is almost always the same: I fell into it. However, it is these professionals that are now calling for the career to be highlighted as something more than just a job you happen to find yourself in - a job you go in search for.

A career in payroll needs to be promoted and the question is: how?

This question arose at a roundtable marking the start of CIPP’s National Payroll Week on September 2nd.

Payrollers at the event explained how, as professionals, they are “victims of their own success” and are “their own worst enemy for not bigging themselves up”.

One attendee added: “Payroll is a career for life, but there is a mismatch between what is going on in the profession and what people think.”

Another said: “The majority of the time people are paid correctly and if payroll runs smoothly, it isn’t a priority. Directors don’t fully understand what we are doing.”

Despite it being agreed that payrollers tend to be introverts, therefore not natural promoters, one solution to this issue focussed on marketing. The attendees said payroll managers have a responsibility to promote what their team does, both internally and to a wider audience. They said that payrollers need to push the agenda for payroll to be seen as its own department, because until that happens payroll will not be taken seriously and the wider organisation won’t understand the opportunities the team can provide.

Some companies have started adding marketing as a skill to job descriptions. One professional that is doing this said: “It is about developing skills for individuals, so that they can provide the information they have available.”

Others at the discussion explored the possibility of having workshops which educate payrollers how to promote the

profession (this is something which has been further explored on p20).

One way to promote the profession would be for individuals to start reporting key performance indicators. These could range from how many issues the team resolves, what costs have been saved, to the accuracy of pay and so on.

Thinking more about how payroll can be promoted outside of organisations, as a dedicated career path, there was an idea for managers to produce and share blogs. These would showcase the journeys of those that have made it to the position of payroll partner or director of payroll, to show that it is possible to grow into positions with more authority. They could also tell the story of how payroll has influenced transitional change within businesses by partnering with suppliers.

Another solution, voiced by those at the roundtable, was the idea of making the requirements to work in payroll like that of accountants - that you must have certain qualifications to carry out the job. This isn’t the case yet, but if it was introduced it may make the profession seen as more serious.

Takeaways

More energy definitely needs to be spent on promoting what the profession does and why it’s important, but it would be worth considering how the definition of payroll has changed and how that could benefit the reputation of the role.

Payroll professionals are focussing more on customer experience and this isn’t something that’s going to change. Going forward, the role will continue its journey into the reward space with more concentration on people and culture. Maybe the evolution of this career could be marketed to show that progression is available.

A final sentiment from those that attended is a note for payrollers to take action: Be proud of who you are, don’t be shy - promote your successes. ■
Amber-Ainsley Pritchard, editor, Reward Strategy



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CAN'T BOOST PAY?

Charles Cotton explains why increasing productivity will have an impact on being able to increase salaries



Charles Cotton, CIPD

“We won’t be able to afford salary increases now, let alone future ones”

Wage growth has recently hit a post-financial crisis high and it looks set to continue in the public and private sectors, according to our latest *Labour Market Outlook* report.

In the private sector, median basic pay expectations increased from two percent to two and a half percent in the last quarter, and from one percent to one and a half percent in the public sector. It’s encouraging to find that more than a third of employers (36 percent) plan to increase basic pay by at least three percent in the next year, compared to 28 percent of employers at the same time last year.

The key factors driving up pay by two percent or more are inflation (43 percent) and the going rate of pay elsewhere (37 percent). Recruitment and retention difficulties are also influencing pay (29 percent).

More than half of employers that report worsening recruitment difficulties, have increased starting salaries for at least some staff. Over a quarter of organisations (27 percent) have increased salaries for the majority of vacancies in response to recruitment pressures, while 25 percent say they have increased wages for a minority of vacancies as a result of recruitment pressures.

Recruitment difficulties

The construction, retail and hospitality sectors, in particular, have said that continuing recruitment and retention pressures are forcing them to increase salaries for most of their staff.

These sectors are bearing the brunt of recruitment difficulties, given the number of people applying for low-skilled roles has dropped by a fifth over the past year. In part, this is due to the fall in net migration from the EU and it’s only likely to get worse when new migration restrictions are expected to be introduced in 2021.

