

An Evaluation of Services Provided by the Pay and Employment Rights Service (PERS): Final Report

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1. Introduction

The report evaluates the services provided by the Pay and Employment Rights Service (PERS). The evaluation draws on two sources of evidence. The first is a questionnaire survey of 74 callers to the PERS advice line. The second source is a survey of organisations that have made use of PERS' consultancy or training services. The first survey was conducted using a questionnaire that contained both open and closed response questions. The questionnaire content was organised in two sections. The first section asked respondents about their reasons for contacting PERS, the extent to which they felt PERS had been able to help them address problems at work and their overall satisfaction with the service they had received. The second section asked about the extent to which respondents felt their employers respected their rights at work.

The second survey took the form of a structured telephone interview using a questionnaire designed to find out why organisations had contacted PERS, what PERS had done for them, how beneficial the advice or training had been and how satisfied the organisations were with the services that PERS had provided.

2. Findings from the survey of users of the telephone advice line

2.1. Characteristics of the callers

The survey of callers to PERS' advice line received 74 usable responses. However, some questionnaires were incomplete. Where percentages are given, reference will be made to the number of individuals supplying information

The composition of the sample of callers in terms of their gender, age and ethnic background cannot be adequately determined as not all respondents supplied background information. Of those that did supply information, 15 were men and 20 were women. The age profile of the 35 callers who provided information was as follows:

<i>Age</i>	<i>Number</i>
16-20	1
21-30	8
31-40	8
41-50	9
51-60	6
Over 60	3

Three of the 35 callers who supplied information indicated that they had a disability. A further question asked callers to indicate their ethnic background. Of the 31 individuals who supplied information, 27 identified themselves as 'White British', one as 'Other white background', two as 'Indian' and one as 'Other Asian background'.

2.2. Contacting PERS

Respondents were asked how they came to find out about the PERS telephone advisory service. As can be seen from the responses in Table 1, the users of the telephone advice service had found out about its existence from a variety of sources. However, the Citizens' Advice Bureau was by far the most common source of information.

Table 1: Sources of information about PERS

	<i>N</i>	<i>%</i>
Citizens' Advice Bureau	39	53
Council	1	1
Television	1	1
Friend	2	3
Leaflet	7	10
Information in office	1	1
Ex-YHLPU information	1	1
By mail	1	1
Benefits Advice Agency	1	1
Training Event	2	3
Telephone Helpline Directory	1	1
Yellow Pages	1	1
Information shop for young people in Bradford	2	3
Visited PERS	1	1
Job Centre Plus	2	3
Kirklees and Examiner	1	1
ACAS	1	1
Disability information advice line	1	1
Open day	1	1
Previous experience of PERS	2	3
Missing response	5	7
Total	74	100

Note: percentages have been rounded

Advice line callers were asked why they had decided to contact PERS. Their reasons are provided in Table 2. Some individuals stated that they had contacted PERS on behalf of another individual. Their responses have been included along with the others. Approximately half of the respondents said that they had wished to gain a better understanding of their employment rights. Two-fifths said that they had needed help with a problem at work. A substantial number gave 'other reasons' and all but one of these individuals provided more detailed information. Most gave a specific issue (e.g. 'maternity rights') as their reason for contacting PERS. Four stated that they were managers seeking advice on employment-related issues.

Table 2: Reasons for contacting PERS

	<i>N</i>	<i>%</i>
To gain a better understanding of my employment rights	35	47
Suspected my employment rights were not being respected	27	37
My employer and I disagreed about what my rights are	13	18
Needed help with a problem at work	30	41
Other	21	28

Callers had sought advice on a variety of issues, the most common of which had been contracts of employment. Substantial proportions of respondents had also contacted PERS for information relating to holidays, dismissal, pay and sickness entitlements.

Table 3: Issues on which callers seek advice

	<i>N</i>	<i>%</i>
Employment contract	25	34
Holidays	15	20
Religious discrimination	2	3
Racial discrimination	1	1
Disability discrimination	7	10
Pensions	1	1
Hours of work	10	14
Paternity leave/pay	2	3
Dismissal	16	22
Business transfers/contracting out	2	3
Pay	17	23
Harassment or bullying	3	4
Sex discrimination	5	7
Age discrimination	1	1
Sickness entitlements	14	19
Redundancy	12	16
Maternity leave/pay	7	10
Right to time off	9	12
Health and safety	6	8
Discipline/grievance	11	15
Other	11	15

Callers were asked to indicate how satisfied they had been with the service they had received from PERS. Fifty-nine callers responded. Two respondents said that they had been very dissatisfied. However, both of these individuals also said that the advice that they had received from PERS had helped them resolve a problem at work and that they would use PERS again. The inconsistency of the responses suggests possible respondent error, and their responses to this question have therefore been disregarded. Of the remaining 57 callers who responded to this question, 38 (67 per cent) said that they had been very satisfied and a further 18 (32 per cent) said that they had been satisfied. The remaining respondent indicated that they were ‘unsure’. With the exception of the two unreliable cases mentioned above, there was no evidence of dissatisfaction with the services PERS had provided.

