

BERR | Department for Business
Enterprise & Regulatory Reform

**EMPLOYMENT LAW ADMIN
BURDENS SURVEY 2008**

Technical Summary

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Employment Law Admin Burdens Survey 2008 – Technical Summary

Submitted to

The Department for Business, Enterprise and Regulatory Reform

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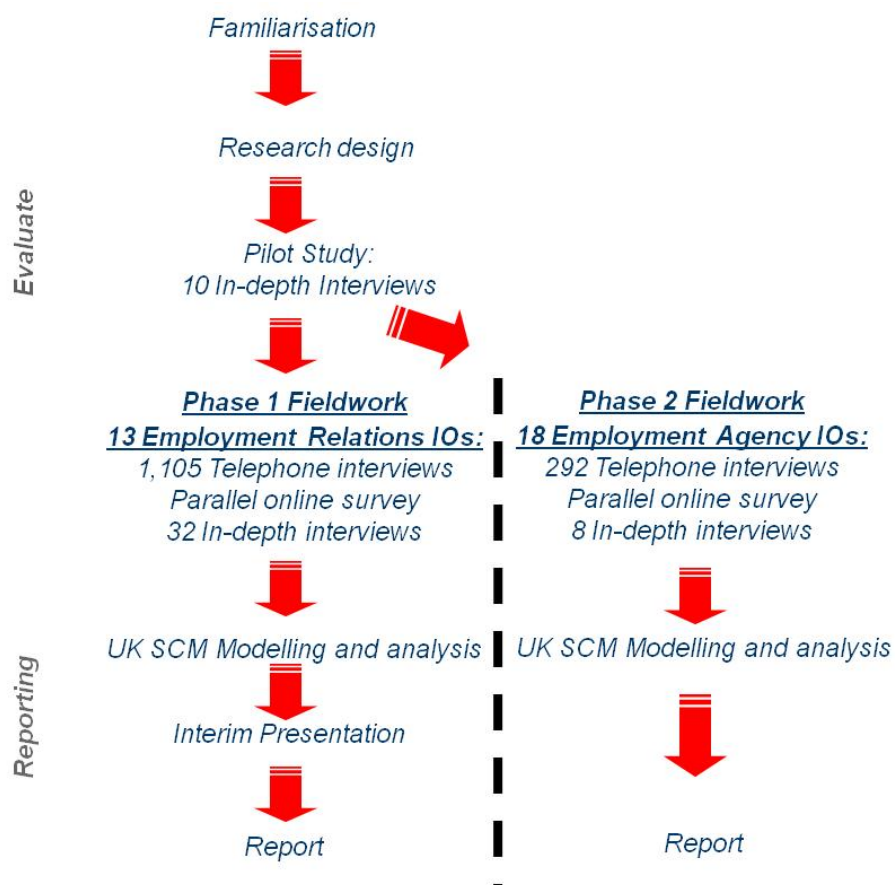
Contents

	Page
1 Introduction	1
2 Set-up and familiarisation	2
3 Research Design	3
3.1 Sample design	3
3.2 Questionnaire Design	5
4 Pilot study	8
5 Advance Mailing	10
6 Fieldwork - Telephone Interviews	11
6.1 Quality control during CATI fieldwork	11
7 Fieldwork - Online Surveys	13
7.1 Quality control in online surveys	13
8 Fieldwork - Case Studies	14
9 Fieldwork - Response Rate	17
9.1 Sample	17
9.2 CATI survey interviews	17
9.3 Response Rate and Confidence intervals	18
9.4 Total Sample for modelling purposes	20
10 Analysis - Standard Cost Model Methodology	22
10.1 Introduction	22
10.2 Administrative costs	24
10.3 Administrative Burden	26
10.4 Segmentation	26

10.5	Data Collection	27
10.6	Measurement	27
11	Analysis – Data analysis	33
11.1	Quantitative analysis	33
11.2	Confidence Intervals	33
11.3	Qualitative analysis	35
Appendix A:	Telephone Interview Questionnaire	37
Appendix B:	Rotations of Information Obligations during field period	59
Appendix C:	Advance mailing	60
Appendix D:	Online Survey	61
	D1 Hyperlink email to online survey	61
	D2 Online survey	62
Appendix E:	Case Study Topic Guides	71
Appendix F:	Detailed breakdown of sample loaded for CATI surveys	85
Appendix G:	BERR Background on Information Obligations	86
Appendix H:	ORC Quality Procedures & Accreditations; professional standards and legal compliance	94
	Quality procedures	94
	Quality accreditations:	95
	Professional standards:	95
	Legal compliance:	95
Appendix I:	ORC International Data Protection Procedures	96
	Paper information	96
	Electronic data	97

1 Introduction

The following document outlines the research programme adopted in the Employment Law Admin Burdens Survey 2008, and is an Annex to the report on the findings. The layout of the document is consistent with overall methodology of the research programme and is illustrated below:



Throughout the research programme we adopted procedures and measures to ensure the highest quality of output. This was facilitated by ORC's established quality procedures, detailed in Appendix H of this document.

2 Set-up and familiarisation

The first stage of the research project included a period of familiarisation with the UK SCM methodology and with the 2005 ABME exercise. This included review of the following material:

1. DTI ABME Report 2005
2. ABME 2005 Technical Summary
3. Employment Law Guidance Programme
4. Relevant Information Obligations – as provided by BERR in Appendix A
5. BERR Simplification Plans Summary 2007
6. BRE UK Standard Cost Model Manual
7. BRE Admin Burdens calculator and database ¹
8. Other documents generated by PwC during the 2005 ABME and provided to us by the BRE
 - a. Dealing with Business as usual costs in the UK;
 - b. Proposed approach to extrapolation of data;
 - c. 2005 Interviews by Region

As part of familiarisation, we undertook a series of interviews with Policy leads at BERR. The information gathered provided context on each Information Obligation (IO) and associated regulation. The information facilitated the development of a considered and comprehensive survey process, including subsequent briefing of the ORC project team, including call centre interviewers.

A project timetable was developed in conjunction with the COI/BERR project team to ensure timely delivery.

¹ Extracted IO information in Appendix F

3 Research Design

The second stage of the project involved the design of the research programme, including both sample and questionnaire design.

3.1 Sample design

For a study of this nature it is clearly important that the survey provides statistical rigour. The sample was designed to provide statistically reliable results within a margin of error of +/- 3%. Underlying our approach was the adoption of random probability sampling to gather information on business behaviour and IO incidence.

The sampling approach was designed to obtain representative views across a wide range of UK business types, sizes and regions. The random probability approach provided statistical rigour through which to establish incidence of each type of IO within a defined statistical margin of error. Rather than targeting specific IOs, this approach allowed the IOs to occur randomly within the survey. To this end, we developed a representative sampling frame to account for size of business (in terms of number of employees) and SIC code.

To ensure consistency with the PwC 2005 ABME, the sampling units for the survey were defined as:

- Employee size rather than employment size – *Employment* refers to the number of people on the payroll and includes working owners, so a “one man band” is employment size 1. *Employee* includes employees only, so the “one man band” is employee size 0. For this research, we sampled businesses with at least one employee (excluding working proprietor).
- Enterprise rather than establishment/local unit - When sampling by establishment/local unit there is a tendency to underestimate the retail sector. Given that we were looking at employment law administrative burden which we assume is centralized, our sampling unit was therefore *enterprise*.

Population figures for the sampling frame are based on an Inter Departmental Business Register (IDBR) extract from March 2008. The IDBR provides data on UK businesses who are employers or are VAT registered. The IDBR contains information for 2.1 million businesses in the UK, compiled from a number of sources including PAYE and VAT data. It is maintained by the Office for National Statistics (ONS) and their cooperation in providing the sample details is greatly appreciated.

The target sample size for the survey was calculated as 1,070, to give 95% confidence intervals no wider than +/-3% for the overall sample².

The business population is heavily skewed towards small businesses with 84% of businesses consisting of between 1 and 9 employees (as shown in table 3.1 below). In order to allow for meaningful analysis at the sub-group (employee size) level the sample was disproportionately stratified across the following strata to allow for the required level of analysis:

- Enterprises with 1 to 9 employees
- Enterprises with 10 to 49 employees
- Enterprises with 50-249 employees
- Enterprises with 250 or more employees.

An enterprise is defined as “the smallest combination of legal units (generally based on VAT or PAYE) which has a certain degree of autonomy within an enterprise group.”

(Source: National Statistics), <http://www.statistics.gov.uk/idbr/idbr.asp>)

Table 3.1 Business population breakdown by employee size band

	Number of enterprises	%
1 to 9 employees	1,030,410	84%
10 to 49 employees	168,365	14%
50 to 249 employees	28,150	2%
250+ employees	6,380	1%
Total	1,233,305	100%

Source: IDBR

A sample of 13,375 was drawn from the IDBR to account for the initial assumption that 20% of the sample would be lost from unmatched telephone numbers, leaving 10,700 records to take into the survey (a ratio of 10:1). However, the actual proportion of unmatched telephone numbers was underestimated and during the fieldwork it became apparent that due to the complexity of the research additional sample would be required to meet the target number of interviews. As 18 of the information obligations were specific to Employment Agencies (SIC code 745) we decided to boost the sample in this category. A decision was taken to secure additional sample to compensate for these circumstances. The total amount of sample received for this survey was 32,973, of which 9,391 was requested for employment agency specific IOs.

