

Public Document Pack



Corporate Management Committee

Thursday, 21 April 2022 at 7.30 pm

Council Chamber, Runnymede Civic Centre, Addlestone

Supplementary Agenda – Item 8

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8. Superannuation - Carers' Policy

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Superannuation – Carers’ Policy (Human Resources – Fiona Skene)

Synopsis of report:

To consider an amendment to the Carers’ Policy in respect of superannuation payments.

Recommendation:

That the proposed amendment to the Carers’ Policy as set out at paragraph 7 of Appendix ‘B’ to this report be considered.

1. Context of report

- 1.1 In May 2021, this Committee approved a new policy to support employees who are Carers. However, it was agreed to consider an amendment to the policy proposed by Councillor Robert King in respect of superannuation payments based on an assessment of costs over a 6-month period.
- 1.2 During this period no Carers altered their hours and therefore instead an assessment of potential costs was considered for employees at different pay levels. The estimated costs were considered by HR Member Working Party at their meeting in March. It was agreed at that meeting to propose an amendment to this policy to the Corporate Management Committee based on this exercise.

2. Report

What is the policy designed to do?

- 2.1 The policy is designed to explain the support the organisation gives to assist employees who are Carers so they can more easily combine this role with their employment role.
- 2.2 What amendment on Superannuation costs was proposed by Councillor Robert King and considered by the HR Member Working Party?
 - 2.2.1. The purpose of the proposed amendment from Councillor Robert King was to ensure that an employee did not lose out on pension benefit due to reducing their hours on a temporary basis due to being a Carer. This protection was proposed for a 6 month period with any further extension being at the discretion of the employee’s line manager.
 - 2.2.2 The Corporate Head of HR would conduct a costing review over a 6 month period which related to a situation where an employee who was a Carer reduced their hours, and therefore salary, on a temporary basis due to caring responsibilities and where the employer bore the costs of the difference between the superannuation costs on a full-time salary and on reduced hours subject to the employee doing the same in relation to an employee’s superannuation contributions. Depending on the outcome of this review this element might later be added to the Carer’s policy.
 - 2.2.3. During the 6 month assessment period, no employees did reduce their hours due to Carers’ responsibilities and therefore the Corporate Head of HR was requested by the HR Member Working Party to do a costing exercise based on an employee on a low, medium and high quartile salary. This exercise was done and considered by the HR Member Working Party at their meeting on 14th March 2022. What did this costing exercise illustrate?

- 2.2.4 The costing exercise is attached at Appendix 'A'. The costing exercise is based on a realistic example where an employee who suddenly becomes a Carer reduces his/her hours to 25 hours. This level of hours is realistic in relation to an employee who still needs to earn a reasonable salary to sustain themselves as well as to have some leeway to care for a newly disabled partner. These figures have been costed on a 6 and 12 month period.

3. Financial Implications

- 3.1 The costs to Runnymede based on the samples set out in Appendix 'A' would be as follows:

Level of Post	Cost to Runnymede	
	Annual	6 Months
Grade 7	£1,566	£784
Grade 10	£2,142	£1,071
SMA	£3,454	£1,727

- 3.2 These costs would already be budgeted for on the assumption that the post was operating at full time so there would not be any additional budgetary consequences unless the Council employed a temporary member of staff to cover the reduced hours and they too wished to join the pension scheme.

4. Liaison with Surrey Pensions

- 4.1 As part of the preparation of this report, the Corporate Head of HR liaised with the Service Delivery Manager of Surrey Pensions who administer the pensions of staff at Runnymede Borough Council. She explained that no other authorities had proposed to do this and that although it is possible for an employer to pay additional contributions for an employee for a period of time, we would need to do an Additional Pension contribution contract in respect of that person. Also that under the Pension Regulations an employee can only make additional contributions for themselves for a minimum of one year. This suggests that if Members wish to do this on the basis suggested by the HR Member Working Party (HRMWP), where the employee makes matching contributions, then we would need to support the difference for the employer's side contribution for one year and not six months. The proposed wording in the Carer's policy attached at Appendix 'B' has therefore been amended to reflect supporting the difference for one year.
- 4.2 The original proposed wording from the HRMWP is at paragraph 4.3 below. The revised wording to meet the requirements of the Pension regulations is at paragraph 4.4 below. Members' views on this proposed amendment set out at paragraph 7 of the Carer's policy attached at Appendix 'B' are requested.
- 4.3 What was the original proposed wording based on the discussions of the HRMWG?