A further question asked callers whether the advice they had received had helped them to tackle a problem at work. Fifty-two callers responded. Of these, 19 per cent indicated that the question was not applicable while 65 per cent said that the advice had helped them. Only 15 per cent (or 8 respondents) said that the advice they had received had not helped them to address a work-related problem. These individuals were asked why this had been the case. Their responses are shown in Table 4. As can be seen, only two callers stated that they had been unable to address the problem because they felt the advice they had received was insufficient.

Table 4: Reasons why callers were not able to tackle problems at work

	N
I lacked support at my workplace	2
My employer ignored me	3
The advice I received was not sufficient	2
I was worried about the possible consequences	4
I was told there was nothing I could do	3
Other	3

Eighteen per cent of respondents said that PERS had advised them to contact another service for further advice or information. The services recommended by PERS varied and included ACAS, the CAB, the HSE and ‘Maternity Alliance’. Respondents were asked how satisfied they had been with the advice provided by these other service providers. Of the eight respondents who answered this question, four said that they had been ‘very satisfied’, two said that they had been ‘satisfied’ and the remaining two individuals were ‘unsure’.

Encouragingly, 70 of the 74 respondents to the survey of advice line callers said that they would use PERS again. Three respondents did not supply an answer to this question. Only one respondent indicated that they would not use PERS again.

2.3. Employment rights

As noted in the introduction, the second section of the questionnaire asked callers to the advice line about the extent to which their employer respected their employment rights. The questions focused on a small number of areas, specifically written statements, the national minimum wage, working time and flexible working.

Seventy-two per cent of the 67 respondents who provided information stated that their employer had provided them with a written statement setting out terms and conditions of employment. The remaining 28 per cent said that they had not received a statement. Of those who had received such a statement, 88 per cent said that it had been provided automatically. Six per cent said that it had only been provided following a request to their employer (one respondent said that it had only been provided following an Employment Tribunal hearing). The 19 respondents who had not been provided with a statement were asked whether they had requested that one be provided. Five had made such a request and 14 had not done so.

Respondents were asked whether they were being paid at least the minimum wage for their age group. Of the 64 callers who responded to this question, only 2 said that they were not paid the minimum wage. As far as holidays are concerned, 83 per cent of the 53 respondents who answered this question indicated that they received at least four weeks' paid holiday entitlement from their employer. The remaining 15 per cent (8 respondents) stated that they did not receive this entitlement.

Fifty-three respondents provided information about their break entitlements. Eighty-one per cent of these individuals said that they received a 20-minute break entitlement from their employer. Six per cent said that they did not receive such an entitlement while a further 13 per cent indicated that the question was not applicable (possibly because they worked fewer than six hours at a stretch). A further question relating to working time asked respondents whether they ever had to work more than 48 hours a week. Fifty-four callers supplied information and one third of these individuals stated that they did work more than 48 hours a week (although it is not possible to determine how often they did so). These respondents were then asked whether they worked more than 48 hours a week because they chose to do so, or because their employer required them to do so. In 50 per cent of cases employees worked more than 48 hours a week because their employer required them to do so.

Finally, respondents were asked whether they were a parent who had requested flexible working patterns from their employer. Thirty-one respondents said that the situation did not apply to them (e.g. they were either not a parent or their children were older than the thresholds specified under the regulations) and a further 33 provided no response. Only four respondents said that they had made a request and, of these, three said that the request had been granted (the remaining individual provided no response to this question).

3. Findings from the survey of organisations

The report now turns to the findings from the survey of organisations. The findings are presented on a case-by-case basis.

3.1. Organisation A

Organisation A, which has used PERS a number of times, last made contact in May 2003 in order to obtain advice about its employment contracts and staff handbook. PERS prepared a model employment contract and provided guidance notes in respect of contractual issues and the staff handbook. Information was provided about recent and forthcoming changes to employment law. The process took approximately 7-10 days to complete. Organisation A were very satisfied with the service provided by PERS, which has resulted in updated handbooks and a better understanding of aspects of employment law (such as maternity and paternity rights). PERS made

follow-up telephone calls to the organisation to check that it was satisfied. Organisation A intends to make further use of PERS in the future and would recommend PERS to other organisations.