² The sample size calculations are based on meeting the precision for a 95% confidence interval around an estimate of a population percentage of 50 percent.

Whilst the sample would allow for robust reporting by employee size band, with size bands, the sample was proportionally stratified by grouped industry sector, to ensure the sample was representative by industry sector. The final sample frame is illustrated below:

Table 3.2 Sample Frame - Percentage allocation of sample across employee size bands and industry sector grouping

Sector Grouping	Employee size band				Total
	1 to 9	10 to 49	50 to 249	250 and above	
A, B, D	5%	6%	5%	3%	18%
F	4%	4%	1%	0%	10%
G	7%	7%	3%	2%	19%
H, I	5%	5%	2%	1%	14%
J, K excl SIC 745	10%	7%	4%	2%	24%
SIC 745	0%	1%	1%	1%	2%
M, N, O	4%	6%	2%	1%	14%
Total	36%	36%	18%	10%	100%

Note, industry sector groupings are arbitrary and Industry categories C (Mining and Quarrying) and E (Electricity, Gas and Water Supply) were excluded from the population frame due to only 1,215 enterprises in the UK.

- A Agriculture, Hunting and Forestry
- B Fishing
- D Manufacturing
- F Construction
- G Wholesale and Retail Trade, Repairs
- H Hotels and Restaurants
- I Transport, Storage & Communication
- J Financial Intermediation
- SIC 745 Employment agencies
- K excl SIC 745 Real Estate, Renting and Business Activities
- M Education
- N Health and Social Work
- O Other Community, Social and Personal Service Activities

3.2 Questionnaire Design

Following familiarisation we developed a questionnaire to:

- Utilise relevant SCM survey questions developed and employed in the 2005 ABME
- Establish awareness and use of existing simplification guidance and materials

In order to ensure we built on the 2005 research, we began our questionnaire development with a review of the 2005 questionnaire. We identified SCM relevant questions to include in our own survey. This was further modified in conjunction with BERR to include 5 sets of SCM activities:

Table 3.3 SCM activities included in the 2008 ABME

Activities used in interview	SCM Administrative Activity	Description of activity
Take time to read the rules and the available guidance (Familiarise & train)	SCM 1 SCM 14	Includes the time required by a business to read the rules and the available guidance for a given information obligation. Where regulations change at least once a year this includes specific training
Gather figures/information and assess their relevance (Information retrieval & Assessment)	SCM 2 SCM 3	Includes the retrieval of necessary figures and information needed to comply with a given information obligation
Prepare figures (- calculating, presenting checking, correcting)	SCM 4 SCM 5 SCM 6 SCM 7	Calculation, checking and correction of figures. Performing the relevant calculations needed for submission to the relevant authorities
Reporting activities (- written descriptions of data, submitting reports, etc.)	SCM 8 SCM 15 SCM 16	Includes preparing written descriptions for submitting returns and keeping records in order to comply with the information obligation
Hold meetings	SCM 10 SCM 11	Includes meetings held internally between the various personnel groups involved in complying with the information obligation and meetings held in cases where compliance with the information obligation requires meetings with lawyers or the like

Two activities included in the 2005 ABME exercise were deemed by the Department for Business as irrelevant to the IOs explored in the 2008 ABME exercise. These were the activities of: making settlements or payments; and inspections, as described in the table below.

Table 3.4 Omitted SCM activities in the 2008 ABME

Activities omitted from 2008 interviews	SCM Administrative Activity	Description of activity
Making Settlements or payments	SCM 9	Payment of tax, charges and the like
Inspections	SCM 12 SCM 13	Inspections by public authorities, correction resulting from inspection

At the same time, we also reviewed a number of relevant business survey questionnaires to enable us to adopt consistent measures and build on existing research where possible.

4 Pilot study

Following initial design of the questionnaire and sample frame, we undertook 10 in-depth exploratory interviews with a range of business contacts responsible for HR/Employment issues within their organisation. The interviews were structured around the questionnaire, but provided an opportunity for us to explore respondent processes associated with a range of Information Obligations before focusing on a particular IO. During the interview we covered each of the questions we planned to include in the main quantitative survey.

At the close of the interview, respondents were asked to consider each question and comment on the perceived ease, relevance and response categories of the questions. We also explored respondent understanding of the questions to cognitively test the questionnaire content. In cognitive testing, respondents explain their understanding of the questions. This process ensures questions are interpreted as intended and helps to pre-empt any potential sources of error.

The initial interviews also provided insight into the ease of interview completion amongst the required respondents.

The pilot study revealed a distinct split in IOs:

- 13 IOs across the regulation areas of: Written statements, flexible working applications, working time records, wage payment records, paternal leave and pay; and redundancy payment calculations.
 - IOs associated with business HR functions, or support processes related to employment of the workforce for businesses
 - Respondent profile: Business owners, Finance Directors, HR Directors/Managers, Office Managers
 - Varying frequency of IO completion – but generally able to estimate frequency over a 3 year period
- 18 IOs associated with Employment Agencies specifically
 - IOs associated with Employment Agency core business activity.
 - IOs common to all Employment Agency and Business activity
 - IOs specific to Employment Agency activity; and specific to Employment Business activity

- Four IOs specific to Modelling & Entertainment Employment Agencies only
- Respondent profile: Employment Agency Consultants or Senior Consultants.
- IOs undertaken on a daily and weekly basis – as part of job function; difficult to estimate frequency over three year period.
- Early experiences suggested that Employment Agency respondents were more difficult to engage than business respondents on average.

Following discussion with the COI/BERR project team we split the survey into two phases:

- Phase 1 – survey of the Employment Relations 13 IOs
 - 1,070 telephone interviews
 - 32 Case Study interviews
- Phase 2 – survey of 18 Employment Agency specific IOs
 - 288 telephone interviews
 - 8 Case Study interviews

The remainder of the Technical Summary focuses on Phase 1, encompassing the IOs described in the Employment Law Admin Burdens Survey 2008 report.

5 Advance Mailing

To encourage respondent engagement in the research, letters were sent out to all valid³ contact names in the sample database prior to commencement of the fieldwork. The letters, written by a BERR representative, were sent out in advance of the survey and outlined the research objectives and process. A copy of the letter is provided in Appendix C.

³ Section 3 outlines the means by which valid contact details were identified.

6 Fieldwork - Telephone Interviews

During August and September 2008, 1,105 telephone interviews were conducted with respondents that identified themselves as responsible for undertaking one of 13 Employment Relations Information Obligations.

The questionnaire used for the interviews can be viewed in Appendix A of this document.

Respondents were generally business owners, directors, HR/personnel managers – people responsible for supporting business processes.

One information obligation was surveyed per interview. Each interview also collected information on respondent awareness and feedback on specific guidance material developed as part of the Employment Law Guidance Programme (ELGP).

An important difference between our methodology and that of the 2005 research is that we did not target Information Obligations for interview. Instead, we began our interview by asking respondents which of the 13 information obligations they had undertaken in the last three years. Based on their response, interviewees were then directed or 'routed' to a particular IO they had undertaken. To ensure we obtained a representative spread of IOs, we applied a priority routing throughout the survey. This priority was rotated at various stages in the survey, according to the number of responses or 'measures' achieved for each IO at that point in time. Detail of the rotations is provided in Appendix B of this document.

6.1 Quality control during CATI fieldwork

All survey interviews were conducted using the Computer Aided Telephone Interviewing system (CATI) in the ORC International call centre. Through the use of Bellview Fusion software, large parts of the survey process were automated. This facilitated the interview process as well as providing a detailed on-line quality control mechanism and supervision of interviewers.

To ensure high quality data collection, we adopted the following measures:

- Prior to the commencement of field work all CATI scripts were fully tested by a member of the project team. Sufficient manual checks were completed to ensure that the questions were correctly filtered. This required as many permutations as available for each question.
- The survey was managed by a dedicated on-site Call Centre Project Manager who had a staff of Team Leaders and Quality Monitors at their disposal. These

team leaders and monitors worked across the team of interviewers, giving verbal feedback to facilitate interview completion.

