REWARD STRATEGY
INCORPORATING PAYROLL WORLD
Issue 218

THE RULES OF ATTRACTION

Why a robust reward strategy is vital for enticing and retaining top talent

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THE NEED TO NURTURE REWARD

Amber-Ainsley Pritchard

> "I'm pleased to say 2019 has been a record-breaking year for The Rewards"

To begin with, I would like to highlight some important news for payroll professionals: In Issue 216, we featured an article on the employment allowance reforms - including the requirement for reporting de minimis state aid in Euros. However, since that article was published, HMRC has announced that employers will no longer be required to calculate and report the amount of de minimis state aid value on the RTI EPS.

Moving on from payroll to reward, this magazine has a specific focus on the importance of a reward strategy.

This issue's cover feature explains why it's vital every organisation spends time and care creating a strategy that will help attract and retain talented employees (see p6).

In the second article of a series, Ian Hodson, head of reward at the University of Lincoln, writes about what should be considered for a reward package in the modern workplace (see p8).

The final article I'd like to point out is about the new trend that has come to light, where start-ups are letting employees set their own salaries. Find out how this could work in your organisation on p15.

Given the importance of reward in the workplace, *Reward Strategy's* Editorial Advisory Board created several new categories for The Rewards, including "Best Reward Strategy". I'm pleased to say that 2019 has been a record-breaking year for The Rewards, with the most entries ever received - 200 nominations from 100 individual companies. Find the 2019 shortlist on p16.

Don't forget, the day of the awards the Autumn Update Conference will take place with a range of in-house speakers from the likes of Deliveroo, the NHS, Marks & Spencer and The Telegraph.

Tickets are selling out fast, for both the conference and awards, so book now to avoid disappointment (see p22).

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

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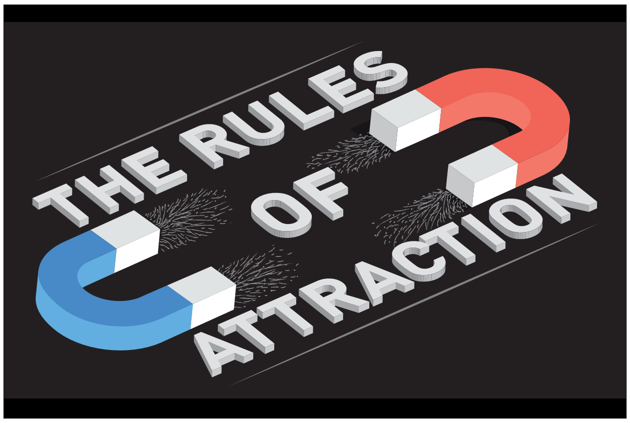
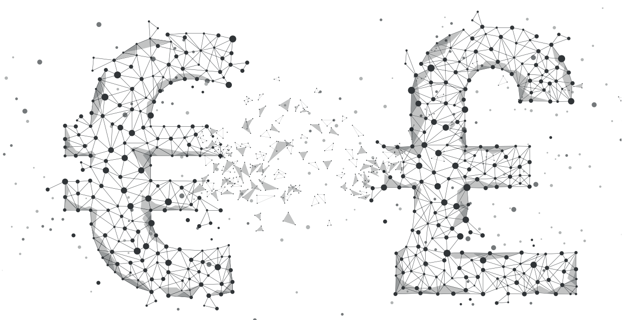


THE RULES OF ATTRACTION

"I'M STILL TRYING TO FIND THE MAGIC BUTTON"

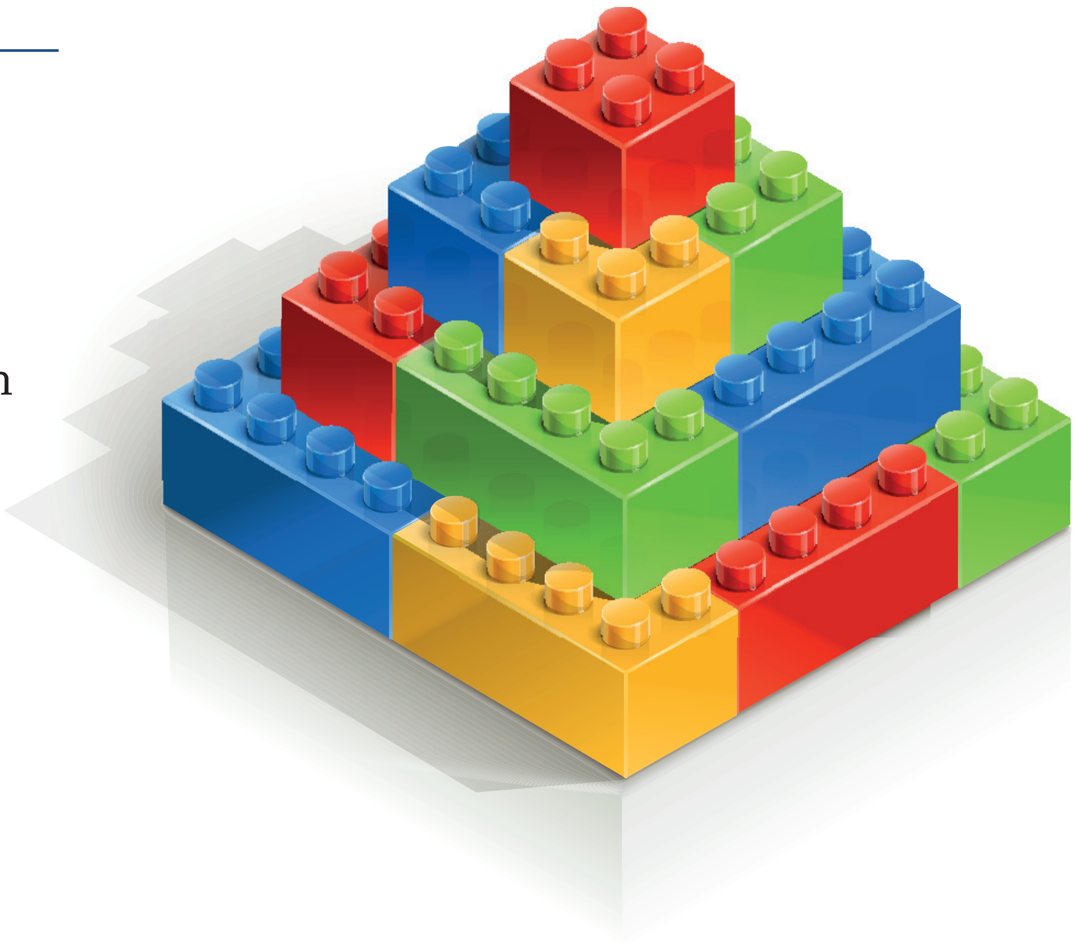


THE BUILDING BLOCKS OF REWARD

In the second of a two-part series, Ian Hodson highlights progression and recognition as some of the key areas to consider for a reward strategy

Ian Hodson,
University of Lincoln

> "It truly is the recognition that puts a smile on an employee's face"



In Issue 217, I walked through some of the different elements to be considered when creating a reward package, including pay structures, bonus schemes, annual leave and wellbeing. All require significant consideration and, depending on the goals you are trying to achieve, may be a main focus or part of the supporting cast.

This time round we look at some of the other considerations:

Travel benefits

Commuting has become more significant in reward packages as it can often be a large overhead for employees. We need to think whether we can support the cost of travel through offering season ticket loans, car lease schemes or negotiate local public transport discounts.

More creatively you may want to think about park and ride or park and bike schemes to help avoid city parking costs and traffic which will also embed wellbeing. Cycle to work schemes have come a long way and, with the recent lifting of the maximum loan, are now better positioned to support electric bikes. You also need think about how your workplace supports electric cars with charging points or how you can offer a workplace lift share scheme. All send significant environmental consideration statements.

Finally, you may want to think about rewarding or promoting the stories of the positive behaviours of those who walk to work with safety wear.

Workplace environment

Communal social spaces are important to allow a timeout when needed and for a quick recharge of the batteries. These can often be facilitated by something as simple as a quiet space, canteen areas and the introduction of a little fun such as a table tennis table or table football.

Also think how the workspace supports wellbeing and what physical signs or equipment there are that supports individuals to take responsibility of their own health. This could be tips on the walls, exercise plans or physical equipment. Health monitoring equipment can also allow employees to feel facilitated to take ownership of monitoring themselves on areas such as BMI or blood pressure.

Don't forget to also think about the workplace environment for those who work away from the main base, or from home, and how they can be supported.

Development and progression

This area has often been overlooked, but graduates rate this as the most important benefit an employer can offer them.

Think about how you can support personal and professional development. This could be through utilising your apprenticeship levy pot or offering a loan scheme for those wishing to undertake self-supported studies - such as language skills or an out of work hobby. It may also be feasible for you to bring development opportunities into the workplace through lunchtime sessions or after work activities.

Life skills are equally valuable. Whether that be education that makes employees financially savvy, better at using social media or planning and organising - these can all be seen as hugely motivating.

In respect of progression, why not market the career pathways you have and if you have an internal promotion policy: shout about it. To some, just knowing there are progression opportunities or a clear route to do so can be a motivator and performance enhancer. You may also want to offer secondment opportunities in the workplace to cross-skill and keep roles interesting and fresh.