Organisation A would potentially be interested in being an annual 'subscriber' to PERS, if such an arrangement became possible. It was felt that this might help them 'stay ahead' of developments in legislation. It was also felt that regular training sessions (e.g. every 6 months) would be beneficial. A fee of approximately 2-3 per cent of payroll costs was not seen as unreasonable, although it was stressed that this would be matter for the organisation's management committee to debate.

3.2. Organisation B

Organisation B contacted PERS in July 2003 in an effort to ensure that the terms and conditions offered to its staff were up to date as far as developments in employment law were concerned. Organisation B had found out about PERS at the Beeston mela. PERS scrutinised the organisation's existing terms and conditions and made recommendations for change. As far as the contact could remember, the process took 3-4 months, during which time Organisation B responded to questions posed by PERS. The advice was regarded as very helpful as it resulted in an up-to-date awareness of employment rights and terms and conditions that were revised so as to be in line with recent legal changes.

Follow-up contact was made by PERS. Initially Organisation B wanted PERS to make a presentation to its staff. However, Organisation B changed its mind when it discovered that PERS intended to charge for this service. When the organisation first discovered PERS at the Beeston mela, it believed that PERS would provide its services free of charge. However, it subsequently discovered that only the initial consultation was free. Nevertheless, the organisation was satisfied with the service provided. Nor were the comments about cost intended as a criticism. The point the respondent was making was that Organisation B has little money and is able to meet many of its advice needs free of charge by using ACAS.

Organisation B would recommend PERS to other organisations. It would also potentially be interested in being an annual 'subscriber' to PERS, if such an arrangement became possible. It recently achieved an IiP accreditation and is keen to maintain its good practices. However, because of its financial situation, it would be unwilling to pay a subscription fee of more than £100 a year (this represents far less than 1% of payroll costs).

3.3. Organisation C

Organisation C contacted PERS in August 2003. It is a relatively new organisation. When its first end-of-year accounts were examined by WYCAS, the accountant pointed out that the organisation's employment contracts were not entirely consistent with employment legislation. WYCAS recommended PERS as a source of help and advice. PERS provided a model contract and model grievance, disciplinary, recruitment and selection procedures. The process took approximately 3 months. The advice that was provided met the needs of the organisation and meant that it was possible to issue appropriate employment contracts. PERS made contact on more than one occasion to check that Organisation C were satisfied. When asked in the context of the evaluation survey, the organisation's representative said that she was very satisfied with the service provided by PERS, that she would use PERS again and that she would recommend it to other organisations.

Organisation C would potentially be interested in subscribing to PERS on an ongoing basis. It was felt that it would be helpful to receive regular updates (possibly via email) concerning developments in employment law. However, it was felt that the organisation would only be able to afford to pay £40-50 a year (which represents far less than 1% of payroll costs) for such a service because of the precarious and short term nature of its funding.

3.4. Organisation D

Organisation D contacted PERS in October 2003. It was seeking legal advice on specific issues and contacted PERS because it had seen their services advertised at public events. PERS provided two half-day training sessions on employment rights for young people and employment law (the latter sessions was directed at the organisation's managers). The training met the needs of the organisation. PERS checked what the organisation wanted before running the sessions and was therefore able to provide training that was to some extent 'tailor-made'. The organisation's representative felt that, as a result of the training, it is now less likely that managers will 'put a foot wrong' and that the other staff will be better able to direct young people to benefits and services.

PERS made contact after the training had been provided in order to check that the organisation was happy. The respondent to the present survey said that Organisation D was very satisfied with the service that PERS provided, would use PERS again and would recommend PERS to other organisations. It was felt that PERS fills a gap by meeting the needs of small companies. Organisation D might be interested in becoming an annual subscriber to PERS, although this would depend on the extent to which PERS 'filled a niche' by providing services that are currently not available free of charge by using ACAS or the internet. The respondent could not say how much the organisation might be prepared to pay, although it was emphasised that it would not be prepared to pay very much because of its budget constraints.

3.5. Organisation E

Organisation E contacted PERS in February 2004 on the basis of a recommendation from a member of its management committee. Lifeforce wished to ensure that its contracts of employment met the requirements of current employment legislation. The organisation sent its standard employment contract to PERS, which responded with recommendations for changes. The consultancy took place over a period of 3-4 months and met the organisation's objectives. PERS contacted Organisation E to ensure that the recommendations had been received. The survey respondent said that the organisation was satisfied with the advice that PERS had provided, would use PERS again and would recommend PERS to other organisations, if it felt PERS could help them.