- A single point of quality (Quality Officer) ensured consistency of standards.
- Interviewers and the call centre team were briefed in person by the project manager. All interviewers were provided with briefing notes explaining the purpose of the research and each of the questions on the questionnaire. The interviewers then completed a number of practice interviews to thoroughly familiarise themselves with the CATI script prior to going 'live'.
- Over the first week of field work, the project manager reviewed the results of interviewing on a daily basis to ensure that the questionnaires were working correctly and the data being captured accurately.
- The project manager closely monitored response rate across the IOs surveyed, systematically rotating the order in which the IOs were selected for measurement. This ensured a robust measure of all IOs.
- On approximately 5 occasions during fieldwork, the project manager visited the call centre to observe and review interview progress. The COI project manager also attended an early interview observation in the call centre. A debrief was provided to the call centre interview team on each occasion.
- All interviewers were formally trained in accordance with MRQSA and IQCS standards and all interviews were carried out in accordance with the Market Research Society Code of Conduct.
- Sample management was automated, which allowed us to monitor sample usage and progress against overall targets in real time. Multiple attempts may be made to contact each respondent. The outcome from each attempt was logged to ensure that each individual respondent was called at various times of the day and was not contacted repeatedly in one day. Where appropriate the interviewer was also able to arrange a convenient time to call back and conduct the interview.
- Data was handled in accordance with our established procedure, detailed in Appendix I, to ensure that respondent details were secure and that Data Protection Regulation was adhered to.

7 Fieldwork - Online Surveys

To further encourage response, an online survey was developed. The online survey mirrored the telephone survey for collecting information for the SCM only. The online questionnaire is included in Appendix D.

The online survey was used in two stages of the research:

1. Respondents who did not want to participate in a telephone survey were offered the opportunity to complete the survey online. If they agreed, they were emailed a hyperlink to the survey.
2. Respondents who completed the telephone survey were invited to participate in the online survey in order to provide information on further IO's. If they agreed, they were emailed a hyperlink to the survey.

The online survey was extensively tested prior to going live in field and the BERR project team were provided with an opportunity to review the material.

Following the online test period, final adjustments were made to improve the functionality of the online survey.

Overall, 24 surveys were completed online – these completions were for Section C only, and not the entire questionnaire.

- 14 respondents that did not want to participate in the telephone survey went on to complete an online survey
- 10 respondents that participated in the telephone survey went on to complete further IOs on the online survey
- 79 respondents only part-completed the online questionnaire and were thus omitted from analysis.

7.1 Quality control in online surveys

Prior to fieldwork, the online surveys were extensively tested by ORC International, COI and BERR project members. The introduction and flow of the survey were refined to facilitate respondent feedback. At the outset of the survey, respondents were invited to select as many IOs as they intended to provide information on. Where respondents had already taken part in a CATI survey, they were presented with a list of IOs excluding the IO they had provided responses to in the telephone survey. This enabled us to maintain a CATI database of consistent responses.

8 Fieldwork - Case Studies

At the outset of the 2008 Employment Law Admin Burdens research, case study interviews were to be completed as new data collection exercises. These interviews would be in addition to the call centre survey interviews⁴. The first topic guide was designed with this in mind, closely mirroring the survey questionnaire but with open probes after closed questions – to further enhance our understanding of the data collected.

As the project progressed it became evident undertaking the case studies as follow-up interviews to a selection of the call centre surveys would better meet the research needs than conducting a series of new, independent studies. In particular, implementing the case study interviews in this way allowed us to:

- Validate call centre interviews and further explore findings arising from the SCM measurement exercise
- Obtain feedback across the range of IOs – and ensure that we were able to obtain feedback on the related guidance material
- Target specific respondents according to their profile and responses to the initial CATI survey, including:
 - Geography, age and size of business
 - Respondents that had used BERR guidance
 - Respondents that provided ‘outlier’ time allocations for the IO completion (i.e. very high time allocation)
 - Respondents that undertook a wide range of IOs

We thus adapted our approach and recruited case study respondents from the sample of achieved call centre interviews. Accordingly, we increased the number of call centre interviews from 1,070 to 1,105 to include the additional case study interviews.

Adhering to the UK SCM methodology, the topic guide closely mirrored the call centre questionnaire, with open probes throughout to obtain further insight into respondent feedback at each point in the questionnaire. The topic guide is available in Appendix E.

The topic guide also explored response to online material that had been developed for a select group of IOs, namely:

⁴ 1,070 call centre interviews for Employment Relations IOs and 288 for Employment Agency IOs

- Businesslink tool for producing (or amending) a written statement of employment particulars - www.businesslink.gov.uk/writtenstatement
- Businesslink proforma for obtaining an employee opt-out from the 48 hour working week limit www.businesslink.gov.uk/workingtimeflowchart
- Businesslink / Government guidance on working time records keeping www.businesslink.gov.uk/workingtimeflowchart
- Businesslink proformas for processing employees' requests for Flexible working arrangements www.businesslink.gov.uk/flexibleworkingschemes
- Businesslink proforma for postponing parental leave www.businesslink.gov.uk/Employing_People_files/Parental_leave_Letter_for_employer_to_notify_postponement_of_parental_leave_1.doc from this page <http://www.businesslink.gov.uk/bdotg/action/detail?type=RESOURCES&itemId=1080909887&r.s=sl>
- Businesslink proforma for declining employees' requests for statutory paternity / adoption pay- <http://www.businesslink.gov.uk/bdotg/action/detail?r.l1=1073858787&r.l3=1080898067&type=RESOURCES&itemId=1080903179&r.l2=1080898061&r.s=sc> for paternity or <http://www.businesslink.gov.uk/bdotg/action/detail?r.l1=1073858787&r.l3=1080898067&type=RESOURCES&itemId=1080903182&r.l2=1080898061&r.s=sc> for adoption
- Businesslink redundancy calculator tool www.businesslink.gov.uk/redundancycalculator
- Businesslink / Government guidance on National Minimum Wage records keeping <http://www.businesslink.gov.uk/bdotg/action/detail?r.l1=1073858805&r.l3=1074402393&type=RESOURCES&itemId=1074404097&r.l2=1073859167&r.s=sc>

Once recruited, each case study Interview was emailed a hyperlink to the guidance material that was associated with the Information Obligation they were initially interviewed on in the call centre interview. They were requested to review the material associated with the hyperlink before the interview commenced. This review ensured respondents were able to provide valid feedback on the guidance material.

Thirty two case studies were completed across the six employment regulation areas surveyed. These interviews were undertaken exploring specific IOs and guidance in each of the following areas:

Table 8.1 Completed case studies by employment regulation area

COMPLETED CASE STUDIES BY REGULATION AREA	
Written Statements of Employment Particulars	9
Flexible Working Time applications	6
Working time records and opting out of the 48 hour working week	5
Records of National Minimum Wage Payments	3
Paternal leave and pay	6
Redundancy calculations	3
TOTAL	32

9 Fieldwork - Response Rate

9.1 Sample

In total, a sample of 23,579 was drawn from the IDBR. Following de-duping a sample of 21,862 remained. This sample was telephone number matched where appropriate (11,142 pieces of sample with no or invalid telephone numbers). Of this sample, valid telephone numbers were successfully added to 5,917 pieces of sample. The total sample with valid phone numbers (16, 616) was then loaded into the CATI system for the telephone interviews. The table below shows the breakdown of sample from the total requested from the IDBR to the total sample loaded.

Table 9.1 Breakdown of sample

Sample	
Total sample requested from the IDBR	23,582
Total sample after de-duping	21,841
Total sample with valid telephone number	10,699
Total sample with no/invalid telephone number	11,142
Total sample successfully number matched	5,917
Total sample with valid telephone number following number matching	16,616
Total sample held in reserve	2,894
Total sample loaded	13,772

9.2 CATI survey interviews

Overall, 1,105 interviews were completed by telephone. The table below shows the breakdown of the sample loaded.

Table 9.2 Breakdown of sample loaded onto the CATI system

Outcome	
Total sample loaded	13,722
Achieved CATI interviews	1,105
Achieved web interviews	24
Contacted sample but no interview	4,592
Sample not eligible or No contact	4,609
Other outcome	957
Leads still alive	2,459

A more detailed table of outcomes is shown in the Appendix D.

The telephone survey enabled us to identify respondents who were willing to take part in a case study interview.

9.3 Response Rate and Confidence intervals

The number of contacts loaded on the system and dialled or sent a hyperlink to the online survey was 13,722. In total, 1,105 telephone interviews were achieved.

Across the four employee size bands, achieved interviews were as follows:

- 270 interviews (24%) were achieved within employee size band 1-9;
- 436 interviews (39%) were achieved within employee size band 10-49;
- 273 interviews (25%) were achieved within employee size band 50-249;
- 118 interviews (11%) were achieved within the largest size band (250 or more employees).
- In addition, 8 respondents did not know their employee size band.

Response rates by employee size bands and industry sector are shown in the tables below, and have been calculated using the following formula:

Response rate on total loaded sample = achieved interviews / total sample loaded

Overall Telephone response rate = 1105 / 13,722 x 100 = 8.1%

Table 9.3 CATI survey response rates by employee size band

Employee size band	Number in loaded sample	Number in achieved sample	Response rate
1-9	4,177	270	6.5%
10-49	4,903	436	8.9%
50-249	2,946	273	9.3%
250+	1,696	118	7.0%
Total*	13,722	1,105	8.1%

* (includes 8 respondents who didn't know their employee size)

Table 9.4 CATI survey response rates by industry sector

Industry sector (from SIC code)	Number in loaded sample	Number in achieved sample	Response rate
A, B, D	2,633	206	7.8%
F	1,253	85	6.8%
G	2,612	205	7.8%
H, I	1,838	147	8.0%
J, K incl. SIC 745	3,350	268	8.0%
M, N, O	2,036	194	9.5%
Total	13,722	1,105	8.1%

* (includes 8 respondents who didn't know their employee size)

Response rates were consistent across business size and industry sectors, ranging from 6.8% to 9.5%. Smaller businesses were less likely to respond than large firms.