This was

'Where an employee reduced their hours as a consequence of being a Carer on either a temporary or a permanent basis, the difference between the employers' superannuation contribution on a full-time salary and on the reduced hours would be paid by the Council for the first 6 months subject to the employee also bearing the difference in employee contribution cost. This would enable the employee to maintain their full-time pension benefit for this period. Any extension of this arrangement beyond 6 months up to a maximum of 12 months would be at the discretion of the manager.'

- 4.4 In order to meet the requirements of the Pensions regulations in respect of a minimum employee contribution period, the revised wording below is suggested for paragraph 7 of the policy:-

'Where an employee reduced their hours as a consequence of being a Carer on either a temporary or a permanent basis, the difference between the employers' superannuation contribution on a full-time salary and on the reduced hours would be paid by the Council for the first year subject to the employee also bearing the difference in employee contribution cost for a minimum of one year(which is required under the provisions of the Local Government Pension Scheme).'

5. **Legal Implications**

- 5.1 The Superannuation Act 1972 gave the Secretary of State the power to make regulations with respect to the pensions, allowances or gratuities which, subject to the fulfilment of such requirements and conditions as may be prescribed by the regulations, are to be, or may be, paid to persons, employed in local government service.
- 5.2 The Local Government Pension Scheme (LGPS) is what is termed a salary related scheme. The employee and employer pay contributions. As the amount of pension is linked to contributions if an employee reduces their working hours there will be an impact on the level of pension eventually paid.

(To resolve)

Background Papers

None stated

Effect of Superannuation and the Carer's Policy

	A	B
Level of Post	Full Time Salary	Part Time Salary (based on 25 hrs)
Grade 7	£27,442	£18,542
Grade 10	£37,525	£25,355
SMA	£60,514	£40,888

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Employee Pension Contribution Rate		Cost to Employee	
Full Time	(based on 25 hrs)	Annual	6 Months
9.90%	8.50%	£1,141	£570
10.50%	9.90%	£1,430	£715
11.40%	10.50%	£2,605	£1,303

APPENDIX 'A'

E	(A-B) x E	
Employer Pension Contribution Rate	Cost to Runnymede	
	Annual	6 Months
17.60%	£1,566	£784
17.60%	£2,142	£1,071
17.60%	£3,454	£1,727



Carers' Policy

April 2022

Department	HR
Document name	Carers' Policy

1. Introduction

This policy sets out the organisation's commitment to supporting employees who are Carers and the support that the organisation offers them to combine work with care.

2. Commitment to supporting carers

Employees may have caring responsibilities and may need the organisation's support to combine work with care. The organisation has adopted this policy to demonstrate its support for employees who are Carers, and to set out what support is available.

The organisation aims to give Carers the same recruitment and career opportunities as everyone else. It will give Carers as much support as is reasonably practicable to achieve this objective.

(The Council has also signed up to Surrey County Council's Carer's Memorandum of Understanding through the Community Services Committee)

3. Definition of Carers

When defining Carers, the organisation aims to strike a balance between recognising the special circumstances of caring, and not classifying Carers as a rigid or separate group.

The organisation defines Carers as employees with direct caring responsibilities towards a dependant that have a substantial impact on their working life. However this policy is not referring to normal parental responsibilities (for whom there is separate provision) but for staff who are classified as Carers in relation to an elderly or disabled relative or dependant. This may mean requiring time off at short notice or some flexibility at times in their working hours to accommodate the needs of the person they are caring for. A dependant is someone who is heavily dependent on the employee to assist with their personal care on a daily or almost daily basis and would be unable to cope with their personal care without significant assistance from the employee concerned. The dependant would normally be a close family member (e.g. a spouse, partner, child, or parent.) However, an employee who was a registered carer for someone who was not a family member such as a friend or neighbour would also be covered by this policy; and a non-registered carer would be covered by this policy, with their manager's discretion, if other more suitable care service is not available. The activities that carers undertake are wide ranging, including:

- Help with personal care;
- Help with mobility;
- Managing medication;
- Accompanying to medical appointments
- Practical household tasks;

- Emotional support;
- Help with financial, housing and other related matters or administration
- Being a careline responder for emergencies; and
- Help with applying for benefits and other entitlements.