In contrast, there continues to be a

steady supply of labour from outside the EU for medium and high-skilled roles, which is helping application numbers to remain stable despite strong employment growth in the last year. This is down to the government’s decision to exempt doctors and nurses from the visa cap.

Improve productivity

While it’s good news that wages are rising, there’s no doubt that pay growth remains modest by historical standards.

While many employers face skills shortages, they are constrained by how much they can increase pay by productivity. Between 2000 and 2009, UK productivity grew on average by 1.46 percent each year. By contrast, between 2010 and 2016, it has grown by just 0.44 percent, according to data from the Bank of England. Without a corresponding increase in productivity, we won’t be able to afford to pay for these salary increases, let alone future ones. Because of this, it is important that pay and people professionals look at how their employers can improve productivity.

One option is to get more out of less. However, while making people work harder can help raise performance in the short run, it is unlikely that this increase will be maintainable in the medium term.

A more sustainable approach is to boost employee productivity by working smarter. Reward professionals have a role to ensure the design of the organisation, work and jobs are appropriate for high-performance working.

As well as the financial elements, we also need to look at how other HR policies and practices support the business, such as flexible working, voice and recognition, diversity and inclusion and talent management. By focusing on performance and by ensuring that the way people are managed, developed and rewarded is aligned and integrated to smart working, employers will be able to afford to increase wages. ■

Charles Cotton, performance and reward adviser, CIPD

THE HOTTEST DEBATE IN PENSIONS

The people looking after pensions cannot agree on a common definition of value for money. Henry Tapper looks for a benchmark

With politics stymying progress on a pensions dashboard or the consolidation of defined benefit pensions, the summer was light on pensions policy.

The recent public spending review allocated extra funds to meet extra costs of teachers and armed forces pensions, but none of this compares to the reviews around Brexit.

What has been debated over the summer is the question of 'value for money' and how those charged with looking after our workplace pensions measure it.

We are used to value for money assessments. As consumers we see value for money ratings everywhere we go and this may have simplified our way of looking at things, but in pensions it's the other way round.

A common understanding

The problem with pensions is that the people charged with looking after our money cannot agree on a common definition of value for money. This was one of the main findings of one of Frank Field's Work and Pension Select Committee reports, which called for an agreed definition of value for money.

The obligation on independent governance committees, who look after the group personal pensions we use as workplace pensions, is to provide an annual statement to policyholders telling them the value for money their plans are giving them. This obligation has been around since 2015, but each of the 17 independent governance committees I report on use a different method to report value for money.

The trustees of occupational pension schemes, which provide a pot rather than a pension (defined contribution schemes), have only been obliged to opine on value for money since 2018, but they haven't cobbled together a common

method either.

Speaking to the Institute and Faculty of Actuaries back in 2015, Sandy Trust told his audience there was "opportunity in complexity" when it came to working out value for money. Pension consultants haven't looked back and the independent governance committees and trustee reports now sport complicated dashboards measuring everything from scheme solvency to engagement and communications. The trouble with this way of measuring schemes is, firstly, that it is unintelligible to ordinary mortals and secondly, that it is based on subjective judgement rather than fact. The independent governance committees and trustee chair statements are works of art, but nobody reads them.

Finding a solution

This issue has not gone unnoticed in government. The Financial Conduct Authority (FCA) has been charged not just to find a universal value for money measure, but to find one that is relevant to the lives of ordinary people and not just pension consultants. The FCA is increasingly looking to find a single benchmark against which value and money can be measured.

The solution that rating agency Morningstar has come up with is an index which represents the average price of a unit, of the average default fund, used by the average saver since 1980.

The idea is that people measuring value for money can compare how people have actually done, with how they would have done - invested in this average index.

A simple algorithm could be created that uses the benchmark return as the fifty score and plots all other returns around it. Whether this idea catches on is open to question, but the editor of trade magazine *Professional Pensions*, told his readership "measuring the performance of your fund against that of an average fund benchmark - looks like the best option". ■

Henry Tapper, chief executive, AgeWage



Henry Tapper, AgeWage

“Trustee chair statements are works of art, but nobody reads them”



The Pensions Regulator

“We have been creative in using the law to protect savers”

“WE WILL NOT BE COMPLACENT”

The Pensions Regulator shares how its transformation into a clearer, quicker, tougher regulator has made a difference

Through supervision we are now proactively engaging with significantly more schemes, through new initiatives, across a broad range of areas.