9.4 Total Sample for modelling purposes

The final number of responses for modelling (Section C - SCM relevant questions) is reflected in the table below:

Table 9.5 CATI survey + Web Responses for Section C only (including respondents that completed more than one IO)

	CATI Section C responses	Web ⁵ Section C responses	Total Section C responses	Final modelling data set ⁶
Provided all employees with a written statement of employment particulars	258	5	263	259
Made changes to the statement of employment particulars	91	1	92	90
Approved/refused a request for flexible working	140	3	143	142
Had an employee appeal your refusal for flexible working - where you have upheld your refusal	7	0	7	7
Withdrawn an employee's application for flexible working on the basis of their poor behaviour	6	0	6	6
Maintained records of workers' working time	122	8	130	123
Kept records of workers covered by the max working week requirements and who opted out of the 48-hour p.w limit	64	1	65	61
Obtained employees written consent where you wished them to work more than 48 hours in seven days	91	0	91	90
Kept a record of payments made to workers who qualify for the National Minimum Wage	151	2	153	151
Postponed a period of parental leave	12	0	12	12
Declined an employees request for statutory paternity/adoption pay	8	0	8	8
Informed temporary staff - employed for short-term cover - when their employment would end	68	1	69	67

⁵ Includes 10 Section C completions by respondents that completed the telephone interview, in other words providing information for 2 IOs.

⁶ Final modelling dataset after removal of incomplete SCM responses

For redundancy payments, provided written breakdowns to employees showing calculations	87	3	90	90
	1105	24	1129	1106

10 Analysis - Standard Cost Model Methodology

10.1 Introduction

The Standard Cost Model (SCM) is an internationally recognised methodology developed to provide a simplified, consistent method for estimating the administrative costs imposed on business by central government. It takes a pragmatic approach to measurement and aims to provide indicative estimates that are consistent across policy areas. Refer to *Measuring Administrative Costs: UK Standard Cost Model Manual*⁷ for further details.

The primary objective in our research was to use the UK SCM methodology to measure administrative costs and burden for a set of selected IOs relating to employment regulation. Thirteen IOs were associated with employment as a business support function. Details of the relevant IOs are shown below.

⁷ <http://www.berr.gov.uk/whatwedo/bre/policy/simplifying-existing-regulation/administrative-burdens/page44061.html>

Table 10.1: Information Obligations measured in the ABME 2008 Research - with assumed Quantity and Business as Usual figures

Orig DRID	Regulation Description	Obligation Alternative Description	2005 Quantity	2005 Business as Usual
2328	WRITTEN STATEMENTS/ CONTRACTS	Provided all employees with a written contract of employment	3689268	20%
5798	WRITTEN STATEMENTS/ CONTRACTS	Providing a revised contract of employment if any changes are made to the particulars of employee's contracts and providing notice of this within one month of those changes.	1210768	20%
30371	FLEXIBLE WORKING ASSESSMENTS	Provided an employee with written notice of the decision relating to a request for a contract variation agreed; or the prescribed grounds for refusal where the application is turned down	229500	20%
30411	FLEXIBLE WORKING ASSESSMENTS	Notified the employee, in writing, when you uphold your decision to refuse an application to change working arrangements after the employee has appealed	14344	20%
30463	FLEXIBLE WORKING ASSESSMENTS	Confirmed the withdrawal of an application for a contract variation to change working arrangements to the employee in writing in certain circumstances, for example, where the employee has failed to attend meetings	22950	20%
718	WORKING TIME	Maintained records of workers' working time to <i>demonstrate whether certain working time limits</i> are being complied with in the case of each worker employed	58000	20%
17590	WORKING TIME	Kept up-to-date records of all workers who are covered by the maximum working week requirements and have opted out of the 48-hour per week limit	123085	13%
25524	WORKING TIME	Obtained an employees written consent if you wish a worker to perform work for an average of more than 48 hours in seven days	123085	0%
1005	NMW RECORDS	Kept a record of payments made to workers who qualify for the National Minimum Wage	184000	0%
2601	MATERNITY / PATERNITY ISSUES	Communicated to relevant employees in writing when you (the employer) wish to postpone a period of parental leave - e.g. stopping early maternity leave	17950	10%
27708	MATERNITY / PATERNITY ISSUES	Provided an employee, who has given evidence of entitlement to statutory paternity / adoption pay, with the details of a decision not to make payments and the reasons for the decision	6447	10%
34002	MATERNITY / PATERNITY ISSUES	Provided written notice to temporary employees that their employment will be terminated in situations where they are providing short-term cover for another employee because of maternity or medical grounds	2000	8%
3460	REDUNDANCY	Provided written breakdowns to employees showing how their redundancy payment has been calculated	123480	24%

The modelling uses data gathered from the primary research to replicate the costs associated with each of the IOs being investigated in the research. As such, we take the primary data and calculate the cost of each IO based on the framework provided by PwC.

10.2 Administrative costs

The SCM provides a framework methodology for measuring the administrative costs associated with compliance with government regulation. These costs are measured through a set of established administrative activities that businesses are required to conduct for compliance. Each activity is a particular task or process that must be completed. For the ABME 2008 calculations the following activities were measured:

Familiarisation (with the information obligation) - taking time to read the rules and the available guidance

Gathering / Preparing – gathering figures/information and assessing their relevance

Preparing / Submitting – preparing figures (calculation, presenting, checking, correcting)

Calculation / Correction / Reporting – undertaking reporting activities (written descriptions of data, submitting reports, etc)

Meetings – holding meetings

Calculation of administrative costs is done using the SCM methodology, and involves a number of cost parameters collected from survey respondents or drawn from the Administrative Burden Calculator⁸:

Price: Price consists of *wage costs* (plus overhead, non-wage costs) for activities done internally or hourly cost for external service providers and *time*; the amount of time (in hours) required to complete the activity.

Wage costs for each activity undertaken internally were taken from the Admin Burdens database. This was to allow for consistency and comparability.

⁸ <https://www.abcalculator.berr.gov.uk/>

External costs for goods and services were provided by survey respondents where applicable. External Goods – eg postage, printing, software, technical equipment/machinery, prepared guidance materials/manuals/proformas. External Services – external professional services eg lawyers, accountants, business advisers, trade association.

Quantity: Quantity comprises the *size of the population* of businesses affected by the information obligation and the *frequency* - the number of times in a given year that the information obligation has to be carried out.

Combining these elements give the basic SCM formula for calculating Administrative Costs as illustrated below:

$$\text{Price x Quantity} \\ = ((\text{wage costs x time taken}) + \text{external costs}) \times (\text{population x frequency})$$

Table 10.2 Calculation of administrative costs

Administrative cost	= Internal cost (Time £) + External Cost
Internal Cost	= Wage rate (£) x Time (Hours)
Wage Rate (£) x Time (Hours)	Telephone questionnaire ⁹ : QC4 – C8
External Cost	= External Services (£) + External Goods (£)
External Goods	Telephone questionnaire ¹⁰ QC9 & C12
External Services	Telephone questionnaire ¹¹ : QC9, C10 & C11
Population x Frequency	x [Population x Frequency]
	Quantity measure provided by the department

⁹ Refer to Appendix A

¹⁰ Refer to Appendix A

¹¹ Refer to Appendix A

10.3 Administrative Burden

The administrative burden is that part of the cost that is directly attributable to compliance with the regulation – i.e. that business undertake solely in order to comply and that is not part of a wider business ('business as usual') process.

The fundamental concept of the SCM is that it measures a normally efficient business. This is taken to mean businesses within the target group that handle their administrative tasks in a normal measure. The UK SCM measurement covers regulation that affects active business operating in the UK only. Businesses included are those defined as being in the private sector and include charities and the voluntary sector.

The administrative burden of an information obligation is the administrative cost minus the % of activity that business would usually carry out (Business as Usual).

Table 10.3 Calculation of administrative burden

<i>Administrative burden</i>	<i>= Administrative Cost - Business as usual</i>
'Business as usual'	Estimate provided by Department

10.4 Segmentation

The SCM specifies that appropriate segmentation is necessary to reflect differing cost/resource structures in businesses. Whilst SIC code and business size were considered in the design for the sample, the only segmentation used in the SCM modelling was firm size, as firms of different sizes face different resource and cost constraints. A regulatory change may be substantially less significant in its impact on a large business with resources dedicated to dealing with such changes when compared with a small business where taking on a change means diverting resources from other activities and incurring unplanned costs¹². In the final report, administrative costs and administrative burdens have been presented in aggregated format for each IO and are not split out by firm size.

