

Workplace Pensions Workshop

Jan 2016

Report



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Overview

Ayrshire Independent Living Network (AILN) supports people in Ayrshire who get Self-directed Support and can employ Personal Assistants (PA's).

You are an employer just like anyone else employing staff, and with that comes some responsibility in relation to Employment Law, Health & Safety, Paying Salaries and National Insurance.

Workplace Pensions have been introduced by the Government and this will also be a responsibility for people who get SDS.

How we let people know about the new pension law

We put together a short 'easy to read' flyer explaining the basic information required with pensions for personal assistants. This went out to 250 people who employ personal assistants through AILN Payroll in November 2015. This was a first step in getting news out about pensions and what employers of PA's need to know.

We sent out invitations about the workshop to everyone who uses our Payroll service.

Workshop Presentation

To support people through the workplace pension we decided to offer a workshop presentation to all our Personal Assistant Employers as well as key people within the Ayrshire councils and other agencies.

The event took place on the 18th January 2016. The venue was East Ayrshire Council Headquarters, London Road, Kilmarnock (given free of charge)

- 23 employers of Personal Assistants attended
- 15 Council Officers/other agencies attended
- 4 Personal Assistants
- 2 AILN Board members
- 12 AILN Staff were involved in the event
- The Pension Regular – Ken Tymms
(Industry Liaison Manager)
- There was a handout of the presentation



Presentation from The Pension Regulator - Ken Tymms

Ken gave full history, facts and information about the new Workforce Pension that has come into force for small employers in the summer of 2015. In January 2016 the first people using AILN Payroll services started their staging process. (Copies of the presentation are available from AILN)

The Support AILN will give: Evelyn Gilchrist & Cheryl Muir

Ayrshire Independent Living Network is ready and available to give the information, support and guidance needed about pensions for PA's. We will:

- Inform the Pension Regulator that we are your contact
- Check which PA's you will need to enrol
- Calculate the pension amount
- Register you with NEST (National Employment Savings Trust) UK Workplace Pension Scheme at the date required
- Visit/phone you to explain what's required
- Provide letters for your PA's
- Complete your Declaration of Compliance
- Set up direct debits for your pension contribution payments

Question and answer session

Here are some of the questions that were asked:

What happens if my PA has a job with another employer?

You only need to worry about your own PA. If PA's work for other employers as well as you, the other employers will be liable to set up the pension for the hours they work for them.

What happens if my PA has their own pension?

You still have a duty to enrol every PA and advise them about workplace pensions if eligible, whether they have a pension or not.

Where will the funding come from for their pensions?

At the moment councils are advising that this will be paid from contingency funds. If some of your funding comes from The Independent Living Fund (ILF), please contact them for advice.

Note from AILN:

The contact number for the ILF in Scotland is 0300 200 2022 - Remember to have your ILF reference ready when phoning.

Will we get the support we need from AILN about pension to comply with the Pension Regulator?

AILN will give you all the support and advice you will need to be legally covered.

Self-employed - you mentioned that we require being very careful about this because if we get it wrong we could be liable

You are best keeping detailed information about this. AILN will help you keep this information. There is a status tool to check for self-employment.

How will we know if we are complying legally when informing our PA's?

AILN - We will use Pension Regulator templates.

Question and answer session

Ctd.

You mention that we may be liable for fines if we don't comply at the right time, it may be difficult for us as carers as well as being employers to get the information in on time

Pension Regulator reply:

We have powers of discretion. Although it is the employer's duty, we will on occasion take other circumstances into account and there is an appeals process.

Will the Independent Living Fund put in funding to cover pensions?

Independent Living Fund Reply: We are operating in existing policies and we are not the employers, we are a trust and don't operate under statutory care.

Does this mean that hours of care could be cut to be able to comply with pensions if the ILF will not fund the pension costs?

More discussion will be required between Councils and ILF about how people will manage their obligations as employers which also includes National Minimum Wage.

Councils agreed that the cost for this additional work will require to be reviewed and they will be meeting to discuss this.

Note from AILN:

As before - Please contact ILF to discuss the pension situation for your PA



Quotes from people on the day:

We are not business people and will need support to do this

We appreciate everything ALN does for us and understand the limitations on the service and that costs for ALN services will be required to be reviewed in light of this

This is a lot of work for carers who are already busy to do all this. Would it not have been better for the Government to put up National Insurance to cover pensions?

We could not do this without ALN support

Views of the event

We developed 2 different evaluation forms, one to collect information from people getting SDS and the other for Council officers in Health & Social Care and other agencies.

Evaluation 1

23 people who employ personal assistants completed the evaluation form.

Q1 When you arrived today did you know about the new workplace pensions?

Yes 20

No 3

Q2 Has the workshop make things clearer about pensions for personal assistants?

Yes 20

Slightly more confused 2

1 person didn't answer

Q3 Did AILN give you enough information on how we can help you?

Yes 22

Slightly 1

Q4 Have you enjoyed the event and has it fulfilled your expectations?

Yes 20

No 1

1 person gave no answer



Q5 Is there anything else you would like to tell us?

'I am sure that more specific detail will be communicated to us'

'I enjoyed and understood the AILN part but the Pension Regulator just went over my head and I found it very wordy and a bit overwhelming'

'Thanks for arranging the event it was very informative. Please set up one from the Independent Living Fund soon'

'I found your information very helpful'

'A lot of information and more worried for carers of family members, but appreciate the efforts made by AILN and the presentation from the Pension Regulator'

Evaluation 2

15 Council Officers / other agencies took part in evaluation 2:

- 14 said they knew about the workplace pensions before the event
- 15 thought that the event made things a clearer about pensions for personal assistants
- 13 said this made things clearer on how this would affect people who get SDS. 1 didn't answer and the other was not sure and mentioned the contingency fund that people get with SDS
- 15 said it had given more insight into the pension support people could get from AILN
- 15 said they enjoyed the event but someone also said it had fulfilled some expectations but still seems quite daunting

Is there anything else you would like to tell us?

“I’m concerned about those who do their own payroll or have another payroll provider”

‘There was a lot of information to take in – a lot of jargon used. It would be useful to have an Easy Read version of the presentation by the Pension Regulator if people find it difficult to read where English is not a first language etc and it’s not very accessible.’

‘Also, would be useful to have some discussions maybe a round table event.’

‘Where will funding for pensions come from?’

‘How will Independent Living fund pensions?’

‘Do Councils fund payroll services?’



What's next and how AILN will help

- We will be having a dedicated phone/skype advice line every Wednesday from 2pm – 3pm in February 2016 about pensions and any concerns you might have.
- We will analyse the comments/feedback you have made from the Workshop.
- We will be getting touch with everyone who gets their payroll service to assist through every stage required.

Thanks

AILN would like to thank everyone who attended the event and gave us feedback.

We would also like to thanks Ken Tymms from The Pension Regulator for his presentation.

Remember we're just a call away'

01294 475685

www.ailn.org



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