In the future, Organisation E may require assistance in implementing new policies and procedures. It was felt that the organisation might be interested in paying a subscription to PERS as it would find the support that PERS could offer reassuring. It might be willing to pay a fee of around 1-2% of its payroll costs.

3.6. Organisation F

Organisation F contacted PERS in 2003, having heard about PERS from a circular. PERS provided a member of the organisation with two days of training on issues relating to contracts of employment. Both of the training sessions were regarded by the survey respondent, who was the person who undertook them, as having been 'very good'. She said that her knowledge and

confidence had grown as a result. The survey respondent did not recall having received a follow up call from PERS or an assessment form to complete. She said that in her experience training organisations did not tend to engage in this kind of follow-up activity, but that it would have been appreciated. Nevertheless, she said that she was very satisfied with the service that PERS had provided. She also said that she would use PERS again and would recommend it to other organisations.

It was felt that Organisation F might be interested in becoming a subscriber to PERS, if an ongoing service was made available, although the respondent said that she was not aware of the range of services that PERS could provide. The willingness of the organisation to subscribe would also depend on cost, as Organisation F is a voluntary organisation. However, the respondent did not feel able to say what a 'reasonable' fee might amount to.

3.7. Organisation G

Organisation G contacted PERS in Autumn 2003. The organisation was seeking assistance and advice regarding its contracts of employment and wished to ensure that these complied with the current requirements of employment law. Organisation G discovered PERS via a personal contact. PERS advisors met with members of staff from Organisation G to discuss relevant issues. A new contract was drawn up and checked by PERS in order to ensure it complied with legal requirements.

The respondent said that Organisation G had been 'very satisfied' with the service provided by PERS and that it would use PERS again. She also said that she would recommend PERS to other organisations. The respondent was unsure what Organisation G's future needs might be. However, it was felt that the organisation might be interested in becoming a subscriber to PERS, and in particular would be interested in having contracts of employment reviewed on an annual basis. However, the respondent did not know how much Organisation G would be willing to pay for an annually renewable subscription.

3.8. Organisation H

Organisation H has used PERS on a number of occasions. In summer 2003 the organisation approached PERS for advice on employment law. The organisation required detailed advice on working time issues and best practice with regard to changing and updating terms and conditions of employment. The respondent could not recall how PERS had come to the organisation's attention, although she believed that PERS may have been recommended by the CAB in Bradford or by a trade union. The service provided by PERS resulted in the production of a staff handbook (this was the first time that the organisation had been able to supply such a document to employees).

The respondent said that her organisation had been very satisfied with PERS' assistance and that it would use PERS again. Organisation H would recommend PERS to other organisations.

The organisation might be interested in becoming a subscriber to PERS, if such a service became available. However, the respondent did not know how much the organisation might be prepared to pay in order to become a subscriber.

3.9. Organisation I

Organisation I contacted PERS in 2003 in order to ensure that the terms and conditions set out in the organisation's contracts of employment met the requirements of employment law. The respondent thought that PERS had probably been recommended by Voluntary Action Kirklees. PERS provided a one-day course that enabled Organisation I personnel to find out about various aspects of employment law. Additional information was subsequently sent by PERS and, as a result, Organisation I was able to update its employment contracts. PERS also made further contact in order to check the organisation was satisfied (in response to the current evaluation exercise, the respondent said that the organisation had been very satisfied).

The respondent said that Organisation I would use PERS again if it required assistance or advice and that it would recommend PERS to other organisations. However, the respondent did not think that Organisation I would be interested in becoming an annual subscriber to PERS as it prefers to address issues on an 'as and when basis'. Furthermore, it is currently facing funding difficulties.

3.10. Organisation J

Organisation J contacted PERS in early 2003 in order to seek advice about contracts of employment. Organisation J wished to revise its grievance and disciplinary procedures and wanted to ensure that its contracts of employment were in line with employment law. Organisation J thought of contacting PERS because a member of Organisation J's management committee had previously attended one of PERS's training courses.

PERS provided telephone advice and information. Organisation J sent PERS its written contracts, terms and conditions and procedures and PERS checked them and recommended changes. This process took about four weeks to complete.

The respondent said that the organisation had been reasonably satisfied with the service provided by PERS, although it appeared that PERS had initially failed to address the issue of the organisation's disciplinary and grievance procedures and that this was only done following a telephone call that Organisation J subsequently made to PERS.