10.5 Data Collection

Three methods of data gathering were adopted: Telephone and online survey interviews and in-depth case study interviews. Our method predominantly relied on telephone survey interviews to collect a robust reflection of the administrative costs. In accordance with the model, we also made use of in-depth interviews, or case studies, to validate and explore telephone responses.

10.6 Measurement

In arriving at cost and burden estimates, we adopted the UK SCM measurement method, utilising a series of data from the PwC 2005 ABME research dataset. The process involved 10 steps.

Step 1

The first 10% of interviews (approximately 100) were analysed to enable us to successfully replicate the PwC database.

Step 2

Valid respondents were defined as those providing a sufficient amount of information for each specific IO interviewed. Outlier values were removed on a respondent level basis from each variable with outliers being defined as a value two times the standard deviation across all respondents for each particular variable¹³.

Where a measurement was identified as a potential outlier it was subjected to a manual review to establish the potential reasons for the measurement appearing to be an outlier. Each respondent was asked to describe the process they undertook when they last compiled the information obligation and this information, together with

¹² BRE UK Standard Cost Model Manual

¹³ The outlier process is the removal of data points from the data set that are ruled to be outside of the range of typical responses.

the characteristics of the business in terms of its size and the perceived difficulty in fulfilling the obligation was taken into account in the review.

Step 3

Analysis was conducted at the company size level where data permitted to account for the disproportionate impact of micro-level companies who complete the IOs. Where data did not permit this detailed level of analysis, administrative costs were calculated across all company sizes in aggregate.

The table below presents the number of data points for each IO by company size, and indicates whether analysis was conducted on the aggregated data or by company size.

Table 10.4 Final data points for each IO by company size

Orig DRID	TOTAL	Micro (1-9)	Small (10-49)	Medium (50-249)	Large (250+)	Analysis
2328	259	57	124	59	19	Modelling by company size
5798	90	18	54	15	3	Modelling by company size
30371	142	24	53	39	26	Modelling by company size
30411	7	1	2	3	1	Modelling on aggregated data
30463	6	2	2	0	2	Modelling on aggregated data
718	123	46	57	16	4	Modelling by company size
17590	61	7	28	21	5	Modelling by company size
25524	90	10	38	30	12	Modelling by company size
1005	151	43	67	38	3	Modelling by company size
2601	12	1	6	2	3	Modelling on aggregated data
27708	8	1	3	2	2	Modelling on aggregated data
34002	67	11	21	24	11	Modelling by company size
3460	90	10	34	31	15	Modelling by company size

Step 4

In keeping with the PwC 2005 ABME method, we relied on respondents' first time estimate of IO completion to direct our analysis. Time spent on each activity was initially recorded in hours. For modelling purposes, we took the mean average time spent on each activity, converted it to minutes and then re-proportioned it to align with the total time estimate. This process addressed the natural variation that arises between absolute and aggregate data.

Step 5

Wage information for the SCM model was executed by using the standard wage rates for each title/position used in the 2005 ABME. Survey data responses indicated what position executed each specific activity and the 2005 wage rates were incorporated on a respondent-by-respondent basis for each activity to complete an IO. The wage rates were then averaged across respondents to yield the average wage per activity.

Wage rates and associated position involved in carrying out of each activity¹⁴:

Table 10.4 Wage Rates used for different staff types¹⁵

TITLE	Code as per data gathering	Wage rate (£ per hour)	Occupational groups included	Occupation codes (as per ASHE)
OWNER/FAMILY MEMBER	1	£16.23	The ASHE survey does not distinguish Owners/ Family Members, therefore the average rate for senior managers has been used	
DIRECTORS	2	£46.04	Directors and CEOs of major organisations	1112
SENIOR MANAGERS	3	£16.23	-Production managers - Functional manager - Quality and customer care manager - Financial institutional and office manager -Managers in distribution, storage & retailing -Managers & proprietors in agriculture and services	112-116, 12
OTHER MANAGERS	4	£16.23	-ASHE does not distinguish between Senior Managers and Managers so the same rate as Senior Manager was used -Trustees have been included in	

¹⁴ Wages rates for each category of staff are based on the Office for National Statistics Annual Survey of Hours and Earnings, In the 2005 ABME, a standard value of time was derived for each of the categories based on the median hourly wage rate (excluding overtime) across the UK in 2005 by matching the ASHE occupational groups to those used in the data gathering and then calculating the weighted average median wage using the number of jobs in each occupational group as the weight.

¹⁵ Details as per PwC 2006 Technical Report, pp 19

			this category	
INTERNAL PROFESSIONALS (E.G. LAWYERS, ACCOUNTANTS)	5	£18.00	Professional occupations (includes Science and Technology, Engineering, Health, Teaching and Research, Legal, Business and Statistical)	2
TECHNICIANS (E.G. IT SPECIALISTS)	6	£12.70	Associate professional and technical occupations	3
ADMINISTRATIVE AND CLERICAL STAFF	7	£8.28	Administrative and secretarial occupations	4
SKILLED / UNSKILLED TRADES	8	£7.27	-Skilled trades occupations -Elementary Occupations	5, 9
OTHER – SPECIFY	49	£9.48	-Personal service occupations -Sales and customer service occupations -Process, plant and machine operatives - Volunteers have been included in this category	6,7,8

Step 6

To calculate the total internal costs, the time was multiplied by the wage rate for each activity (wage costs x time taken) and then summed.

Step 7

External costs were calculated for external goods and external services separately. For the external services, values were eliminated when the respondent indicated that the amount provided was either not exclusively for the completion of the IO or if the respondent did not know if the amount given was exclusively for the completion of the IO. Missing values and removed values were assumed to equate to £0 being spent on both external costs and external goods.

Step 8

Calculation of the total unit cost was achieved by estimating the total unit cost of each IO for each company size, where data permitted. These amounts were then combined through proportionally representing the volume of each company size. Population amounts (or quantities) for these calculations were obtained from 2005 ABME information. The quantity figures adopted in the 2008 ABME are illustrated in Table 10.1.

Step 9

Final calculation of the administrative cost and administrative burden was achieved through implementing PwC's process of SCM measurement. This process was validated by replicating PwC's estimates using information in the BERR administrative calculator.

The total administrative costs are calculated as the sum of the time related costs plus the expenses incurred in procuring the necessary external goods and services.

Administrative burden is calculated as the administrative cost less business as usual costs. The business as usual figures adopted in the 2008 ABME are illustrated in Table 10.1.

Step 10

Comparisons were made with PwC's 2005 ABME estimates in order to measure the change in administrative burden.

The following template outlines the measurements derived from survey responses and those from the ABME 2005 used to arrive at the administrative cost and administrative burden for each IO.

Activity	Time (hours)	Wage (£ per hour)
Familiarisation	[Blue bar]	[Green bar]
Gathering / Preparing		
Preparing / Submitting		
Calculation / Correction / Reporting		
Meetings		
External Goods		[Blue bar]
External Services		[Blue bar]
Frequency		[Green bar]
Population		[Green bar]
Business as Usual Costs		[Green bar]
[Blue bar] Estimates from survey respondents		
[Green bar] Measurements from Admin Database		

11 Analysis – Data analysis

11.1 Quantitative analysis

Once interviewing was complete, top-line results were produced and checked for quality. Interim topline data was submitted to both the COI project manager and the BERR project team.

Following the completion of all telephone interviews, the survey data was handed over to our Data Services department for proof-reading and coding of the verbatim responses. All open responses were proof-read to enhance data quality.

Any 'other' response categories above the 10% mark were analysed for further coding. This involved a process of first reviewing the list of responses, and then designing a code-frame within which the responses could be classified.

The quantitative data was processed and analysed by the ORC Data Processing Department using Merlin Software to produce data tables. Once significance tested and tabled, analysis enabled patterns of responses to be identified.

11.2 Confidence Intervals

In interpreting the results the following should be borne in mind: with a sample, all results are subject to sampling tolerances, which means that not all differences are significant. As a rule of thumb, results based on the full sample are reliable to ± 3 percentage points, while sub-groups will have a wider margin of error. Any results based on samples of 100 or below have a margin of error of at least ± 10 percentage points, and should be treated as indicative only.

Table 11.1 below provides a guide to statistical reliability and shows the 95% confidence intervals for each employee size band for a range of expected proportions. For example, for employee size band 1-9 we achieved 270 interviews – if 50% of these respondents responded positively to a question in the survey, we can be 95% confident that between 44% and 56% of all UK businesses of the same size would share this view.