To date we have been working on a one-to-one basis with 35 public service, defined benefit (DB) hybrid and defined contribution (DC) schemes and we will be extending this supervision to beyond 100 schemes this financial year.

Our latest quarterly compliance and enforcement bulletin highlights an example of a scheme which has been through the process of ‘relationship supervision’.

Initially, the chair of trustees and pensions director of the scheme were wary when they were selected for supervision. It is an attitude we have heard from many schemes concerned about the scrutiny, control and additional workload it may bring. But they have since told us that it has been a positive learning experience.

We found that the DC scheme was well-run, however we were able to offer a different view on a number of governance issues, including suggesting putting in place succession planning for the chair of trustees and supporting the trustees in asking their external administrator for more detailed reporting.

Regulation recognised

Our new approach has also been noted by the industry. A survey by PwC found that eight out of 10 pension lawyers think The Pensions Regulator’s (TPR) new approach and use of powers is having an impact on their clients, in part due to active intervention from TPR.

Relationship supervision is not only focused on schemes of strategic importance, it also involves more direct contact with large numbers of schemes - using data we hold to target them in relation to particular elements of governance

and administration.

We will give clear direction about the standards that schemes are expected to meet and what the consequences of failing to meet those standards could be.

Producing better results

Our new approach also includes event supervision, where our rapid response teams act quickly on reports of events which pose increased risks to schemes. This will generally involve events that affect the employer covenant supporting DB schemes, particularly corporate transactions or corporate distress.

This more front-footed approach was applied with the GKN/Melrose takeover, where we took the initiative and got involved much earlier than we would have previously. It meant that much greater rigour could be applied and an outcome was reached with far less corporate anxiety and a better result for the pension scheme. This is an approach we found to be beneficial for all parties concerned. Savers were protected, corporate entities learned and we forged deeper and stronger relationships.

We would much rather those we regulate worked within the law, within our guidelines and with us. However, where necessary, we will use our powers to prosecute people when they abuse their position and put savers at risk.

We have used more of our powers, more often and been creative in using the law to protect savers.

We will not be complacent. As an organisation, we will continue to adapt and change to meet the risks in the pensions landscape around us.

Our new long-term strategy, published for consultation later this year, will build on TPR’s future and ensure we continue to be the clear, quick and tough regulator that we have pledged to be, as we put the protection of savers at the heart of regulation. ■

The Pensions Regulator

NAVIGATE SALARY SACRIFICE

Simon Parsons helps you understand the complicated landscape of qualifying childcare vouchers

Three years following the *Peninsula Business Services v Donaldson (2016) ICR 565* ruling, HMRC and the Department for Business Energy and Industrial Strategy (BEIS) responded to a note - dated 20 May 2019 - to clarify and reiterate their view of the legal position on salary sacrifice qualifying childcare vouchers and maternity leave.

My very first *Reward Strategy* article, written in December 2001 (under its former title of *Payroll World*), was on salary sacrifice childcare vouchers (CCV). Since then, the government's launch of tax-free childcare has meant the former CCV tax and National Insurance (NI) efficiencies are no longer available to new scheme entrants, only those who are already participating.

In the Peninsula case, the defending employer argued that the employer's provision of CCV was 'a diversion of salary' and therefore they did not have to continue as a non-cash benefit during maternity leave.

So if it's a diversion of salary, where does that leave tax and National Insurance Contributions (NICs)? It is only the provision of CCV as a non-cash benefit in kind that is exempt from tax and NICs.

The HMRC view is that the Peninsula decision was 'highly fact-dependent': If there is a diversion, the employee's total earnings for tax and NICs remains the higher figure. The vouchers are then, essentially, purchased by the employer by diverting their salary. So, HMRC want tax and NICs on the original salary.

Qualifying vouchers

Where there are legal effective salary sacrifice arrangements in place, the provision of qualifying childcare vouchers (QCCV) represent a benefit that is provided in addition to remuneration for the purposes of maternity leave legislation - to continue to provide that benefit.

For a salary sacrifice arrangement to be legally effective, there must be a

change in the employee's contract and therefore it constitutes a benefit provided in addition to their remuneration.