Recognition

Designing recognition mechanisms is often so simple it is overlooked. Celebrating successful employees or behaviours is so important. We often assume recognition is financial, but that is the reward and it truly is the recognition that puts a smile on an employee's face.

Firstly, think about what you want to recognise on the spectrum of performance through to behaviours and then think about how you want to recognise it from an e-card, to employee awards or newsletters. These stories are often the ones that inspire others, help attract new recruits and set the tone of the workplace culture. Think about what you want to give a manager in their recognition toolkit to help them acknowledge their teams.

Voluntary benefits

Payroll systems can make collecting payments for voluntary benefits, on a recurring basis, incredibly easy and if this can be supplemented by corporate discounts, the ability to offer and spread the cost of insurances, cash plans, technology purchases, regular savings and much more can be really valuable.

Flexibility and variety can often be the order of the day, so where possible make the most of demonstrating that one size doesn't fit all. Think about no-cost benefits: subscribe to receive free samples in your workplace or look to open up the workplace to other services such as hairdressers, dry cleaning collections or freecycles. These things send positive messages and can often offer the benefit of making more time available for staff by allowing outside of work activities to happen inside of work.

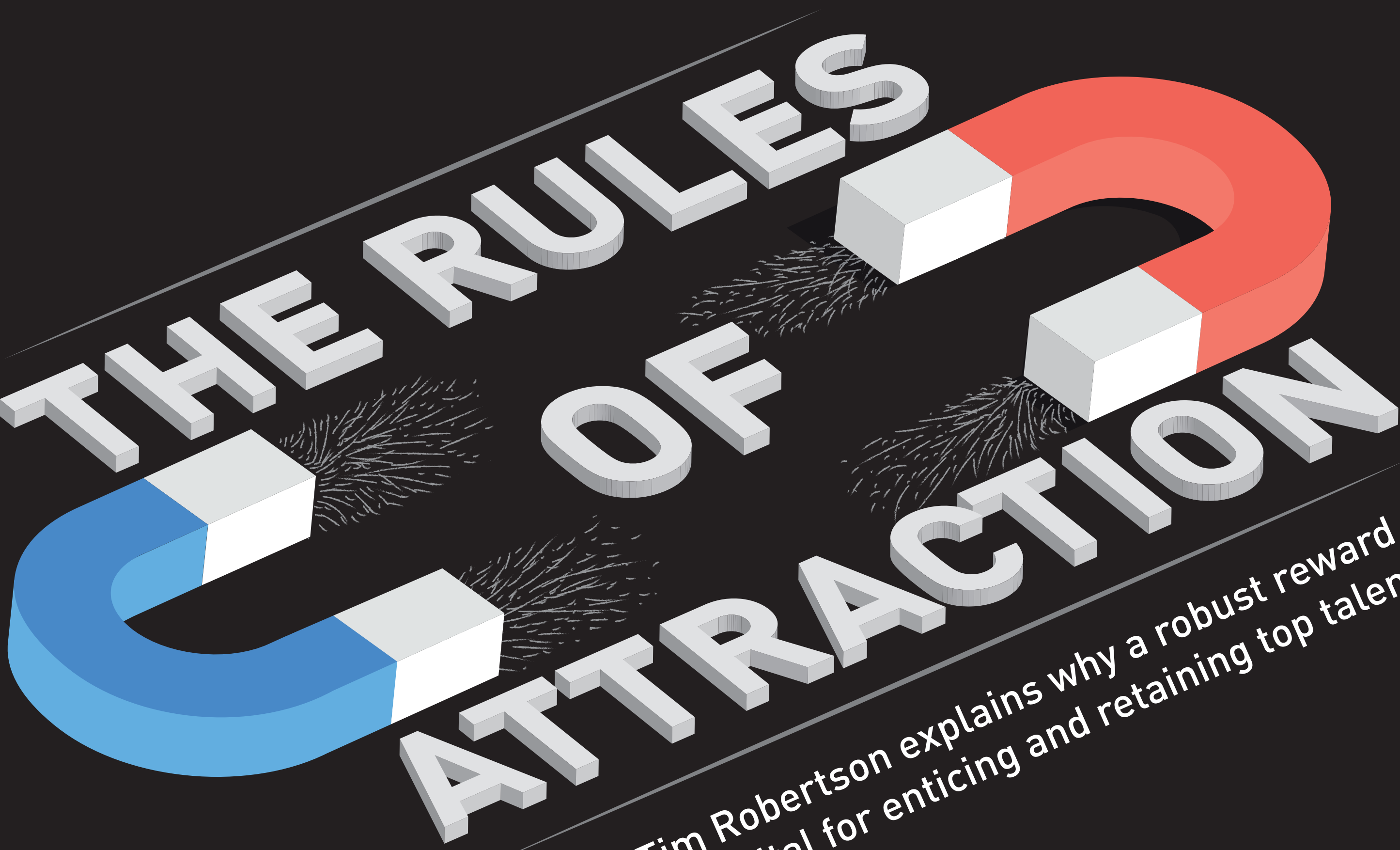
Unique benefits

Finally, we all need to be a little different and offer something that demonstrates the personality of the business. This could be anything from a communal garden to a staff shop or a cake club.

There you have it: the components of a total reward package for the modern workplace. I'm sure if revisited in a year, it will be different again, but in a world where we expect more from an employer, we reward professionals must challenge ourselves. ■

Ian Hodson, head of reward,
University of Lincoln

THE RULES OF ATTRACTION



ITN's Tim Robertson explains why a robust reward strategy is vital for enticing and retaining top talent

Tim Robertson, ***ITN***

As the war for talent heats up, as evidenced by high employment and high wage growth in key western countries, the rationale for having a clearly differentiated reward strategy is more critical than ever.

To ensure you can attract employees, keep them engaged and performing well, a company must be clear about what it is and isn't prepared to pay for. This remains as true for companies with one employee to those with 100,000 employees. Getting this wrong, through a misalignment between a company's values and what it rewards, or – more frequently – not being clear about the inherent trade-offs required when developing a reward strategy, will cause problems. An aggressive pay strategy (i.e. highly competitive) may mask this issue initially, but ultimately this misalignment will be clear through low engagement and employee attrition.

Why create a reward strategy?

A company that fails to successfully articulate its reward strategy will, at best, see very little return on investment (ROI) from its reward practices, and – at worst – may even cause permanent damage to their brand. The Wells Fargo account scandal (whereby fake accounts were created), at least in part, stemmed from a desire of staff to earn their incentives by opening new accounts, even though this behaviour contradicted the company's customer-centric culture.

A reward strategy is an opportunity for a company to leverage its competitive strengths. For example, SMEs may be able to provide more flexibility to employees (i.e. by employing staff that wouldn't necessarily make it through a bigger company's recruitment process or by creating more personalised policies or benefits), whereas at a larger company, the recruitment pool is wider and therefore has to be artificially narrowed (by, for example, excluding staff from non-traditional backgrounds).

What you should consider

Here are a few key aspects to note when designing your strategy:

The company's overall strategic objectives: Clearly it would make no sense to create a strategy that drives growth when the business is prioritising customer retention. Incentive or bonus plans that reward new customer volume or increasing sales, rather than retaining a target percentage of customers, would not drive the company's objectives in this scenario.

The company's culture, values and management style: As with the Wells Fargo example, your reward strategy has to be fit for your company's own specific values and style.

Who the company's competitors are: Equally critical is clarity about who your company competes with, in terms of products/services and in terms of talent (the distinction may create some complexity here). How you are looking to differentiate your offering from your competitors is crucial.

Beware of unintended consequences: If you want to reward performance, be careful you don't get performance at the detriment of customer-centric behaviour.

Get the balance right: Ensure you don't over-reward for something you value. For example, if you have (or want to have) a performance culture, be careful you don't reward individual performance and end up with little or no collaboration across the company. Rewarding performance could also see a higher level of employee turnover when times are tough and the economy is weak, so ensure outcomes are within the control of the employee. Your company may be seen as overly aggressive and less supportive than companies that balance a need for performance with a need to support staff through generous deferred policies/benefits (i.e. sick leave, income protection, pension).

Decide what you are not going to reward: As important as a statement about your objectives should be a clear set of trade-offs you've made. Where you are spending your money also states where you are not spending. For example, paying for future skills-requirements (i.e. digital skills) by creating a forward-looking approach to the annual pay review, necessarily and equally means you are not paying for experience or past performance. This should include who your company's competitors are and who they are not.

For more components to consider when creating a reward strategy, read p6-7.

How to measure the success of your reward strategy

- Can employees articulate the strategy and what the company does and doesn't reward? Can line managers and the recruiting team articulate this?
- Is it helping to embed the culture and values of the company?
- Are you mitigating any unintended consequences of this across the company?
- Through hard data on attracting, engagement and retention statistics.

Return on reward

Creating a reward strategy that sets out specifically what your company is and isn't prepared to pay for is more critical than ever.

In the same way that your company has to clarify exactly where it will play, strategically, in terms of its offering, it should do the same in terms of reward.