Table 11.1 95% Confidence intervals for different expected proportions by employee size band

Employee size band	Achieved interviews	95% Confidence intervals for different expected proportions			
		50%	40% or 60%	30% or 70%	20% or 80%
1-9	270	+/- 6.0	+/- 5.8	+/- 5.5	+/- 4.8
10-49	436	+/- 4.7	+/- 4.6	+/- 4.3	+/- 3.7
50-249	273	+/- 5.9	+/- 5.8	+/- 5.4	+/- 4.7
250+	118	+/- 8.9	+/- 8.7	+/- 8.2	+/- 7.1
Total *	1,105	+/- 2.9	+/- 2.9	+/- 2.7	+/- 2.4

* (includes 8 respondents who didn't know their employee size)

Significance

We tested the data for significance differences at the 95% confidence interval. This was conducted for all mutually exclusive subgroups (or cross tabulations) and is available in the full set of data tables. Throughout the tables in the report, any significant differences between the subgroups are denoted by an asterisk, with an alphabetic letter indicating the column (origin) of difference.

Where we report on significant differences between samples of 100 or below, the observed differences will be large. Even though we are able to identify significant differences for these sample sizes, findings for sample sizes 100 or less should only be treated as indicative.

The following table provides a guide on the minimum level of difference between subgroups that would be statistically significant.

Table 11.2 Statistical significance between subgroups for different expected proportions

Subgroup 1 (achieved interviews)	Subgroup 2 (achieved interviews)	Size of difference required for significance at or near these percentage levels		
		50%	30% or 70%	10% or 90%
		+/-	+/-	+/-
Employee size band 1-9 (n=270)	Employee size band 10-49 (n=436)	8	7	5
Employee size band 1-9 (n=270)	Employee size band 50-249 (n=273)	9	8	5
Employee size band 1-9 (n=270)	Employee size band 250+ (n=118)	11	10	8
Employee size band 10-49 (n=436)	Employee size band 50-249 (n=273)	8	7	5
Employee size band 10-49 (n=436)	Employee size band 250+ (n=118)	11	10	7
Employee size band 50-249 (n=273)	Employee size band 250+ (n=118)	11	10	8

95% confidence interval

For example, if 70% of respondents in employee size band 1-9 responded positively, the result for employee size band 10-49 would have to be 77% to show a statistically significant difference.

11.3 Qualitative analysis

With the permission of respondents, all the case study interviews were audio-recorded. This enabled detailed notes to be made immediately following the interview and ensure that maximum benefit and insight was gained. It also facilitated the inclusion of illustrative quotations at the reporting stage.

The qualitative case study feedback was analysed to identify trends and patterns emerging from the feedback, particularly where consistent with the quantitative findings. In this way, we were able to use the case study feedback to explain some of the variances observed in the survey.

Appendix A: Telephone Interview Questionnaire

ORC International BERR 95201

NOTE:

- CORE SAMPLE = PHASE 1 TOP 13 IOs

- EMPLOYMENT AGENCY (EA) SAMPLE = PHASE 2 – EMPLOYMENT AGENCY SPECIFIC IOs

IF SWITCHBOARD OR SECRETARY: Good morning/good afternoon, may I speak with

CATI TO ROUTE ACCORDING TO SAMPLE SOURCE:

CORE SAMPLE [PHASE 1 – TOP 13 INFORMATION OBLIGATIONS]

[RESPONDENT NAME IF AVAILABLE FROM SAMPLE LIST/ THE PERSON WITHIN YOUR ORGANISATION RESPONSIBLE FOR HR/EMPLOYMENT ISSUES?

IF ASKED WHY: I'm calling from ORC International, regarding research we are conducting on behalf of the Government's Department for Business, Enterprise and Regulatory Reform (or Department for Business as it's more commonly known), which was formerly the Department of Trade and Industry (Dti). The Department for Business has set itself targets to reduce the time and expense that businesses spend complying with employment law. I need to speak to the person responsible for Personnel/Human Resource/employment issues. This includes recruitment, employment contracts, maternity/paternity leave, working time and minimum wage records.

IF REFERRAL: May I please have the name and contact number for the person with whom I should speak?

WHEN THROUGH TO THE RIGHT PERSON:

Good morning / afternoon. My name is and I am working for an independent market research company called ORC International. Can I confirm that you have responsibility for HR/employment issues within your organisation, including one or more of: recruitment, employment contracts, maternity/paternity leave, working time and minimum wage records?

CORE SAMPLE NOW GO TO 'ASK ALL' BELOW

EMPLOYMENT AGENCY SAMPLE [PHASE 2 – EMPLOYMENT AGENCY (EA) INFORMATION OBLIGATIONS]

[RESPONDENT NAME IF AVAILABLE FROM SAMPLE LIST / A MANAGER OR CONSULTANT RESPONSIBLE FOR PLACING TEMPS OR EMPLOYERS WITH EMPLOYERS]

IF ASKED WHY: I'm calling from ORC International, regarding research we are conducting on behalf of the Government's Department for Business, Enterprise and Regulatory Reform (or Department for Business as it's more commonly known), which was formerly the Department of Trade and Industry (Dti). The Department for Business has set itself targets to reduce the time and expense that businesses spend complying with employment law. I need to speak to a

manager or consultant who will know about the processes you work to when taking on people looking for work and when liaising with organisations seeking staff.

IF REFERRAL: May I please have the name and contact number for the person with whom I should speak?

WHEN THROUGH TO THE RIGHT PERSON:

Good morning / afternoon. My name is and I am working for an independent market research company called ORC International. Can I confirm that you know about the processes you work to when taking on people looking for work and when liaising with organisations seeking staff. This includes acting on behalf of prospective job seekers, employers or hirers, and advertising job information?

And can I check, do you deal with the modelling and / or entertainment industries?

Yes – READ OUT We have a specific team dealing with those employment sectors, many thanks for your time today, one of my colleagues will call you again in the next couple of weeks. THANK AND CLOSE CATI INSERT FLAG ON SAMPLE.

No – continue

Don't know - continue

ASK ALL:

We are conducting a survey on behalf of the Department for Business Enterprise and Regulatory Reform (or Department for Business as it's more commonly known), which was formerly the Department of Trade and Industry (Dti). You may recall having received a letter from us a few weeks back providing details on this research?

The survey will identify ways to help reduce the time businesses spend complying with employment law. All of your comments are confidential and your details will not be shared with any third parties. This research is not about whether you are law abiding, it's more about how long it takes you in your efforts to be so.

The survey will last 15-20 minutes. Are you interested in taking part in the survey?

IF WILLING TO PARTICIPATE IN INTERVIEW: CONTINUE WITH MAIN SURVEY

IF NOT WILLING TO PARTICIPATE IN INTERVIEW: That's no problem. Would you be interested in completing an online survey, providing us with information on the activities you undertake to meet the requirements specified by employment law?

IF WILLING TO PARTICIPATE IN ONLINE COMPONENT: Obtain email address and send Hyperlink

IF NOT WILLING Thank you and close

SCREENER

Before we start, can you please confirm whether or establishment is:

READ OUT, SINGLE CODE

A private sector business	1
A public sector business	Thank and close
A voluntary sector organisation	3
Other (WRITE IN)	4
DO NOT READ OUT Don't know	X

CORE SAMPLE ONLY, ASK A1 AND A2

EA SAMPLE GO TO A3

Section A ESTABLISHING INFORMATION OBLIGATION ACTIVITY

A1 Are you responsible for any of the following?

CATI TO RANDOMISE

(READ OUT AND TICK ALL THAT APPLY)

Maintaining working time records	1	A2 – 1, 2, 3
Maintaining National Minimum Wage records	2	A2 – 4
Assessing flexible working time applications from staff	3	A2 – 5, 6, 7,8
Providing written contracts of employment to employees	4	A2 – 9,10
Assessing maternity / paternity leave & pay requests	5	A2 – 11,12,13
Undertaking redundancy payments	6	A2 - 14
None of the above	20	A1.1

A1.1 Are you able to give me the name or put me through to the person who is responsible for any of the above activities please?

Yes	Type In
No	Thank and close

A2 Thinking back over the past 3 years or since this business started can you tell me if you have:

READ OUT TICK ALL THAT APPLY

1.1	Maintained records of workers' working time	1
1.2	Kept records of workers who were covered by the maximum working week requirements and opted out of the 48-hour per week limit.	2
1.3	Obtained employees written consent where you wished them to work more than 48 hours in seven days	3
2.1	Kept a record of payments made to workers who qualify for the National Minimum Wage	4
3.1.1	Approved a request for flexible working time (i.e. variation in contract)	5
3.1.2	Refused/declined a request for flexible working time (i.e. variation in contract)	6 If yes, continue to 3.2
3.2	Had an employee appeal your refusal of flexible working time – where you have upheld your refusal	7
3.3	Withdrawn an employee's application for flexible working time on the basis of their poor behaviour – e.g. where they have failed to attend meetings	8
4.1	Provided all employees with a written statement of employment particulars	9
4.2	Made any changes to the statement of employment particulars - for example, notifying employees in writing of a change in pay.	10
5.1	Postponed a period of parental leave	11
5.2	Declined an employees request for statutory paternity/adoption pay	12
5.3	Informed temporary staff – who were employed to provide short-term cover on maternity or medical grounds – when their employment would end	13
6	For redundancy payments, provided written breakdowns to employees showing how their redundancy payment had been calculated	14
	None of the above	THANK AND CLOSE

WHERE MORE THAN ONE AT A2, CATI TO SELECT ONE (1-14 ONLY) AT RANDOM, TO BE PICKED UP AT SECTION C. WHERE ONLY ONE CODED AT A2 (OF 1-14), CATI TO TAKE THIS FORWARD TO SECTION C.