A Carer would normally undertake a combination of such tasks but may also be applying for themselves for a Carer's allowance, Disability Living Allowance etc.

4. Carers' circumstances

Carers' needs are different from the needs of employees with mainstream childcare responsibilities, and the circumstances and milestones of caring are different from those of mainstream childcare.

Caring can be time-consuming, expensive, unpredictable and emotionally upsetting. An employee may acquire caring responsibilities overnight, for example where the employee's parent has a stroke, or caring responsibilities may develop over time, for example where the employee's partner has a debilitating long-term health condition. With childcare, the child's journey is often predictable as he/she grows older, goes to school and becomes more independent. The milestones of caring may go in the opposite direction, for example an elderly parent may become more frail and dependent over time, and a disabled child may continue to have significant support needs when he/she become an adult.

5. Identification and disclosure

Employees are not required to disclose to their line manager that they are caring for someone but are encouraged to do so. This will help the organisation provide appropriate support to the employee. Line managers will respect the confidentiality of any information provided to them in this regard.

When an employee discloses to his/her line manager that he/she is a Carer, the organisation will process any personal data collected in accordance with its Data Protection Policy. Data collected from the point at which an employee informs the organisation of his/her caring responsibilities is held securely and accessed by, and disclosed to, individuals only for the purposes of supporting the employee in his/her caring responsibilities (e.g. when dealing with requests for flexible working.)

Where a manager knows that an employee in his/her team has caring responsibilities, the manager should inform the employee about the support that the organisation offers Carers and encourage him/her to access the support offered.

The Council proposes to introduce a Carers Register to be held in HR. This would be an informal list of employees who have identified themselves as a Carer. Its purpose would be to help ensure that the organisation gives Carers appropriate information and support. The organisation recognises that caring can be unpredictable and that

caring circumstances vary. The register would be flexible to allow employees to join or leave the list as their circumstances change.

The Council also proposes to introduce a Carer's passport scheme. This passport would document the Carer's needs at work and identify solutions to those needs, and enable this information to travel with the Carer if his/her job or line manager changes. It would set out the contact arrangements between the employee and his/her manager during emergencies.

6. Flexible working

The law grants the right to request flexible working to **all** employees who have a minimum of 26 weeks' continuous service. For further information on flexible working requests, please refer to the Council's policy entitled 'Right to Request Flexible Working'.

The organisation offers various types of flexible working

Flexitime: The organisation operates a Flexible Working Hours scheme in most service areas. Time off is subject to business needs and adequate coverage in the service area concerned. Employees must work certain core hours, but outside these hours they have some flexibility over the hours that they work. For example, they may be able to work extra hours and use these to take time off work when they need it. Employees should refer to the Council's policy on Flexitime.

Homeworking: Employees may request some working from home up to a maximum of two days per week, where practical, and where business needs can still be fulfilled. These requests will need to be submitted to and reviewed by their line manager.

Job-sharing/Part Time Working: Employees may request a job-sharing arrangement in their existing role. Alternatively, they may request to perform their role on a part-time basis, either by working shorter days or fewer days per week. Any such request must be submitted to their line manager, who will discuss this request with them and consider if it can be approved.

Compressed hours: Employees may ask to work full-time hours over fewer working days.

Other changes to working patterns: Employees may ask to work the same hours but at different times, for example

7. Reducing Hours and Superannuation

'Where an employee reduced their hours as a consequence of being a Carer on either a temporary or a permanent basis, the difference between the employers' superannuation contribution on a full-time salary and on the reduced hours would

be paid by the Council for the first year subject to the employee also bearing the difference in employee contribution cost for a minimum of one year(which is required under the provisions of the Local Government Pension Scheme).'

8. Crisis situations

Employees with caring responsibilities cannot always plan ahead for time off. The ability to take leave in an emergency is important for Carers, who may be called on at short notice.