HMRC's note explains that a diversion of salary would take place where an employee reaches an agreement with their employer, that a portion of the salary to which they are contractually entitled to will be used by the employer to purchase QCCV and instead, the employee retains their legal entitlement and the QCCV are not provided as a benefit, they are purchased out of the salary.

The provision of QCCV will therefore come within the definition of remuneration and there will be no obligation to continue providing the QCCV during maternity leave.

Where there is a genuine salary sacrifice, the reduced salary is subject to tax and NICs on first principles and a separate entitlement to the benefit of QCCV. Therefore the benefit will be taxable, but will of course benefit from the exemption/disregard for tax and NICs as the vouchers are a benefit in addition to salary, they need to continue to be supplied during maternity leave. ■

Simon Parsons, chair, IReeN and BCS Payroll Specialist Group



Simon Parsons, IReeN and BCS Payroll Specialist Group

“The Peninsula decision was ‘highly fact-dependent’”

ASK YOURSELF

The key questions employers need to consider with their childcare practices are:

- Has there been a genuine salary sacrifice, so that there is now a contractual entitlement to lower salary?
- Does the employee remain entitled to the original salary and is using part of that to purchase the vouchers?



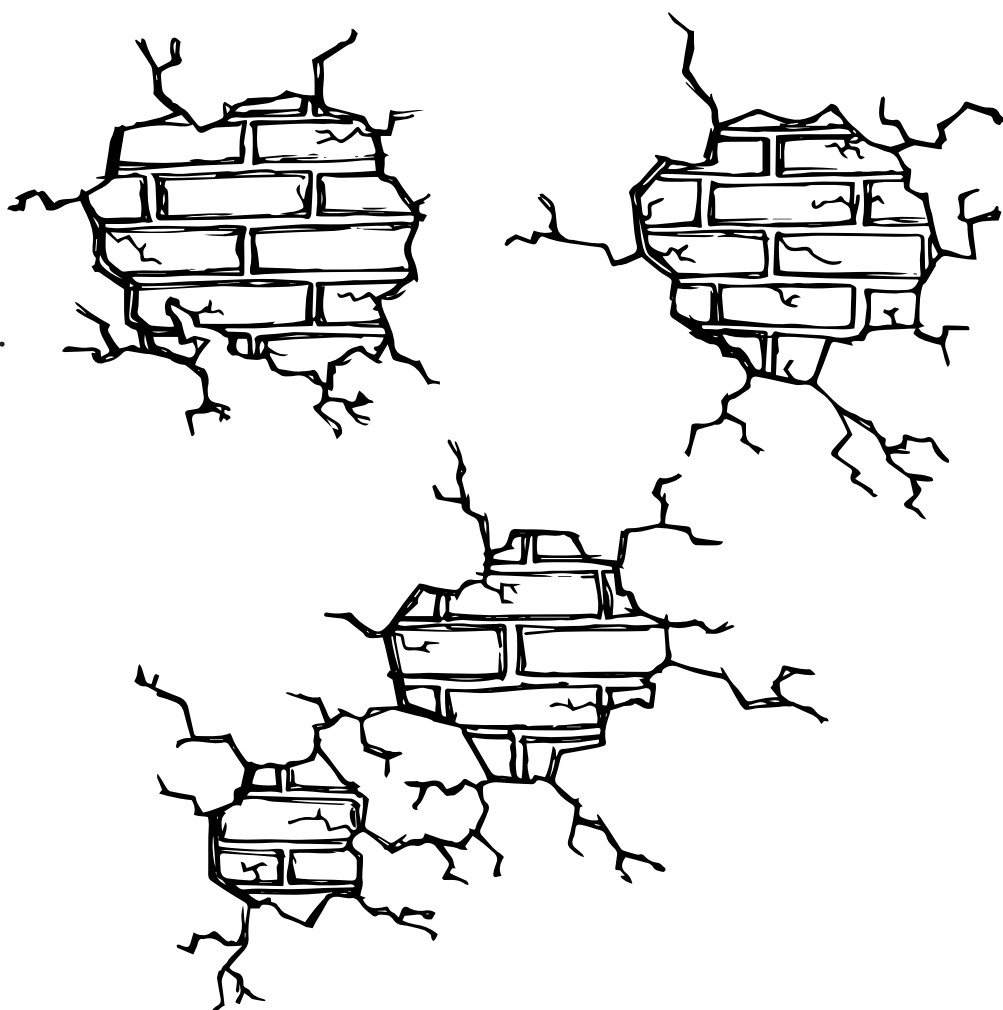
DON'T LEAVE YOURSELF EXPOSED

Ruth Christy of Blake Morgan explains the changes to the statement of employment particulars