CORE SAMPLE NOW GO TO SECTION B

[QUESTION A3 - ASK EMPLOYMENT AGENCIES ONLY]

Question A3: Information Obligation

A3. Thinking back over the past 3 years or since this business started can you tell me if you have:

READ OUT TICK ALL THAT APPLY

Acted on behalf of prospective job seekers	1	(7.1 & 7.3 & 7.4)
Acted on behalf of prospective employers or hirers	2	(7.2 & 7.3 & 7.4)
Advertised job information on behalf of job seekers and hirers	4	(7.6)
Worked with other employment agencies to provide employment services	5	(route 7.7)
None of the above	20	THANK AND CLOSE

A4. Thinking back over the past 3 years or since this business started can you tell me if you/ have:

7.1.1 Obtained written agreement with a job-seeker to abide by the agency's terms of representation	1
7.1.2 Obtained a job seekers agreement when you wished to vary the agreed terms	2
7.1.4 Notified the job-seeker of the terms of any gift/benefits offered as a way to induce them to engage you - before the offer is open for acceptance by the job-seeker	4
7.2.1 Obtained a written agreement with the hirer to the agency's terms of	1

provision (e.g. acting as an agency, details of fees etc)	
7.2.2 Sent a copy of the agreed terms to the hirer before first providing services	2
7.3.1 Provided the terms of the contract to the relevant parties – other than the party for whom you were acting (ie, hirer and / or job seeker)	3
7.4.1 Given the hirer all required information available about the job-seeker.	1
7.4.2 Given the job-seeker all information received about the hirer	2
7.4.3 Informed the hirer when you obtained information indicating that a job-seeker may be unsuitable for the position	3
7.6.1 Ensured that adverts issued about positions prospective employers sought to fill, stated the prescribed information	1
7.6.2 Ensured that all adverts issued for job-seekers – in which rates of pay are given - stated the information prescribed (nature of work, location, experience / training / qualifications involved)	2
7.7.1 Obtained consent from the job-seeker or hirer to assign or sub-contract any obligations to another agency	1
7.7.2 Entered into an agreement with another agency to provide/facilitate provision of services to a job seeker or hirer	2
67 Informed the hirer who they should pay, where you have entered into a contract to act as an agent for another agency	3
None of the above	

WHERE MORE THAN ONE IO WITHIN A3, CATI TO SELECT ONE AT RANDOM, TO BE PICKED UP AT SECTION C. WHERE ONLY ONE IO CODED AT A3, CATI TO TAKE THIS FORWARD TO SECTION C.

[ASK ALL]

Section B – Demographics

Before I ask you some more questions about that particular information obligation, I would like to ask you a few questions about you and your employer:

READ OUT – PLEASE NOTE WE ARE ONLY INTERESTED IN YOUR UK BASED OPERATIONS

B2 What is your job title/position?

OWNER/FAMILY MEMBER	1
CHIEF EXECUTIVE	2
MANAGING DIRECTOR	3
FINANCE DIRECTOR	4
HUMAN RESOURCES / PERSONNEL MANAGER	5
IN-HOUSE LEGAL ADVISER	6
OTHER – SPECIFY	49
DON'T KNOW	50

B3 What department do you work in?

Human Resources/Personnel	1
Finance Department	2
None	3
Other	Type In
Don't know	50

B7 Including yourself, how many part time and full time employees do you have on the payroll? PROBE FOR BEST ESTIMATE. INTERVIEWER NOTE – Add if necessary – We are interested in all those on the payroll, but not self-employed or outside contractors / agency staff.

WRITE IN NUMBER (1-99999)

--

CATI INSTRUCTION – AUTOMATICALLY CODE TO GRID BELOW

1	1	ASK B8
2-4	2	
5-9	3	
10-24	4	GO TO B10
25-49	5	
50-99	6	
100-249	7	
250+	8	

ASK IF FEWER THAN 10 EMPLOYEES (CODES 1-3 AT B7)

B8 Are working proprietors_– i.e. partners_[working owners] - included in this total?

Yes	Ask B9
No	Go to B10
Don't know	Go to B10

B9 Excluding working proprietors, how many people are employed at this establishment?

0	0	THANK AND CLOSE
1	1	CONTINUE
2	2	
3	3	
4	4	
5	5	
6	6	

7	7	
8	8	
9	9	
DK	x	THANK AND CLOSE

B10 To get an idea of the size of your establishment, can you please tell me the approximate [TEXT SUBSTITUTION IF PRIVATE SECTOR COMPANY AT B6: total turnover / sales IF NOT PRIVATE SECTOR COMPANY AT B6: budget] in the last financial year? Please give your best estimate?

WRITE IN £ (1-9,999,999,999) AND INTERVIEWER TO CODE RANGE

FOR DON'T KNOW, CODE THE FOLLOWING RANGES:

Less than £100,000	1
£100,000 – £249,999	2
£250,000 - £499,999	3
£500,000 - £999,999	4
£1m - £1.9m	5
£2m - £4.9m	6
£5m - £24m	7
£25m - £50m	8
More than £50m	9
In operation less than 12 months	10
Don't know	11
Refused	12

B11 How many years has the company been trading?

Less than a year	1
1-3 years	2

4-10 years	3
10 years + PLEASE SPECIFY	49
Don't know	50

B12 How many sites do you operate from?

Single Site	1
2 – 5 sites	2
6 – 15 sites	3
16 + sites	4
Don't know	5

Section C – Information Collection for SCM Model

I am now going to ask you a few questions about the activities you undertook when you [CATI INSERT FULL INFORMATION OBLIGATION FROM A2 (CORE) OR A3 (EA)]. I may occasionally refer to this activity as the information obligation from hereon. An information obligation is a duty to collect, provide or prepare information for a third party.

Core sample only

C1 How many times have you prepared and/or provided information for this obligation in the last 3 years?

TYPE IN

Employment Agency [Top-up sample] only

C1 How many times have you prepared and/or provided information for this obligation in the last year?

TYPE IN

C2 Thinking about **the last time** you complied with this information obligation, please describe what it involved OPEN QUESTION

TYPE IN

C3 On a scale of 1-5 where 1 means very easy and 5 means very difficult, how easy did you find it to prepare and/or provide information for this obligation?

Very easy	1
Easy	2
Neither	3
Difficult	4
Very difficult	5

Please read the following instructions which apply for the next question (C4).

TIME IS RECORDED IN HOURS

- **PLEASE ENTER NUMBER OF HOURS, IN WHOLE NUMBERS THE FIRST BOX (E.G. 1 HOUR = 1) AND TAB ACROSS TO ENTER PART OF AN HOUR. PLEASE ALLOCATE PORTIONS OF TIME ACCORDINGLY, using two decimal places e.g.**
 - **15 MINUTES = 0.25 HOURS**
 - **20 MINUTES = 0.3 HOURS**
 - **30 MINUTES = 0.5 HOURS**

C4 Each time you fulfil this particular information obligation, how much time does your organisation spend preparing and/or providing information for this obligation?
Please include all the time from familiarising yourself with the requirement through to preparing and/or providing the required information

TYPE IN

C5 Thinking about the last time you undertook this information obligation did you/your organisation:

Take time to read the rules and the available guidance

PROMPT IF NECESSARY:

IT INCLUDES THE TIME REQUIRED BY A BUSINESS TO READ THE RULES AND THE AVAILABLE GUIDANCE FOR A GIVEN INFORMATION OBLIGATION. WHERE REGULATIONS CHANGE AT LEAST ONCE A YEAR THIS INCLUDES SPECIFIC TRAINING

Yes	1
No	2
Don't know	3

Gather figures/information and assess their relevance

PROMPT IF NECESSARY:

IT INCLUDES THE RETRIEVAL OF NECESSARY FIGURES AND INFORMATION NEEDED TO COMPLY WITH A GIVEN INFORMATION OBLIGATION

Yes	1
No	2
Don't know	3

Prepare figures (calculating, presenting checking, correcting)

PROMPT IF NECESSARY:

CALCULATION, CHECKING AND CORRECTION OF FIGURES. PERFORMING THE RELEVANT CALCULATIONS NEEDED FOR SUBMISSION TO THE RELEVANT AUTHORITIES

Yes	1
No	2

Don't know	3
------------	---

Undertake reporting activities (written descriptions of data, submitting reports, etc.)

PROMPT IF NECESSARY:

IT INCLUDES PREPARING WRITTEN DESCRIPTIONS FOR SUBMITTING RETURNS AND KEEPING RECORDS IN ORDER TO COMPLY WITH THE INFORMATION OBLIGATION.