Simply creating standard competitive reward elements and benefits may be successful in attracting employees, but the limitations of this approach will become clear over time as differences between the company culture/values and its reward practices become apparent. This need not be an over-engineered process, nor one that necessitates employing expensive consultants, but it is a critical one in getting a ROI for one of the highest investment expenditures that most companies will have. ■

Tim Robertson, head of reward, ITN

"I'M STILL TRYING TO FIND THE MAGIC BUTTON"

Colin Turner, head of payroll services at Transport for London, on Brexit, evolving technology and why payroll is being better recognised

> "When I started there were over 400 people in the department and now there are 14"

The speed at which technology is changing is unprecedented and the effect this has had, and is having, on payroll is immense. One professional that has experienced these changes is Colin Turner, head of payroll services at Transport for London (TfL). From working with mainframes in a team of 400 to using integrated technology systems, he has seen TfL's payroll department shrink to a team to 14.

Turner has been working in payroll for 39 years and his entire career has been with TfL - the organisation that keeps the population of London moving. In this time, he's experienced the profile of payroll raised and the profession better recognised for doing more than "pushing a button". However, he explains that although payroll may be better understood in the workplace today - it is still not involved in conversations, impacting pay, early enough.

In an interview with Amber-Ainsley Pritchard, at the TfL offices in Greenwich Peninsula, Turner explains how October will be the first month TfL will use electronic payslips; how the organisation is looking into the use of robotics to free up payroll's time for more analytical tasks - in hope of adding more value to the function, and how he wished government would "just get on" with Brexit.

ALP: Can you tell me how you got into the world of payroll?
CT: "I came straight from school to TfL in 1980, when it was known as London Transport. This year, I will have been in payroll for 39 years. When I first started we paid not only the underground staff, but the bus drivers and conductors too - because all the buses were a part of London Transport. That was before the privatisation, so we paid everyone."

ALP: How have you seen payroll change in the time you've been working in it?
CT: "It was very different from what it is now, when I started there were over 400 people in the payroll department and now there are 14, but we pay an employee population of just under 27,000 - we keep London moving. There were no computers when I started - it was all mainframe, probably the size of this room (about 110 square foot), probably bigger.

"Payroll's changed a lot. There used to be overnight processing - we would get the results back the following morning, check them and process them again overnight, then we'd get payslips back the following day."

ALP: How are you embracing technology at TfL?
CT: "We are looking at robotics and exploring if there are any of our processes we can automate, like frequent high volume repetitive processes, and see how they can be integrated to free up resources to do more analytics and add more value to the business. As well as use robotics to try and spot potential errors and trends etc: If there is a peak at a various depot - were they doing overtime? Things like that. That's the way that the business wants to go, they want more up-to-date information to maintain accuracy and meet deadlines."

ALP: What about the profile of payroll, how have you seen that change?
CT: "I think there is more recognition of payroll now, there is better understanding. People used to think we just push a button and that was it. If only! I'm still trying to find the magic button I am supposed to push.

"I think people now realise there's a lot more involved in it. We go out and talk to the business more - we've done roadshows, had open events where members of the business have come to us and we explain things to them and then they seem to understand payroll more."

ALP: Historically, there has been an argument that payroll isn't seen as important as other functions, such as HR and finance, by the board. Does payroll at

TfL have much buy-in from the board?
CT: "I think the board realise the importance of payroll and that it can't be jeopardised - we have to ensure people are paid accurately on payday.

"Payroll used to come under finance, but in the last year we've moved to a business services function so HR and finance is combined. The new model means we are working even closer with HR than before. We also work closely with the reward team, as the work that they do will have an impact on payroll."

ALP: Does being better recognised by the board mean payroll find out about changes that may affect them earlier in the conversation?
CT: "Not normally. We tend to hear about things at the end when everything is agreed and then I join the conversation and explain that what's agreed is going to take payroll three months to implement - because systems may need changing and so on.

"However, they are consulting me much more now. For example, we have a pay award that is being agreed with the unions at the moment and once it is agreed they will want it paid as quickly as possible, but it's not that straightforward. It's quite a complex and convoluted process and that's just for a simple pay award, which is not what's being talked about - it's also a reduction in the working week and a minimum pay increase for everybody. But now that's explained, they have asked if we can do a 'simple pay award' and I said 'that's fine'.

"If they want the reduction in hours, or something else, that would require configuration changes to our integrated system - if you change one bit, something else could change. It's all got to be carefully controlled."

Colin Turner: THE CV

Head of payroll services
Transport for London (TfL)
Jan 2016 - present

Payroll accounts manager
Feb 2009 - Jan 2016
Transport for London (TfL)

Support manager - payroll services
Transport for London (TfL)
Jan 1998 - Feb 2009

> "People don't realise how many different things affect payroll"

ALP: I have a few questions from your fellow Reward 300 members: Have you lost any sleep over the overtime rulings?
CT: "No, because we haven't actually implemented them yet. There are still discussions going on. I know the legislation is changing from April 2020, so that we can do it on a 52-week period.

"Our employee relations department has already been in discussions with the union to get agreement to do that, because we found it would be the easiest and fairest way to be able to accommodate the change. This is because the organisation has different departments which do an extraordinary amount of overtime, such as the depots where some of the employees can amount half their salary as overtime a year. So, it was thought that the best way to do it would be to pay in arrears but look at the previous 12 months to work it out and pay that as a lump sum the following year.

"Talks have gone quiet now, but I'm sure it will pick up again come April and the whole company will be looking at it. We've done some rough estimates and I think it worked out that about 60 percent of the workforce would be due some additional payment. At the moment nothing has been agreed, it's all ongoing."

ALP: What lead time does payroll have for changes to benefits, such as pensions?
CT: "We still finalise our big payrolls a week before payday. Historically, that was so we could produce payslips and get them distributed across London on time. September was the last month that we actually printed payslips, we now have electronic payslips but the lead time is still the same for any changes."

ALP: Are you making any specific preparations for Brexit?
CT: "Not in my team. I just wish they'd get on with it. There are parts of the company that have been looking at and working towards preparations, but it doesn't really impact payroll a great deal."

ALP: What does it mean to you, to be a Reward 300 member?
CT: "I'm proud. It gives me the opportunity to speak to colleagues, share problems and think about how they can be resolved and where there should be extra support.

"I came to the Payroll & Reward Conference in June and it was nice to see I wasn't the only one having certain payroll problems." ■

Amber-Ainsley Pritchard, editor, Reward Strategy

As a Reward 300 member, Turner 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/

WILL YOU SET YOUR SALARY?

Charles Cotton explores the recent trend of start-ups letting employees choose their own pay and how it could work at other organisations

Giving staff free rein to set their own salary might sound like an April Fool's joke, but the concept is genuine. And when you look at the detail of how it works, it's less outlandish that it seems.

There's a lot more to it than plucking a number out of thin air and employers will need to have parameters in place to avoid scenarios where staff are requesting eye-watering salaries.

In fact, the concept could make a good degree of business sense given how it ties in with the issue of pay transparency, which is becoming increasingly important for employees and investors alike.

For employees to propose a salary that is 'reasonable' and 'realistic', they should be encouraged to reflect on various factors before submitting a request. This should include, but not be exclusive to:

- An assessment of their own performance over the past year;
- What they plan to achieve in the coming 12 months;
- The going rate for their occupation and sector;
- What their peers in the organisation are paid;
- What their employer can afford to pay them.

On this last point, it's likely that employees will need to have a basic understanding of how their organisation works and the costs involved, which may require training if it's not already part of their day-to-day-job. Being armed with this context means, in theory, people could conclude that their pay should go down as well as up, or stay the same.

Some companies will then ask their staff to put their proposal in writing, others might have a committee who you present to and some may suggest a more of an informal talk with your manager. All requests will then be reviewed by the HR or governance team who have final say over the decision.

Be careful

Whilst there are checks and balances to the process, there are still some pitfalls which employers should be mindful of.

Firstly, employers must recognise that asking staff to assess their own performance is a subjective exercise and it's easier to justify a pay rise in certain roles like sales, which have clear targets. Some workers will oversell themselves, others will undersell.

Another issue is that, traditionally, women have been more reluctant to ask for a pay rise than their male counterparts and this approach could result in them asking for less than they're worth. However, if the reflection part of the process is thorough enough, it's a risk which should be mitigated.

This type of policy has wide-ranging implications for payroll and reward professionals in organisations that are considering adopting it. These professionals will need to start by working out how often employees can set their pay, such as once a year or every quarter.

They will need to be prepared to support line managers who can expect to receive questions from their team about the organisation's pay process. They will also be responsible for implementing any technology that allows staff to view the salaries of their colleagues. And most likely, payrollers will need to write a narrative which explains, to-date, how their organisation decides what its staff are paid and which behaviours they are looking to reward.

Giving employees the choice to set their own salary has gained the most traction among start-ups, where it's helped to raise their profile in a competitive labour market. The policy is also much easier to implement in new businesses that are not affected by historical pay decisions that can compromise established companies. However, that's not to say we won't see the practice being adopted more widely in the future given the pressure businesses are under to operate more openly. ■

Charles Cotton, performance and reward adviser, CIPD

Charles Cotton, *CIPD*

"Payrollers will need to write a narrative to explain how their organisation decides what staff are paid"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"A RECORD-BREAKING YEAR FOR THE REWARDS"

The Rewards ceremony, sponsored by Cintra HR & Payroll Services, FMP Global and The Payroll Centre, takes place on December 5th at the Hilton London Bankside.