Ruth Christy, *Blake Morgan*

“There’s a number of new provisions that must be communicated”



From April 6 2020, section one of the *Employment Rights Act (ERA)* (the right to a statement of particulars) undergoes significant changes. However, many of the finer details have gone under the radar, potentially leaving employers exposed if not approached carefully.

Significant changes

Every new employee and "worker" (i.e. those obliged to provide work personally, but not carrying on a business) will have the right to a written statement of particulars from day one. This is a big change, communicating information from the start (rather than within two months) but also requiring employers to identify which of their staff might be considered "workers" entitled to a statement. A different approach is required to ensure such statements do not inadvertently give workers the same rights as employees.

There are a number of new provisions that must be communicated to the employee/worker, some of which may or may not have to be in the statement itself, and may or may not have to be communicated on day one.

There are several pitfalls if employers do not do this in the right way – such as inadvertently making a discretionary benefit contractual if not drafted carefully.

Current requirements

Currently, for employment of more than one month, employees are entitled to a statement within two months of commencing. Certain information must be provided in a single document, other information can be in another statement or reasonably accessible document and at different times.

New requirements

The main changes from April 6 2020 are:

- Both workers as well as employees will be entitled on day one (there is no longer an exception for jobs lasting less than one month).
- Additional requirements which must

be in the single document (not instalments) given on day one are:

- The days of the week the worker is required to work and whether working hours or days may be variable, with details of how they may vary.
- Any entitlement to paid leave (or reference to a reasonably accessible document from day one).
- Any other remuneration or benefits provided by the employer.
- Any probationary period, including any conditions and its duration.
- Any training provided by the employer which the worker is required to complete and any other required training in respect of which the employer will not bear the cost.
- Some particulars currently allowed in a supplementary statement will have to be given in the principal statement on day one, such as notice periods, length of temporary or fixed-term work and any work outside the UK for a period of more than one month.
- Reference to another document reasonably accessible on day one may be used for terms relating to absence due to incapacity and sick pay, any training entitlement provided by the employer and paid leave. It is not yet clear whether paid leave should include statutory paid leave or only enhanced.
- Some terms may still be provided in instalments within two months:
 - Pensions and pension schemes.
 - Collective agreements.
 - Training entitlement provided by the employer.
 - Any disciplinary rules and disciplinary and dismissal procedures (including reference to a reasonably accessible document).
 - Specifying who the individual can apply to if dissatisfied with a disciplinary decision or for seeking redress of grievances.

In addition, a 52-week average reference period will replace the 12-week one in those cases where this is currently used for determining a "week's pay" for holiday pay.

Impact

Employers will have to address any status issues straightaway to provide workers with a statement.

Disciplinary, grievance procedures and probationary periods would not normally apply to workers. These could actually point towards them being an employee. Whilst workers have a right to be accompanied at disciplinary and grievance hearings, the ACAS Code of Practice only applies to employees. Hopefully there will be further guidance.

It will be a challenge to produce statements on day one, especially where managers conduct recruitment negotiations and another department issues the statement.

Employers need to ensure some additions are not inadvertently made into contractual benefits if they are currently discretionary, for example paid leave or other benefits. Getting it wrong could have costly and long-term consequences.

Employers do not have to give existing employees (who started before April 6 2020) the additional information unless they request a statement on or after April 6 2020. Then they will have to give the employee the statement, including the additional information, within one month of the request.

If there is a change to the additional provisions for existing employees on or after April 6 2020, which were not in their original statement, they will have to be notified. For example, if the employer makes a change to a benefit currently not specified in the existing employee's contract.

On closer inspection, it's clear that these apparently simple changes are complex and employers will have to tread carefully. ■

Ruth Christy, associate, Blake Morgan LLP

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