Despite this apparent oversight, the respondent said that Organisation J would use PERS again and would recommend PERS to other organisations. She said that the organisation found it helpful to know that PERS can be contacted if issues arise and that the employment law bulletins that PERS had sent had been very useful.

The organisation's main need in employment relations terms is to ensure that its terms and conditions are updated in order to meet new legal requirements. The respondent thought that Organisation J might be interested in becoming an annual subscriber to PERS, although this would depend on cost. The respondent felt that subscription fees should be based on the number of employees in an organisation rather than the organisation's payroll cost. Organisation J currently subscribes to another organisation, which applies a sliding scale in respect of its charges. This organisation charges Organisation J £75 per annum (Organisation J has six employees).

3.11. Organisation K

Organisation K contacted PERS in late 2003 in order to seek advice regarding its staff handbook, employment contracts and employment law. Organisation K thought of approaching PERS because it had previously sent staff on training courses provided by PERS (when it was still operating as the Low Pay Unit). Organisation K personnel met with PERS advisers in order to explain what the organisation required. Organisation K also gave PERS copies of its policies,

procedures and staff handbook. PERS then highlighted which sections required updating, gave advice on what the content might include and laid out an action plan, which Organisation K implemented. As a result, the terms and conditions, policies and procedures and the handbook were updated. PERS subsequently sent Organisation K an evaluation form.

The respondent said that Organisation K had been satisfied with the service provided by PERS, that Organisation K would use PERS again and that it would also recommend PERS to other organisations. In principle, Organisation K would be interested in becoming a subscriber to PERS in the event that an annual subscription service became available. However, as far as employment law issues are concerned, Organisation K finds the fact that PERS states that it is not liable should its advice prove to be inaccurate a source of concern. The respondent therefore felt that Organisation K would tend to look towards PERS for training rather than employment law advice, which it was thought would necessitate the services of a solicitor. As far as a subscription fee is concerned, the respondent thought that Organisation K would be prepared to pay £20-70 per annum.

3.12. Organisation L

Organisation L contacted PERS for advice on employment policies. The organisation had known about PERS for years and had received leaflets. The respondent had also attended courses provided by PERS/The Low Pay Unit. With regard to the most recent service provided by PERS, the employment policies of Organisation L were thoroughly reviewed over a two-month period. Organisation L were thus able to modify and update their policies. PERS subsequently made follow-up contact with Organisation L to check that the organisation was satisfied.

In response to the present evaluation, the respondent said that the organisation was very satisfied with the assistance it had received and would use PERS again in the future. The respondent also said that he would recommend PERS to other organisations. As far as Organisation L's future needs are concerned, the respondent said that changes in employment law were likely to remain a concern. The respondent said that the organisation would consider becoming an annual subscriber to PERS, should the opportunity present itself in the future. However, he did not know how much Organisation L might be prepared to pay.

3.13. Organisation M

Organisation M contacted PERS in summer 2003. The respondent had recently become the manager of the coffee shop and wanted advice on grievance and disciplinary procedures and contracts of employment. PERS were approached because the respondent had attended training courses delivered by PERS in the past.

PERS provided Advanti with advice concerning contracts of employment and developed grievance and disciplinary procedures for the organisation. PERS subsequently telephoned to check that the organisation was happy with the assistance it had received.

The respondent said that the organisation was very satisfied with the service that PERS had provided and that she would have no hesitation in approaching PERS in the future. She also said that she would recommend PERS to other organisations and had already done so.

The respondent could not think of any additional assistance that Organisation M might need at the current time. However, she said that the organisation would possibly be interested in subscribing to PERS, should a subscription service be introduced in the future. She was not sure how much

Organisation M might be prepared to pay for such a service and felt that the government should ensure that small businesses were able to have access to such a service without charge.

Conclusion

The findings demonstrate that PERS' clients are generally highly satisfied with the service provided by the organisation. PERS has helped individual callers resolve a variety of work-related problems and almost all of those who responded to the survey stated that they would use PERS again should they require assistance or advice in the future. Those organisations that were contacted for the purposes of the evaluation expressed similarly positive views regarding the quality of the service they had received. While the experiences of the organisations differed to some extent, the findings suggest that PERS has addressed the needs of the organisations and that they are generally satisfied with PERS' approach to customer service (in terms of 'follow up' contact and so forth). The organisations contacted for the evaluation also indicated that they would happily recommend PERS to other organisations, which is further evidence of the extent of their satisfaction.