Employees have the right to take a reasonable amount of unpaid time off work to assist or make arrangements for the care of their dependants regardless of their length of service. This is normally 2 days unpaid Dependency Leave per annum. However, under this policy the Council is proposing to turn this into 2 days paid Dependency Leave per annum. Employees who wish to take time off for dependants should contact their line manager to explain the circumstances where this situation occurs and request this dependency leave. If they need more time off, they need to consult their line manager to discuss what arrangements can be made for additional leave. This can be a mixture of annual leave or flexi-leave. In some cases, compassionate leave may be appropriate.

The Council also offers employees the opportunity to request to work reduced hours for a temporary period to deal with a crisis.

9. Flexible leave arrangements

Employees with caring commitments may need time off work to meet their caring responsibilities, in addition to the 2 days paid dependency leave per annum which may be given, where needed. For example, they may need to attend medical appointments with a dependant or deal with a dependant's discharge from hospital. In such circumstances, they should seek the prior consent of their line manager.

Employees should discuss with their line manager any known leave needs relating to their caring commitments. This will help the manager and the other members of the team to plan work and other leave arrangements. Line managers will, where possible, approve annual leave requests from employees who wish to take time off to meet their caring responsibilities.

Where possible, Carers should book appointments that they need to attend with a dependant at the start or end of the working day or outside core hours to minimise disruption to work. However it is recognised that this is not always within the Carer's control, particularly with medical appointments and operations.

Carers may benefit from flexible leave arrangements (in addition to flexible working arrangements) to manage all aspects of their caring role. The organisation offers carers the following special leave options

- Flexitime
- Annual leave
- Compassionate leave – If dependant become seriously ill

The organisation may grant Carers the ability to make up time off that they have taken to meet their caring responsibilities at another time. This needs to be approved by the line manager, and employees should discuss any such requirements with their manager.

The organisation may grant employees the ability to take **up to 5 days** paid compassionate leave with the Corporate Head's Approval.

The organisation also operates a system whereby employees can buy annual leave. This scheme may also be used. For details, please refer to the organisation's **LEAVE POLICY**.

Employees may also request a career break which is an unpaid break where the employee retains their continuity of employment. Employees should send a request to their Corporate Head who will consider the request carefully taking into account the feasibility for the service area concerned as well as the circumstances of the employee before making a decision.

10. Other support for Carers

Employees with caring responsibilities, together with their line manager, should also consider whether or not the following adjustments and support mechanisms would help to combine work with caring responsibilities:-

- The ability to make or receive calls in connection with his/her caring responsibilities and access to a private space to make/receive calls. Quiet rooms may be used for this purpose.
- information about external sources of support for carers and their dependants on the staff intranet.
- the Council's provision of a maximum of five free counselling sessions for staff who need welfare support.

The Council's Health and Safety Adviser acts as a Carer's Champion. Her role is to raise awareness about caring, promote the take up of carer-friendly policies and ensure equal treatment for carers across the organisation. Employees may contact the Carers Champion if they have any issues regarding combining work with care that they do not wish to discuss with their line manager. Employersforcarers.org can also provide support and advice.

11. Line managers

Line managers are key to implementing this policy. Each Carer's situation requires a different response from the manager, so managers should take into account the whole range of organisational support available when putting in place support for carers.

Employees need to be confident that they will not be treated less favourably if they take up the organisation's support for Carers. Managers should create a workplace culture that is supportive of Carers, by encouraging employees to make use of the support offered to Carers and encouraging discussion around Carers' issues.

Managers with a Carer in their team can also approach HR to receive organisational advice about supporting the Carer. All managers will be provided a briefing of this policy.

This policy will be kept under review and updated as necessary.

12. Further resources

- **CarersUK** - Information, advice and campaigning.
- **Carersnet** - A wide range of information for carers in Surrey including local groups, initiatives and national debates.
- **Carers Assessments** - Advice from Surrey County Council on getting a formal assessment of a carer's needs
- **Directgov** - Government advice for carers on services and rights.
- **Employers for Carers** - National network of employers promoting the benefits of supporting carers in the workplace.
- **Surrey Young Carers** - If a child or children take on extra responsibilities to help with caring, they are young carers. SYC offers information, advocacy, support and activities. Tel: 01737 248111
- **NHS Choices - Carers Direct**
- Surrey County Council Contact Centre - for community-based help
phone: Adult Social Care: 0300 200 1005; Children's Social Care: 0300 200 1006