



Adult Social Care

DIRECT PAYMENTS - KEY TOPICS FOR EMPLOYERS



**HARTLEPOOL
BOROUGH COUNCIL**

This factsheet is for individuals who receive a direct payment to employ at least one person. As an employer you have key areas of responsibility that you need to be aware of. They are:

- The National Minimum Wage
- Holiday Entitlement
- Sleepovers
- Pension auto-enrolment

Pension Auto-enrolment

Every employer with at least one member of staff is required by law to provide a workplace pension if employees meet the qualifying criteria. These are:

- The employee is not already in a pension scheme
- The employee is aged between 22 and state pension age
- The employee earns more than £10,000 a year
- The employee works in the UK

If my employee meets this criteria what do I need to do?

All the information an employer needs can be found on the Workplace and Pensions website: www.thepensionsregulator.gov.uk

This website will give you step by step instructions on what you need to do. The responsibility for complying with the employer duties rests completely with the employer, and non compliance can result in enforcement actions such as penalty notices and fines. It is the employee's choice whether or not they want to be in a pension scheme, but as the employer you must still follow the relevant steps.

There is an alternative pension scheme set up by the government called the “National Employment Savings Trust - NEST”. Any employer can use this and it allows the employee to transfer the pot of money with them throughout their working life.

National Minimum Wage

The National Minimum Wage applies to all employees and workers. If you are classed as an employer you must pay the employee the correct minimum wage. Failure to pay the minimum wage is a criminal offence.

The minimum wage calculator can help check if the correct minimum wage has been paid:

www.gov.uk/national-minimum-wage

Employers can check if:

- they're paying the correct minimum wage
- they owe a worker any payments

There is also guidance on working out the minimum wage for different types of work:

www.gov.uk/minimum-wage-different-types-work

Useful websites for minimum wage information:

www.gov.uk/what-is-the-national-minimum-wage

Sleepovers

If an employee is required to sleep over as part of their contract, their average pay for all hours worked (including time spent on the sleepover) must be at least the correct minimum wage rate.

There have been recent prosecutions for those whose sleepovers combined with the employee's daily earnings have produced an average of less than minimum wage - therefore, it is important the employer pays the correct sleepover rate.

HM Revenues and Customs New Employers Helpline

Telephone: 0300 200 3200

Opening hours: 8am - 8pm Monday to Fridays


8am - 4pm (Saturdays)

Closed: Sundays, Christmas Day, Boxing Day and New Year's Day.

HOW TO CONTACT THE SUPPORT HUB

If you, or someone you care for - or a relative or friend - is finding life a bit difficult at the moment and would like to talk about it, contact our Support Hub - [our gateway to information, advice, support and care.](#)

 Visit the Support Hub at **Community Hub Central**, York Road, TS26 9DE between 10am - 4pm Monday to Friday

 Call **01429 272905** between 8.30am - 5pm Monday - Thursday.
8.30am - 4.30pm on a Friday.

 Email helping@hartlepool.gov.uk

We will connect you to the things that will help you get on with your life.

If you are **worried about someone being abused or neglected**, or if you need **information or support with hospital discharge** please contact:

The Integrated Single Point of Access (iSPA)

You can contact the iSPA Monday - Thursday 8.30am - 5pm, Friday 8.30am - 4.30pm

 **01429 803100**

 ispa@hartlepool.gov.uk

 **07977709900 (Relay UK)**

How to get help if we are closed

If you need urgent help when our offices are closed, you can contact the **Emergency Duty Team** on **01642 524522**