Recognising exceptional talent for nine years, The Rewards are highly regarded in the industry. Past attendees of the ceremony have said that the event "enhances morale" and is "great public recognition of success for an organisation".

2019 has been a record-breaking year for The Rewards, with the most entries ever received - 200 nominations from 100 individual companies.

The awards are made up of 26 categories, including seven new categories that were created by the *Reward Strategy* Editorial Advisory Board to reflect the ongoing duties of the reward profession. The new awards include Best Reward Strategy, Wellbeing Provision Award and the "Ready to Retire" Award.

The Silver and Bronze Zones have sold out, so book your table now to get the best position, speak to Jamie Thomas, from our bookings team, by calling 020 7940 4832 or email him at: jthomas@shardfinancialmedia.com

You can also book the Autumn Update, which takes place during the day of The Rewards at the same venue, with Jamie. Save £100 by booking the conference, sponsored by Ceridian, Cintra HR & Payroll Services, Immedis, EQ Global, SD Worx, the Chartered Institute of Payroll Professionals (CIPP) and The Payroll Centre, before November 15th.

If you are interested in sponsoring either event, please speak to Ben Miller, commercial director, by calling 020 7940 4803 or email him at: bmiller@shardfinancialmedia.com

View all events at: reward-strategy.com/events

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Best Business Award - Up to 100 staff
- AgeWage
- Futurelink Group
- The Payroll Centre

Best Business Award - Over 100 staff
- ADP
- Crowe UK
- EPM
- FMP Global
- Integrated International Payroll (iiPay)
- Liaison Group
- Modulr
- Pepper UK
- SUEZ Recycling and Recovery UK

Best Employer Award
- Adecco Group UK & Ireland
- Cintra HR & Payroll Services
- FMP Global
- Intelligo Software
- Pecunia Pro
- Their Perfect Gift
- University of Lincoln

Best Leader Award - Up to 500 staff
- Alison Sellar OBE, activpayroll
- Anne Reilly, Paycheck Plus
- Beverley Priest, EPM
- Claire Lish, Pepper UK
- Christine Keily, Immedis
- Richard George, The Payroll Centre

Best Leader Award - Over 500 staff
- Gary Brewer, William Grant & Sons Distillers
- Stu Clennell, Shared Services Connected (SSCL)
- Sue Childerstone, NHS Payroll Services
- Tina Jordan, Liberata UK
- Ian Hodson, University of Lincoln
- Maria Mason, BDO
- Sarah Woodwark, Adecco Group UK & Ireland

Best Manager Award
- Alan Brooks, Shared Services Connected
- Linsey Duffy, SD Worx
- Lou Gray, PwC
- Bróna Grogan, Paycheck Plus
- Paul Hammond, BDO
- Angela Lill, The Adecco Group UK & Ireland

Best Rebrand
- Cintra HR & Payroll Services
- Dataplan Education
- Zellis

Best Reward Strategy
- AS Robins
- Dorset Healthcare University NHS Foundation Trust
- Everyday Loans
- FMP Global
- iwoca
- Paycheck Plus
- PayFit
- Smart Pension

Customer Service Award
- Cintra HR & Payroll Services
- IRIS Software Group
- Liaison Group
- Liberata UK
- PayDashboard
- University of Lincoln

Diversity & Inclusion Award
- Punter Southall Aspire
- University of Lincoln

Employee Benefits Provider Award
- Aon
- Secondsight
- Neyber
- Zest

Global Payroll Award
- activpayroll
- Adecco Group UK & Ireland Payroll Team
- Integrated International Payroll (iiPay)
- Immedis
- Payslip

In-house Team Award
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- Adecco Group UK & Ireland Payroll Team
- AS Robins
- Avante Care & Support Payroll Team
- Dorset HealthCare University NHS Foundation Trust Payroll and Benefits Team
- Hermes
- John Lewis Partnership
- Skyscanner Reward Squad
- TSB Payroll Team

Innovation Award - Up to 100 staff
- AgeWage
- KeyPay
- PayDashboard
- Paydesk
- Selenity Expenses
- The Payroll Centre

Innovation Award - Over 100 staff
- FMP Global – FMPTV
- Smart Pension
- PayFit
- Shared Services Connected (SSCL)
- University of Lincoln

International Payments Provider Award
- 6CATS International
- Cambridge Global Payments
- Futurelink Group
- Western Union Business Solutions

Next Generation Award - Up to 5,000 staff
- Amy Buttivant, Pepper UK
- Áine Crawley, Paychek Plus
- Maddison Cooper, Whitley Stimpson
- Alexandra Brown, SENAD
- Callum Carter, Premier Foods
- Karly Mitchell, Hermes

Next Generation Award - Over 5,000 staff
- Thom Brannigan, SUEZ Recycling and Recovery UK
- Timothy Cookson, Blackburn with Darwen Borough Council
- Liam Gill, Booking.com
- Amber Owen, Adecco Group UK & Ireland
- Ben Rawlinson, JLT

Payments Provider Award
- Futurelink Group
- EQGlobal

Payroll & HR Provider Award
- EPM
- FMP Global
- Intelligo Software
- Moorepay
- SD Worx
- Shared Services Connected (SSCL)
- Zellis

Payroll and HR Software Product Award
- Ceridian for Dayforce Payroll
- CloudPay
- Dataplan Education
- Merit Software
- PayFit
- Payslip
- Zellis

Public Sector Team Award
- Dorset HealthCare University NHS Foundation Trust Payroll and Benefits Team
- Loughborough University
- NHS Payroll Services
- Orbis
- Transport for London Payroll Services
- University of Lincoln

"Ready to Retire" Award
- Close Brothers
- Dorset HealthCare University NHS Foundation Trust
- Experian
- Loughborough University

Rising Star Award
Sponsored by: FMP Global
- Amoushka Houlihan, Intelligo Software
- Corinne Sinclair, Aggregrate Industries
- Kiki Katseli, RSM UK
- Monta Jansone, Pay Check
- Sam Stokes-Garton, SUEZ Recycling and Recovery UK
- Samantha Daly, Paycheck Plus
- Shadon Jarman, Adecco Group UK & Ireland

Service Provider Team Award - Up to 50,000 employees served monthly
- BDO
- Crowe UK
- Ellacotts
- Liberata Payroll Services
- Paycheck Plus
- PM+M
- RSM - ESL Reading
- Whitley Stimpson Payroll Team

Service Provider Team Award - Over 50,000 employees served monthly
- Integrated International Payroll (iiPay)
- SSCL - Government Payroll Delivery Team

Specialist Payroll & HR Provider Award
- Dataplan Education
- East Midlands Shared Services
- EPM
- IRIS Software Group
- Liaison Group
- Liberata UK
- Moorepay

Technology Award
- Benefex
- nudge
- PayDashboard
- Selenity Expenses
- Spill
- Weekly10
- Xero
- Zest Technology

Wellbeing Provision Award
- ACCA
- Ceridian
- EPM
- Everyday Loans Group
- iwoca
- Pepper UK
- University of Lincoln

Workplace Pension Provider Award
- Nest
- Smart Pension

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This is a special honour awarded to a member of the Reward 300 index in recognition of outstanding work, commitment and service to their profession. It is ultimately selected by an internal *Reward Strategy* panel.

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IS YOUR DATA BREXIT-READY?

Richard George says organisations need to carefully consider their cross-border processes ahead of plans to exit the EU

Richard George, *The Payroll Centre*

"If all is in place, you may benefit from the GDPR one stop shop"

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A key area that had payroll departments in a sweat last year was General Data Protection Regulation (GDPR), and now with Brexit on the horizon it's time to consider cross-border processing with our European partners and workers. In preparation for this, the Information Commissioner's Office (ICO) has created a decent amount of support and we're going to review individuals on the European mainland. Therefore, you need to consider how data protection is going to look if you're UK-based and currently process data cross-border.

As with all areas of GDPR, preparation is everything. Firstly you need to consider who is the lead supervisory body: is it the UK as you're a UK-based business and therefore you come under the ICO? Or, are you controlled by another country, either in or outside of the EU? This is where decisions and control need to be decided and just as importantly, after we leave the EU, will cross-border processing still continue? If your lead supervisory body is currently the UK, you may want to review if that lead authority could change after exit. It's worth reviewing the European Data Protection Boards (EDPB) guidance for further support.

Even though you may not be generally processing cross-border information, you must continue to consider any interaction with the remaining EU countries to ensure you're adhering to EU GDPR. An example could be recruitment of staff from an EU country, and as such you must consider any impact their data and rights could have.

What is cross-border processing?

Cross-border processing can occur if you have an office or branch in the UK and are processing personal data which is likely to affect staff or other individuals, such as customers, in one or more EU or EEA country.

Alternatively, cross-border processing can occur if you only have an office or branch in the UK, but you are processing personal data for EU or EEA citizens. An example could be through sales on your website.

Who will govern me?

