

**Service Specification**

**Lot 2 – Payroll Services**

The specification includes all those requiring support including direct payment recipients, personal health budget recipients and children’s direct payments.

**Service Description**

A stand-alone Payroll Service, where an Individual manages their own account and uses their Direct Payment to employ a Personal Assistant

**The overall aim of the Service is:**

* to provide a payroll service and advise the individual on the necessary information to meet HMRC and pension statutory requirements.

**Service requirements – payroll support**

* To provide a Payroll Service for Personal Assistants employed by Individuals which will include but not be limited to:
	+ provision of a payment of salary service
	+ processing timesheets and wage slips
	+ retention of payroll records
	+ setting up and registering as a new employer
	+ completing and submitting returns to HMRC
	+ advising on and assisting with the set-up of workplace pensions for eligible Personal Assistants
	+ calculating tax, NI, SMP, SSP, pension contribution etc.
	+ financial monitoring and assistance with the assessment documentation
* To ensure that financial information regarding Personal Assistants, including timesheets, is processed accurately
* To ensure that all timesheets are signed by the Individuals or their representative / nominee unless prior arrangements are in place
* To ensure that Individuals or their representative / nominee are supplied with receipts for submitted timesheets
* To provide a pay slip service and to allow employers and Personal Assistants access to them.
* Should any discrepancies occur with pay slips and under/over payment of wages then these will be rectified within 5 days and the correct amounts will be re-paid as part of the following month's pay run
* If incorrect calculations, at the fault of the Payroll service provider, result in any overpayments to HMRC, then the Service Provider will reimburse the Individual and support the person to reclaim the money from HMRC directly
* Regular notification of pro-rata Annual Leave entitlements, dated to show the periods that they relate to, should be issued by the payroll provider to the employer.
* To ensure that all Individuals or their representative / nominee are aware of and understand the need to manage their Direct Payments well so that they are able to purchase care and support throughout the year and do not over commit their budget
* To inform the Council or Oxford Health NHS Foundation Trust as applicable of any financial irregularities or any issues of concern regarding Individuals
* To liaise closely with the Council’s Direct Payments Team in an agreed format (which meets the Council’s and Oxford Health NHS Foundation Trust’s Data Protection requirements) and to agreed timescales to meet the needs of the Individual.
* The Service Provider will be flexible to adjust to both national and local changes and developments to the Direct Payments Scheme and should have the flexibility to amend its own services to meet the changes

**Providing the Service**

The Service Provider will provide the Service in line with all relevant legislation and good practice, including:

* The Care Act 2014
* Employment law requirements
* HMRC regulations
* The Pensions Regulator requirements
* National Framework for NHS continuing healthcare October 2018 (Revised)
* Guidance on Direct Payments for healthcare: Understanding the Regulations (2014)

**Accessing and Purchasing Services on the Approved Provider List**

The Approved Provider List will be accessed by a variety of people including older people, adults and children with a physical disability, learning disability or mental health problem. In addition, the services will be made available to people in receipt of Personal Health Budgets.

People in receipt of a Personal Budget or Personal Health Budget and registered with a GP in Oxfordshire will self-refer to their chosen direct payment support providers including those on the approved provider list.

People new to Direct Payments will be given information by the Council’s Direct Payments Team on how to access the Approved Provider List to enable them to have choice and control over which Providers they would like to support them to meet their payroll needs.

All Providers on the Approved Provider List will be included on Live Well Oxfordshire under the category of Direct Payment Support Services, which will enable self-funders to access and purchase support directly from an approved Provider.

**Self-funding Individuals**

Providers included on the Approved Provider List will be encouraged to provide payroll servcies to self -funding Individuals and their Carers at an agreed standard rate to be paid by the Individual.

**Service eligibility and location, time and duration of service:**

* + The Service will be available to people who are ordinarily resident in Oxfordshire or who are registered with a GP in Oxfordshire and have been assessed as requiring a direct payment to meet eligible support needs.
	+ The Service Provider will ensure that all Individuals and Carers choosing to use the Service can contact the Service via a variety of communication methods: telephone, text-phone, e-mail, social media if appropriate and through the Council’s Live Well Oxfordshire website.
	+ We would expect the Service to be available on weekdays from 9:00 am to 5:.00 pm, with a member of staff contactable at all times during those hours. Outside of these times there will be an answer-phone service and all messages left will be dealt with the following working day including emails that are sent out of hours

**Service Volume**

* + The average monthly number of Individuals receiving a Direct Payment Payroll service in the period from April 2019 – April 2020 was 109. This number is expected to increase but may be spread across multiple Providers on the Approved Provider List.
	+ The Council does not guarantee work to any Provider included on the Approved Provider List nor is any exclusivity conferred as volume will be driven entirely by end user beneficiary selection over which the Council has no control.

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**Service Price**

* + Providers will submit a pricing structure within their Application to be included on the Approved Provider List. These prices will be shared with direct payment recipients to help inform them to make a selection decision about which support provider may be right for them.
	+ The opportunity for Providers to refresh prices will be on an annual basis
	+ Fees charged can only be altered once invited by OCC as an annual price review.

**Complaints**

* The Service Provider will have a complaints protocol and process in place. Individuals (or representatives thereof) who are not satisfied with the Service that they are receiving should make their initial complaint to the Provider. It is expected that all complaints will be immediately investigated.
* To ensure the Council is aware of the number and type of complaints received, the Service Provider will be expected to log and resolve all complaints, to provide the Council with notification of complaints raised / resolved and to grant the Council the right of audit. If the Service Provider is unable to resolve the complaint or needs advice, they should contact the Council’s Direct Payment Support Team.

* The Council has a responsibility to investigate any allegations or complaints about the services they approve. The Council undertakes to carry out any such investigations fairly and as quickly as possible. Any such investigation will be conducted by an officer.

**Staffing**

* All Staff employed by the Service Provider will have an enhanced Disclosure Barring Service check (DBS) and cross referenced with the Protection of Vulnerable Adults and the Protection of Children Act register lists
* Staff will need to be appropriately trained and supervised to enable them to enact the services outlined in this document in a safe and competent manner

**Conflicts of interest**

This Service requires the provision of impartial information, support and advice to Individuals and their families. It is recognised that the Service Provider may also be involved in the supply of other services to Individuals or have an interest in the supply of services to Individuals, thus resulting in the potential for a Conflict of Interest.

**ICT**

Any software required to support this Contract must be compatible with that of the Council. Details will be made available upon successful application to the approved provider list.

**Safeguarding Policies and Procedures**

* The Service Provider shall comply with the Oxfordshire Safeguarding Adults Board’s policies and procedures as amended from time to time.
* The Service Provider shall ensure that it has in place systems, policies and procedures to ensure the protection of children and young people consistent with the Oxfordshire Safeguarding Children Board’s Procedures Manual, as amended from time to time, and section 11 of the Children Act 2004 and shall ensure compliance with such systems, policies and procedures.

**Confidentiality**

The Service Provider shall adhere to the General Data Protection Regulation framework that sets out guidelines for the collection and processing of personal information from individuals who live in the European Union (The eight User Rights).

**Mechanism to pay Providers**

Payment for the provision of services chosen by the Individual to support them with their Direct Payment Account and Payroll Service.

**Payment**

* The fees charged by the Provider for services purchased by the Individual to meet their support needs will be included in their agreed budget and support plan.
* Payment will be between the Individual and the Provider
* Payment Terms will be within 30 days of invoicing the DP Recipient.
* Payments should not be accepted in cash or by standing orders.