If all is in place by the UK's exit, and you are carrying out cross-border processing, you may well benefit from the GDPR one stop shop system. This means a single supervisory authority will act as the lead on behalf of the other EU/EEA supervisory authorities - which could simplify the process. Therefore, this would mean only working with one authority around rules, compliance, enforcement and possible fines.

However, it would come with caveats as a lead authority may well allow another supervisory body to take its own action and enforcement when an issue is within its direct jurisdiction.

If you are a UK-based business, depending on how we exit, there may well be changes to which data protection authorities you have to deal with depending on the location of individuals.

If you are established in the UK and carry out cross-border processing, there could be changes to which data protection authorities you need to deal with and there are a number of scenarios that may apply to you.

If you currently process in the UK and another EU/EEA state, but your processing is not likely to substantially affect the individual after exit, you will not be considered to be cross-border processing as two member states. Instead, you will need to deal with both the ICO and the supervisory authority in the other country.

However, if you currently process in the UK and another EU/EEA state and your processing is likely to substantially affect the individual after exit, it won't be considered as cross-border processing for your UK individuals, but it will for individuals in the EU/EEA. Therefore, the local supervisory authority will be the lead for data protection.

Another scenario would be when you are processing in the UK along with two or more EU/EEA states. Whether your processing substantially affects individuals, it will be considered as cross-border (not including your UK individuals) and you will need to deal with the ICO and whichever area has the lead authority. You can review this through the aforementioned EDPB guidance.

The final scenario would be when you are processing for individuals who only have an establishment in the UK, but deal with personal data from the EU/EEA and there is a substantial affect on the individual. After exit you will not be cross-border processing, as there are no establishments or offices in other countries - but you may still need to comply with EU GDPR as your processing data for EU/EEA citizens and as such, not only will you be dealing with the ICO, but possibly every supervisory authority of each individual country the individuals are from. An example here could be where you have a significant data breach.

Prepare for change

Depending on your set up, organisational structure and processing these changes could be significant for your business. As such, you need to carefully consider your individuals and processes currently being completed and review the impact and change that may possibly occur once it's planned we leave the EU. With everything now moving towards an endgame, your planning, preparation and communications are going to be vital. ■

Richard George, director of education, The Payroll Centre

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PAYROLL AUTUMN UPDATE

Thursday 5 December 2019
DAY

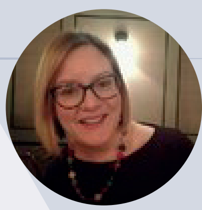
CPD CERTIFIED
The CPD Certification Service

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** immedis
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
ITN

A NEW DUTY FOR PAYROLL

Norman Green reports the recently published guidance on the treatment of termination payments and sporting testimonials

Norman Green

> "New procedures will be needed to ensure money is paid when required"

From April 2020, termination and sporting testimonials payments will be liable to National Insurance contributions (NICs). It will be employer-only contributions and will, therefore, be recorded as class 1A NICs.

Termination payments

Currently, termination payments are subject to income tax (due from the employee) on the excess of payments over £30,000. Any contractual payments made at the time of the termination are liable to income tax and NICs as if they were a normal payment. That includes payments for untaken holiday leave and any pay in lieu of notice that is contractual or may reasonably be assumed to be payable. Since April 2018, all pay in lieu in notice, whether contractual or not, is liable to income tax and class 1 NICs.

From April 2020, any amount in excess of £30,000 - which attracts income tax - will also be liable to class 1A NICs. The amounts are due in the normal processing cycle of the payment to the terminating employee and need to be recorded on the Real Time Information (RTI) submission to HMRC. There is a new data item (209) for the class 1A due from a termination payment and this is called "real-time class 1A NICs". It is worth restating that the real-time class 1A NICs will need to be paid with the normal month remittance (quarterly for small employers) to HMRC, so that the RTI details match the payments.

Example

Consider an employee with a monthly salary of £4,000 being paid a termination payment of £50,000 in the final payment to the employee:

- The £4,000 salary is taxable and liable to class 1 NICs as usual.
- Of the termination payment, £20,000 (being the excess of the £50,000 over £30,000) is also taxable and liable to class 1A NICs.
- Therefore, the employee pays tax on £24,000 (£4,000 salary plus the £20,000 excess) at their marginal rate.
- The employer pays real-time class 1A NICs on the £20,000 at 13.8 percent.
- Should the termination payment be made after the employee has left (and already been given their P45) then the £20,000 is taxed at 0T (or S0T or C0T) on a month one basis (so several rates of tax are likely to be applied to bands of the £20,000).
- The employer is still liable to the real-time class 1A NICs of £2,760.

Sporting testimonials

The rules for sporting testimonials are similar to those for termination payments, except that the limit for tax and class 1A NICs is £100,000.

Where the sporting testimonial is customary or contractual, it is liable to income tax and class 1 NICs as if it was a normal payment.

Typically, there will be an independent sporting testimonial committee with its own PAYE scheme for paying out the testimonial. But this creates a new duty on payroll departments, as the real-time class 1A NICs will need to be paid along with the monthly (or quarterly) remittance rather than as an annual one.

While the payment of real-time class 1A NICs follows payments of class 1 NICs in terms of timing, it is not class 1 NICs and therefore does not need to be considered in calculating the apprenticeship levy.

New procedures will be needed to ensure that the money is paid when it is required and ensuring the two types of class 1A remain distinct. Equally, there is the need to ensure that the class 1A due on benefits-in-kind for the previous tax year is paid on time by 19th or 22nd July following the end of the tax year when the benefits were enjoyed. Clearly, extra care is needed for the July payment. Fortunately, employers will be able to see the real-time class 1A in their business tax account, as an item separate from the class 1A due from benefits-in-kind. ■

Norman Green, payroll consultant

PARTY PROMISES: WAGE GROWTH

Simon Parsons sums up the recent minimum wage plans announced by the chancellor of the exchequer

As part of the 2019 Conservative party conference, which took place between 29th September and 2nd October, chancellor Sajid Javid declared the Conservative party as the "real party of Labour". At the same time, he announced plans to raise the National Living Wage (NLW) to £10.50 by 2024.

The rules on National Minimum Wage (NMW) and NLW are complex and misunderstood by the many of the employers who have been named and shamed or caught out under HMRC minimum pay audits.

Many employers operate flexible arrangements with the provision of alternate benefits-in-kind that result in them being expensively caught out.

Back in April 2016, the government introduced a higher minimum wage rate for employees aged 25 and over. According to the Living Wage Foundation, it "is not calculated according to what employees and their families need to live", but uses a target to reach 60 percent of median earnings to be reached by April 2020.

Forecasts indicate that this will raise the NLW to just under £9 per hour. The voluntary living wage is independently calculated based on what people need to meet the cost of living.

The future

At the Conservative party conference, Javid announced a "well-earned pay rise" for four million UK workers. At the same time, he revealed that the age threshold for entitlement will also be reduced from the current 25-years-old to a lower age of 21-years and older.

Javid said: "To help the next generation of go-getters to get ahead we will reward the hard work of all millennials too, by bringing down the age threshold for the NLW to cover all workers over the age of 21."

The NLW is currently set at £8.21 with those younger than 25 entitled to a lower amount.

Javid proposes that the Treasury will set a new target for the NMW to match two-thirds of median earnings by 2024, an increase from the original 60 percent target to be reached in 2020. The Living Wage Foundation says it should already be £9 across the UK and £10.55 for those in London.

The countdown is on

So, UK businesses have five years to prepare both for the rise and the age reduction. This has already been criticised by the Federation of Small Businesses that claim the "increase will leave many small employers struggling and, without help, could make some small firms unviable".

The shadow chancellor John McDonnell claimed that the announcement to raise NLW was a "pathetic attempt at catch-up".

With the national minimum payments increasing year-on-year, employers need to take care with their benefit package schemes. Employers with salary sacrifice arrangements, including those that convert elements of former remuneration into tax and National Insurance contributions exempt from employer contribution arrangements, may find that as more workers are placed at levels of pay close to the legal minimums allowed - the scheme leads to unintended breaches of minimum pay law.

Employers are wise to ensure that they understand minimum wage obligations with annual reviews prior to the rise each April, to ensure that they fully understand and assess the implications of their remuneration and benefit arrangements.

With proposals from government to introduce a new single enforcement body for various employment rights, including NWM and holiday pay entitlements, employers are wise to introduce measures to both educate and assure compliance to reduce significant business risk. ■

Simon Parsons, chair, IReeN and BCS Payroll Specialist Group

Simon Parsons, *IReeN and BCS Payroll Specialist Group*

"Employers need to take care with their benefit package schemes"

BUILT BY PAYROLL, FOR PAYROLL

Ian Holloway explains how, as chair of a trailblazer group, he is helping to create a level five Payroll Assistant Manager Apprenticeship

Ian Holloway,
Cintra HR & Payroll Services

"It would have been irresponsible to not take on this challenge"

In 2018, I led the trailblazer to form the level three Payroll Administrator Apprenticeship in England. This is the first professional qualification built by payroll professionals, specifically for payroll professionals under the apprenticeship regime established by the (then) Institute for Apprenticeships (IfA).

When submitted, I conservatively estimated a take-up of 200 people a year. However, we are looking at enrolment figures way beyond that. As one provider told me, the take-up has "exceeded all realistic expectations".

Throughout level three, I was being asked whether I would be leading a level five (assistant) and then a level seven (manager) apprenticeship. Given that so many employers of all shapes, sizes and sectors were asking, it would have been professionally irresponsible of me not to take on this challenge.

Since the level three apprenticeship was created, the IfA has become the Institute for Apprenticeships and Technical Education (the institute) and the route to a live apprenticeship has become more robust - quite rightly so. Therefore, given there is so much interest in this professional qualification, I wanted to bring readers up-to-date with where we are with the level five Payroll Assistant Manager Apprenticeship.

Just like any training course, an apprenticeship has to appeal to the widest employer 'audience'. I recognise not all payroll departments have an administrator (level three), assistant (level five) and manager (level seven). Some departments will only have one person in it, some act as bureaus, some will have not have payroll as the main function – no apprenticeship will ever fit all organisations, just like no training course will ever suit all attendees.

However, employers will always have a need for a level five apprenticeship. This may be for the administrator who needs to learn new things, the newly-appointed team leader/supervisor, or for the person that wants to upskill.

Just because it is called the Payroll Assistant Manager Apprenticeship does not mean it only applies if this role exists at the organisation.

The trailblazer

This is a group of employers of all shapes and sizes that input their thoughts about what constitutes a payroll assistant manager. I am extremely grateful to the trailblazer for their ongoing support.

The group is vital as they advise what is relevant at this level. As chair of the group I look at this input, reach a conclusion and feed back to them for further comment. Collectively, we devise an industry-led payroll qualification, hence my continuing use of the phrase 'a qualification built by the profession, specifically for the profession'.

We also have a number of contacts in a supporting group, which is comprised of apprenticeship training providers, colleges, end-point assessment organisations, representative bodies and interested employers. They are contacted when there is something they should be aware of or if we need their advice or engagement. Of this support group, at least two apprenticeship training providers will look to deliver this and at least one end-point assessment organisation is ready to assess it.

The apprenticeship

There are three main steps that make-up a professional apprenticeship: the proposal, the standard and the end-point assessment plan.

The Proposal: To start, the trailblazer had to put together the apprenticeship proposal. This is a document to the institute saying there is a requirement for an apprenticeship and there are no other professional apprenticeship qualifications that are equivalent.

The proposal states the main duties required of a jobholder at this level. For example, a level five payroll assistant manager will be expected to be conversant and undertake payroll tasks that are more detailed than those required at level three. As well as more complex payroll duties and responsibilities, the holder will be expected to have management and leadership skills, motivating their team and excelling both individually and as a team member.

I submitted the level five Payroll Assistant Manager Apprenticeship Proposal in October 2019. We now wait for approval so we can confidently move onto stage two.

The standard: This expands, greatly, on the proposal by defining the specific knowledge, skills and behaviours (KSBs) required to competently complete the duties. For example, the overall duty may be to undertake more complex payroll tasks, but what exactly are these tasks? Further, what are the specific management and leadership KSBs required?

The trailblazer is working on these at the moment so apprenticeship training providers know what is required. This also has to go through an approval process with the institute.

The end-point assessment plan: The final stage is developing a plan on how each of the KSBs will be assessed. After all, it is no use outlining the KSBs to the apprenticeship training providers if we don't also outline the method by which they are assessed at the end of the apprenticeship. This also has to go through the approvals process.

I am thrilled to be part of this group of dedicated employers building a level five professional qualification for the profession. We do this voluntarily because we believe it is the professionally responsible thing to be doing. ■

Ian Holloway, head of legislation and compliance, Cintra HR & Payroll Services

FLEXIBILITY: THE KEY TO PRODUCTIVITY

A less rigid framework around working hours could prove beneficial to both employers and employees. Anthony Vollmer explains

Anthony Vollmer, *Moorepay*

"I would urge companies to embrace the opportunities flexibility brings"

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The Labour Party has recently proposed introducing a 32-hour working week, in a bid to address the fact that UK employees work an average of 42.5 hours per week - the longest shift in Europe, aside from the Greeks. This pledge was greeted with consternation by some business organisations and raised a torrent of questions about how and if this could actually be made to work. However, there is a realisation that people are struggling to balance their work and personal commitments, and UK workers are suffering from unprecedented levels of stress and in some cases mental health issues. Businesses are also looking at ways to introduce greater flexibility as they look to help workers and, in the process, improve recruitment and retention.

Research from the Henley Management School suggests the four-day week could save UK businesses an estimated £104bn a year through improved productivity and better health and wellbeing.

According to the Health and Safety Executive, more than half of all working days that are lost due to sickness and absence are down to work-related stress, anxiety or depression. The research also found that 15.4 million working days were lost in 2017/18, as a result of these conditions.

On a related note, TUC research shows annual commuting times are up 18 hours a year compared to a decade ago - the union warns this has a negative impact on job satisfaction and stress. When taken together, the case for looking at flexible working begins to look more compelling.

There's another reason for employers, as they seek to recruit and retain talent in the UK's current labour market (with record levels of people in work and chronic skill shortages in key industries); employees want to work more flexibly.

What a worker wants

At Moorepay, we recently conducted research into employee engagement which found four of the top eight most attractive benefits for SME workers are those that offer some form of flexibility or improvement to work-life balance.

Flexible or remote working is viewed as the third most important benefit overall, cited by one in four SME employees. The option of working a four-day week is named as important by 24 percent of respondents, and performance-based leave, where additional leave is granted as a reward for hitting performance targets, is prioritised by one in 10. Which brings us back to the call for a four-day or 32-hour working week.

Clearly there is a demand for new approaches and the business case is there, but deciding how to implement such a change should be driven pragmatically through discussion between workers and their employers to suit the wellbeing and productivity needs of both – because there is no one-size-fits-all approach.

Some people will welcome the thought of a four-day week, others will want to work five/six days a week but stagger hours to avoid peak commuting times or allow them to drop children at school.

Whatever options suit your workplace, your employment policies and technology can adapt to these demands. It's worth noting that the technology and support needed to implement this is available to firms of all sizes, and not overly costly.

Rather than seeing the demand for flexibility as a problem, I would urge companies to embrace the opportunities it brings. As numerous studies have shown, letting people work flexible hours and/or a shorter week can improve productivity, motivation and boost recruitment and retention.

It's rare to have a genuine win-win, but embracing a flexible approach to work could just be it. ■

Anthony Vollmer, managing director, Moorepay

HOW ONE DECISION IMPACTS PENSIONS

Henry Tapper comments on Lloyds Banking Group's conclusion on IR35 contractors

The Association of Independent Professionals and the Self-Employed (IPSE) has condemned Lloyds Banking Group's decision to either scrap contractors or force them into umbrella companies. I think this is unfair on Lloyds and on the taxpayer.

As most professionals in reward know, IR35 contracts have been adopted so individuals can get accelerated daily rates to compensate for benefits foregone for not being on payroll. Contractors have seen the clampdown on this practice coming. Last year, IR35 contractors lost their privileges in the public sector and now responsible employers (like Lloyds) are implementing what HMRC has asked.

The Financial Times and IPSE report that working through an umbrella company may require contractors to take up to a 30 percent pay cut, which represents the risk that the umbrella companies see as taking these contractors onto their payroll. Instead of moaning at Lloyds, IPSE should be recognising that Lloyds has born this risk voluntarily for many years.

IPSE has said Lloyds' move could not only harm the self-employed, but also long-term flexibility and productivity, and warned other businesses not to follow suit. This too looks specious.

The cost of hiring former contractors through umbrella companies will likely be the same for large companies like Lloyds. Such employers will be asking why they should stand for less in terms of output. I think it likely that if productivity and labour flexibility drops, employers will stop using umbrella companies and insource labour so they can have direct control. Umbrella companies will have to justify the cost of their labour and ensure productivity and flexibility remains high.

How this will affect pensions

As far as pension policy goes, HMRC's policy appears to be working. The IR35 contractors typically stayed outside workplace pensions as sole directors of their personal service companies. They currently form part of the nine and a half million UK workers who "aren't in" and that is no good thing.

Take up of "non-workplace pensions" by the pseudo self-employed is pitifully low. The IR35 in-retirement liability to the Treasury will only emerge when they find themselves under-pensioned in later life, dependent on benefits and other tax-payers in later life. That cannot be right.

Britain is right to value the genuinely self-employed, they create wealth through innovation, entrepreneurship and independent thinking. The growth of our economy is reliant on them and I don't deny IPSE's estimate that they add £275bn to the economy each year. Yet, the ranks of long-term contractors working for large employers like Lloyds are not innovators or entrepreneurs, but people arranging their work affairs to maximise their cash-flow.

IPSE fears that the decision of Lloyds, not to find workarounds to the HMRC's rulings, may be a taste of things to come next April when the changes to IR35 become law for the private sector. They are right: where Lloyds leads, most other employers should follow. Not to do so will create more uncertainty for the pseudo self-employed. Better by far that they prepare for next April by having meaningful conversations with the organisations they contract to, with the hope of moving onto their payroll or accept joining the umbrella organisation at the price of failure.

As for auto-enrolment policy, April 2020 will see the elimination of one of the grey areas of reward policy. It will become clear just who is responsible for pensioning contractors, taking a big burden off large employers who have carried the risk of a back-dated liability to pension their IR35ers.

Let's hope the quid pro quo for responsible employers will be a release from obligations - that should be the reward offered by HMRC for playing ball. ■

Henry Tapper, chief executive, AgeWage

Henry Tapper, *AgeWage*

"Where Lloyds leads, most other employers should follow"

WHY DATA REVIEWS ARE ESSENTIAL

The Pensions Regulator explains why it has ordered pension scheme trustees to urgently review their data

The Pensions Regulator

"The intensity of supervision will be driven by the potential impact of each trust's failure"

Our work to ensure master trusts are well governed doesn't stop with authorisation. Through master trust supervision, we'll continue to work with schemes to ensure high standards continue and they remain focused on delivering good outcomes for members.

We've learned a great deal about master trusts and the market through authorisation - from the different financial models schemes operate to how the relationships in each master trust work. This is valuable insight for us as we now enter master trust supervision.

In the first year after authorisation, the intensity of supervision will be driven by the potential impact of each master trust's failure on the market, including the number of members in the scheme and our view on the risk of failure.

We'll be undertaking a range of activities which will involve engaging with trustees, strategists, funders and other relevant people including the scheme administrator. These will include:

- Periodic scheme evaluations;
- Proactive monitoring of particular concerns across the market;
- Requesting a supervisory return to be completed annually;
- Reviewing regular and ad-hoc information to check schemes continue to meet the authorisation criteria;
- Reviewing significant and triggering events and identifying the impact on the scheme.

We expect those responsible for master trusts to be open, honest and transparent with us – and they should contact us if they're concerned about any emerging risks which could affect the scheme's ability to continue to meet the authorisation criteria.

Master trusts are trailblazers and through our future of trusteeship work to drive up standards, we expect all defined contribution (DC) schemes to look at master trusts as exemplars and think about how they too can improve their governance standards and safeguards, to better protect savers.

Supervision

In respect of the other schemes we regulate through relationship supervision, we are now engaged with significantly more schemes.

To date we have been working on a one-to-one basis with more than 30 public-service, defined benefit (DB), hybrid and DC schemes, and we will be extending this supervision to beyond 100 schemes this financial year.

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.

Record-keeping

An example of this approach is that we've now ordered the trustee boards of 400 schemes to urgently examine the data they hold to ensure it is accurate and up-to-date. We've set a six-month deadline by which trustees will be required to report back to us.

Schemes targeted in this crackdown are of all types and sizes which we believe have neglected to review their data in the last three years. We'll also be writing to 1,200 schemes prompting them to carry out data reviews every three years.

Good data is key to good scheme governance – and it is also essential to the government's dashboard plans; the dashboard will only be as good as the data it holds.

Whether it is poor record-keeping or other practices which put the scheme at risk – where necessary, we will use our powers to prosecute people when they put savers at risk. But we're not an enforcement-led regulator – we would much rather those we regulate work within the law, within our guidelines and with us. ■

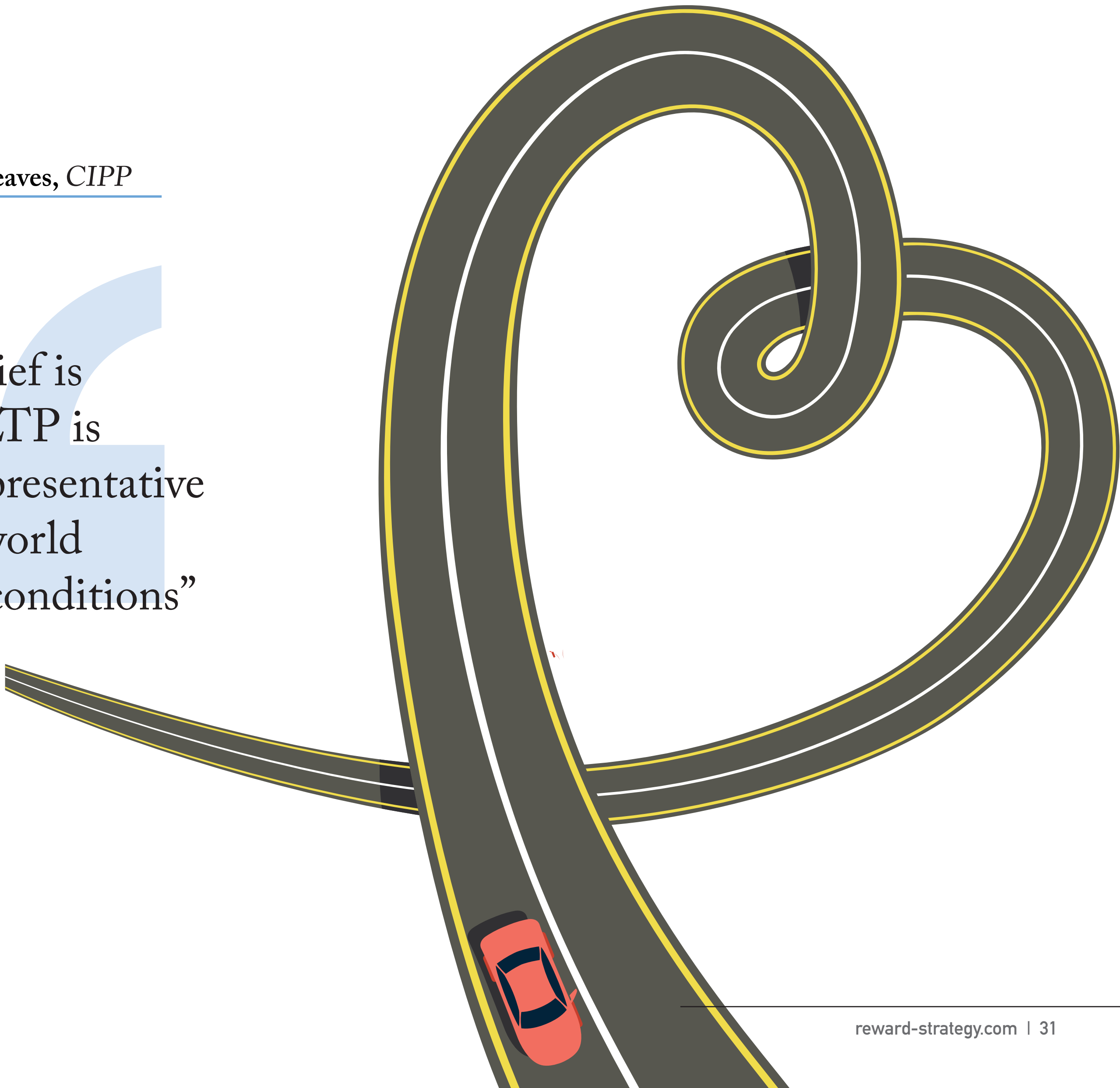
The Pensions Regulator

THE COMPANY CAR LOVE AFFAIR

Helen Hargreaves wonders what's next for company cars

Helen Hargreaves, *CIPP*

> "The belief is that WLTP is more representative of real-world driving conditions"



"If the regime doesn't change, the new procedure will increase the burden on consumers"

The offer of a company car has always been seen as an attractive element of any reward package, but what seems to be a constant stream of new legislation, brings added complexity which makes me wonder how much longer this love affair with the company car will continue.

We heard about the most recent plans to change legislation during the budget in 2018, when Philip Hammond announced that a review would be launched on the impact of the Worldwide Harmonised Light Vehicles Test Procedure (WLTP) on vehicle taxes which are linked to carbon dioxide (CO2) emissions. This followed the 2017 autumn budget, where it had previously been confirmed that cars registered from April 2020 would be taxed based on WLTP figures.

The driver (if you pardon the pun) behind this change is the belief that WLTP is more representative of real-world driving conditions, compared to the previous test known as the New European Driving Cycle (NEDC). This means WLTP will result in a higher g/km CO2 value for a specific vehicle compared to NEDC - simply because it is more rigorous than the old test.

If the government does not change the vehicle taxation regime, then the introduction of the new test procedure will increase the financial burden on consumers.

This provides an ideal opportunity for the government to strengthen the link between the amount of vehicle tax paid and the true environmental impact of car purchasing decisions.

Government recognition

The government review of WLTP and vehicle taxes was published in December 2018, with the government announcing how it intended taking these measures forward in July 2019.

In the summary of responses to the review of WLTP and vehicle taxes, the government acknowledges that the vehicle tax system plays an important role in supporting its ambition for all new cars sold to be effectively zero emission by 2040 and that this will help it achieve its legally binding climate change objectives.

However, the government also recognised that WLTP represents a significant change to the vehicle tax system and is aiming to support the automotive sector – and protect consumers – during the transition. Its solution taking all these factors into account is as follows:

- The existing VED rates will be maintained on introduction of WLTP from April 2020;
- A call for evidence will be published later this year seeking views on moving towards a more dynamic approach to VED which recognises smaller changes in CO2 emissions;
- Most appropriate percentages will be reduced by 2ppt in 2020-21 before returning to planned rates over the following two years – increasing by 1ppt in 2021-22 and 1ppt in 2022-23. This applies to company cars first registered from 6 April 2020;
- All zero emission company cars will attract a reduced appropriate percentage of zero percent in 2020-21, one percent in 2021-22, before returning to the planned two percent rate in 2022-23.

On the following page, you can read HMRC responses to questions the CIPP has received about company car taxation. ■

Helen Hargreaves, associate director, policy and membership, CIPP

HOW THE NEW EMISSIONS TEST WILL AFFECT COMPANY CAR TAXATION

The CIPP's advisory service has received numerous enquiries regarding the new emissions test, of which the following were posed to HMRC and their answers are below.

Q: With the changes to how cars are being tested and some vehicles being re-tested for their CO2 emissions, when it comes to working out the value of the vehicle, which figure would you use: the new CO2 value or the original as stated on the registration document?

A: The new WLTP emissions test regime only applies for cars registered on or after 6 April 2020.

Q: We know that cars are protected from Optional Remuneration Arrangements (OpRA) until April 2021 unless there is a change to the vehicle, a variation to the terms of the contract or if the car has a CO2 of 75g. How would OpRA be affected in the following scenarios?

- The employee has a company car under a salary sacrifice arrangement and it is changed within a year to a car with CO2 emissions of less than 75g. Would this still be protected due to the car's CO2 emissions or because there was a change to the vehicle, would OpRA now apply?

- The employee has previously given up the right to a car allowance for the benefit of a car which has CO2 emissions of less than 75g. Mid-year, the employee changes the car to a car with the same CO2 emissions. Would this mean OpRA would now apply (due to the change) or because of the CO2 emissions remaining below 75g, would this still be protected?

A: If OpRA was entered into on or before 5 April 2017 the OpRA rules do not apply, unless there is a variation or renewal (including automatic renewal) of the arrangement, at which point the new rules apply from the date of variation or renewal (see below).

The CO2 emissions is based on the traditional (NEDC) emissions test values, and will continue to do so, even after 6 April 2020.

If OpRA is entered into on or after 6 April 2017 but on or before 6 April 2021 the answer from HMRC is dependent on when the car was registered:

Car registered on or before 5 April 2020
- For cars with NEDC emissions of 75 g CO2 / km or less, there is no impact from OpRA.
- For cars with emissions of 76 g CO2 / km or more, the OpRA rules apply. The CO2 emissions value is based on the traditional (NEDC) emissions test values, and will continue to do so, even after 6 April 2020.

Car registered on or after 6 April 2020
- For cars with WLTP emissions of 75 g CO2 / km or less, there is no impact from OpRA.
- For cars with emissions of 76 g CO2 / km or more, the OpRA rules apply. The CO2 emissions value is based on the new (WLTP) emissions test values.
- Cars with emissions of 75g CO2 / km or less (NEDC if registered on or before 5 April 2020, or WLTP if registered on or after 6 April 2020) are not impacted by the OpRA rules.

EL
EMPLOYMENT LAW

FEATURE

HOW TO AVOID DISCRIMINATING

Madeleine Mould of Blake Morgan explains how employers can go beyond the legal framework to improve the disability employment gap

Madeleine Mould, *Blake Morgan*

"The employment rate for disabled people is just 51.7 percent"

According to a recent Commons Briefing Paper, 7.6 million people of working age in the UK report having a disability. That equates to 18 percent of the working-age population, but it's unlikely that many organisations see these figures reflected in their workforce.

This is because the employment rate for disabled people is just 51.7 percent, compared to 81.7 percent for non-disabled people in this age group. Eight percent of disabled people are unemployed but looking for work and 43.8 percent are "economically inactive" i.e. neither in work or actively looking for work.

Many disabled people will have talents which could be of great benefit to employers, but may have given up actively seeking work due to the barriers they face. Tapping into this talent pool enables employers to increase the diversity of their workforce, ensuring they are recruiting the best candidates.

Disability discrimination

Alongside direct discrimination, indirect discrimination, harassment and victimisation (which apply in respect of all "protected characteristics"), the *Equality Act 2010* creates particular rights for disabled employees, workers and job applicants. Under the act, someone has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Employers will have a duty to make reasonable adjustments where disabled job applicants, employees and/or workers face a substantial disadvantage (as compared to their non-disabled counterparts) as a result of:

- A provision, criterion or practice of the employer (e.g. use of Situational Judgment Tests during recruitment, which may place applicants with Asperger's or other forms of Autistic Spectrum Condition at a disadvantage);
- A physical feature (e.g. no step-free access, which places those in wheelchairs at a disadvantage);
- The lack of an auxiliary aid (e.g. text to speech software).

There is also a risk of discrimination arising from disability claims where an applicant or worker is treated to their detriment because of something arising from their disability, and that detriment is not a proportionate means of achieving a legitimate aim. An example of this could be increased sickness absence levels or certain behavioural traits. Employers will have a defence to both of these types of claim where they didn't know and could not reasonably be expected to have known about the disability.

Promoting accessibility

Looking beyond employers' legal obligations, there are clear benefits to attracting and retaining talent from a wider pool by removing barriers to work. Set out below are some suggestions of where to start:

Training: Provide training to staff which should cover employers' legal obligations, as well as how to:

- Manage sickness absence in a sensitive and constructive way;
- Recognise and reduce the impact of unconscious bias;
- Make the workplace more accessible for disabled employees.

Seek Advice: Set up workforce listening groups to understand the issues faced by disabled employees. You can also seek advice and information about conditions from external organisations.

Access to Work Scheme: This government-run scheme provides support, practical advice and grants to meet additional employment costs arising from an individual's disability that are over and above those that would be considered reasonable adjustments. This could include assistance with travel costs or funding for a support worker, sign language interpreter or specialist equipment.

Disability Confident Scheme: Under this government scheme, employers can become accredited as level one, two or three "Disability Confident". Progressing through the levels involves putting in place practices to improve accessibility. The external accreditation will also help to attract and retain the best candidates, as the government retains an online public register of those who have signed up - currently around 13,000 organisations.

Future developments

The government is currently running a consultation regarding proposals to reduce ill-health related job loss, *'Health is Everyone's Business'*. The proposals include amendments to the framework to:

- Introduce a right to request work(place) modifications for employees who are not disabled within the meaning of the *Equality Act 2010*. This would be more "light-touch" than the duty to make reasonable adjustments, as employers would be able to refuse requests on legitimate business grounds. The process would probably operate in a similar way to flexible working requests;
- Strengthen statutory guidance to encourage early intervention to support a sick employee to return to work;
- Reform Statutory Sick Pay (SSP) to allow for greater flexibility in returning to work following sickness absence. The proposals include:
  - Amending the SSP rules to allow for phased returns to work;
  - Widening eligibility to cover those on low incomes;
  - Strengthening compliance and enforcement of SSP;
  - The possibility of a rebate of SSP for SMEs that demonstrate best practice in supporting employees on sickness absence. ■

Madeleine Mould, solicitor, Blake Morgan LLP

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Website: www.cintra.co.uk
Contact: Geoff Dorward
Target employee range: up to 20,000

Cintra is an award-winning provider of HR and payroll software and solutions. Cintra prides itself on service excellence, built on mutually rewarding relationships. The mission is always to pay employees correctly, on time, every time and ensure the payroll process is 100 percent compliant. Cintra ensures all clients get full access to staff for legislative and system advice and support, as well as quarterly newsletters, a user conference and user forums, alongside a dedicated Business Relationship Manager. Yet, Cintra's approach is always having someone at hand for you when you need it that really makes the difference. Cintra doesn't do voicemail – you will always get to speak to a person who is happy to help.

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Target employee range: 50+

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Integrated payroll & HR solutions

CGI

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Email: clive.fautley@cgi.com
Website: cgi-group.co.uk
Contact: Clive Fautley

The HR solutions and services provided by CGI are affordable, scalable, secure, flexible and reliable. CGI offers a full range of HR processes using its own comprehensive and established payroll software and those of other major suppliers with whom it has accredited relationships. CGI's solutions can be tailored to fit clients' requirements and are built on the backbone of technologies such as cloud and intelligent automation. Additionally, CGI can blend with multiple HR software solutions which allows CGI to shape and develop services to meet your business needs.

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Target employee range: up to 20,000

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Target employee range: Unlimited

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Email: sales@intelligosoftware.co.uk
Website: intelligosoftware.co.uk
Contact: Fiona Cullinane
Target employee range: Unlimited

Intelligo is a leading provider of corporate Human Resource and Payroll Software and Services in the UK and Ireland with clients ranging in size from 300 to 20,000+ employees. Megapay, Intelligo's owned and developed flagship payroll system integrates seamlessly with MegaHR, a web-based enterprise level Human Resource solution. Built on a shared database this allows for accurate sharing of information such as job history, salary history, holiday leave, etc between Payroll and Personnel, ensuring key employee data is entered only once. Megapay and MegaHR are available to purchase as either an On Premises installed solution or on a Software as a Service (SaaS) basis.
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Target employee range: up to 20,000

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Target employee range: 50+

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Target employee range: Unlimited

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Target employee range: Unlimited

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Target employee range: 1 to 50,000

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Website: reward-strategy.com/events
Contact: Michael Short
Target employee range: All PAYE employers

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Target employee range: Unlimited

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