Yes	1
No	2
Don't know	3

Hold meetings

PROMPT IF NECESSARY:

IT INCLUDES MEETINGS HELD INTERNALLY BETWEEN THE VARIOUS PERSONNEL GROUPS INVOLVED IN COMPLYING WITH THE INFORMATION OBLIGATION AND MEETINGS HELD IN CASES WHERE COMPLIANCE WITH THE INFORMATION OBLIGATION REQUIRES MEETINGS WITH LAWYERS OR THE LIKE

Yes	1
No	2
Don't know	3

C6 And thinking about when you [IO], **who** within your company is mainly involved in carrying out this task? Please do not include anyone who is not an employee of the organisation.

OWNER/FAMILY MEMBER	1
DIRECTORS	2
SENIOR MANAGERS	3
OTHER MANAGERS	4

INTERNAL PROFESSIONALS (E.G. LAWYERS, ACCOUNTANTS)	5
TECHNICIANS (E.G. IT SPECIALISTS)	6
ADMINISTRATIVE AND CLERICAL STAFF	7
SKILLED / UNSKILLED TRADES	8
OTHER – SPECIFY	49
DON'T KNOW	50

Please think about how much time it takes you and your employees to undertake each of the activities to fulfil the Information Obligation. Just to remind you, you selected these activities at C5 (insert activities).

Interviewer note: At least one activity should have been selected at C5.

C7.1 Firstly – recalling that you said you spent [READ OUT QUESTION 1.2 TIME INDICATION] hours meeting this requirement, I am now going to ask you to apportion this time across the activities we have discussed. Can I check you are still happy with this time allocation?

Yes	1
No	2
Don't know	3

If 'no' at Q1.7

C7.2 And what would your total time allocation for this information obligation be?

INTERVIEWER NOTE: YOU MUST TAKE ANSWERS IN TERMS OF HOURS.

ONE DAY = 7 HOURS

ENTER NUMBER OF HOURS – CHECK WITH RESPONDENT THAT THEY ARE HAPPY WITH YOUR HOUR ALLOCATION IF THEIR ANSWER WAS ORIGINALLY DAYS.

TYPE IN

C8 Thinking about each of the activities involved, how long did it take you to:

[ROUTE THROUGH EACH ACTIVITY MENTIONED IN 1.5]

Please include all the time from familiarising yourself with the requirement through preparing and/or providing the required information. Please answer in hours, for the purpose of the interview, 1 day = 7 hours. Please allocated your total time as best you can, across each of the activities/tasks

ENTER NUMBER OF HOURS

TYPE IN

C9 Does your organisation purchase any goods OR services from external suppliers in order to prepare and/or provide information for this obligation?

None	1
Postage	2
Printing	3
Software	4
Technical equipment / machinery	5
External professional services e.g. lawyers, accountants, business advisers, trade association	6
Prepared guidance materials / manuals / proformas	7
Other - specify	8
Don't know	9
Refused	10

[IF 1.9 = 6]

C10 Could you tell us how much the external professional services cost?

TYPE IN POUND STERLING; TYPE -1 IF REFUSED

[IF 1.9 = 6]

C11 And is that solely for providing external services for this obligation?

Yes	1
No	2
Don't know	3

[IF 1.9 = 2,3,4,5,7,8]

C12 Could you tell us how much [CATI INSERT RESPONSES FROM 1.9] cost in total?

TYPE IN POUND STERLING; TYPE -1 IF REFUSED

[ASK ALL]

C13 How would you describe the process your organisation uses to prepare and/or provide the information for this obligation? Would you say that it is?

A manual process	1
A partially automated process	2
A predominantly automated process	3
Don't know	4
Refused	5

C14 Now, thinking about your knowledge of employment regulation, on a scale of 1 to 5 where 1 is not at all confident and 5 is very confident how confident are you about your current knowledge of the legal requirements for [INFORMATION OBLIGATION]

SCALE 1 – 5

Not at all confident	1
	2
	3
	4
Very confident	5

Section D – Awareness

D1 On a scale of 1 to 5, where 1 is not at all confident and 5 is very confident, how confident are you about your knowledge of employment rights overall

Not at all confident	1
	2
	3
	4
Very confident	5
Don't know	6

D2 Do you make use of advisors or information for any areas of employment law?

Yes	1
No	2
Don't know	3

[IF 2 = 1]

D3 Which sources do you use? Please include both professional (e.g. legal, government departments) and non-professional (e.g. friends and colleagues) sources

[DO NOT PROMPT]

Another business owner	1
Employee or manager of this business	2
Employee or manager of another business	3
Friend/relatives, generally	4
Solicitor	5
Accountant	6
Bank manager	7
Department for Business (formerly DTI)?	8
Businesslink	9
Trade association	10
HMRC	11
Other government department – SPECIFY	48
Do you use any Other - SPECIFY	49
Don't know	50

[IF NOT MENTIONED Department for Business OR BUSINESSLINK]

D3.1 Do you ever use Department for Business or Businesslink as a source of information / guidance?

Yes – Department for Business (formerly DTI)	1
Yes – Businesslink	2

No	3
Don't know	4

D4 Which of these is the source you use the most?

[ALL SELECTED FROM Q3 AND 3.1]

[excl. employment agencies]

D5 Are you aware of the following guidance, pro formas or tools for complying with Employment Law:

Businesslink tool for producing (or amending) a written statement of employment particulars	1
Businesslink proforma for obtaining an employee opt-out from the 48 hour working week limit	2
Businesslink / Government guidance on working time records keeping	3
Businesslink proformas for processing employees' requests for Flexible working arrangements	4
Businesslink proforma for postponing parental leave	5
Businesslink proforma for declining employees' requests for statutory paternity / adoption pay	6
Businesslink proforma for informing temporary staff – who are providing short term maternity or medical cover – when their employment will end	7
Businesslink redundancy calculator tool	8
Businesslink / Government guidance on National Minimum Wage records keeping	9
No	10 – SKIP TO Q7

WHERE Q5/10, SKIP TO Q7

[excl. employment agencies]

D6 Have you used any of the guidance tools?

PROMPT WHICH ONES?

Businesslink tool for producing (or amending) a written statement of employment particulars	1
Businesslink proforma for obtaining an employee opt-out from the 48 hour working week limit	2
Businesslink / Government guidance on working time records keeping	3
Businesslink proformas for processing employees' requests for Flexible working arrangements	4
Businesslink proforma for postponing parental leave	5
Businesslink proforma for declining employees' requests for statutory paternity / adoption pay	6
Businesslink proforma for informing temporary staff – who are providing short term maternity or medical cover – when their employment will end	7
Businesslink redundancy calculator tool	8
Businesslink / Government guidance on National Minimum Wage records keeping	9
No	10

D7 Are you interested in further guidance and ideas on how to reduce the time you spend complying with employment law, and possibly improving your compliance.

Yes	1
No	2
Don't know	3

D8 How best can Department for Business communicate this information to you and other businesses – so that you are aware it is there: (TICK ALL THAT APPLY)

Email	1
Newsletter	2
Online Forum	3
Local Workshops through Businesslink/BERR	4
Personal visit	5
Business Forums at Businesslink offices	6
Department for Business/Businesslink website	7
Email	8
Other	WRITE IN (49)
Don't know	50

Section E – Closing

E1 Before I close the interview, our research covers other areas of employment law. We would really like your feedback on your experience complying with requirements in these areas. Would it be possible for us to send you an email detailing the areas we are looking for and including a weblink to enable you to provide further information? In recognition of your contribution, we will offer a £25 donation to a charity of your choice.

Name	TYPE IN
E-mail address	TYPE IN

E2. And finally, we'll be revisiting a number of organisations that have been interviewed, in order to gather more information and provide us with case studies. In principle, would you be happy to help us with this? You don't need to make a definite commitment now; it will just let us flag you on the database as someone to check with later in the summer.

If yes, confirm contact details.

If no, thank and close

SCRIPT THANK AND CLOSE

Appendix B: Rotations of Information Obligations during field period

IO Rotations during field – Employment Relations IOs

Text	Code	18-Aug	25-Aug	04-Sep	12-Sep	17-Sep	22-Sep
Maintained records of workers` working time	1	12	7	13	14	12	11
Kept records of workers who were covered by the maximum working week requirements and opted out of the 48-hour per week limit.	2	9	8	6	8	11	10
Obtained employees written consent where you wished them to work more than 48 hours in seven days	3	8	9	7	1	6	9
Kept a record of payments made to workers who qualify for the National Minimum Wage	4	6	14	12	7	10	8
Approved a request for flexible working time (i.e. variation in contract)	5	10	13	11	2	7	12
Refused\declined a request for flexible working time (i.e. variation in contract)	6	7	12	4	3	1	7
Had an employee appeal your refusal of flexible working time where you have upheld your refusal	7	1	11	5	6	2	1
Withdrawn an employee`s application for flexible working time on the basis of their poor behaviour	8	2	10	2	5	3	2
Provided all employees with a written statement of employment particulars	9	14	1	14	4	14	14
Made any changes to the statement of employment particulars	10	13	2	8	9	13	13
Postponed a period of parental leave	11	5	3	3	10	4	4
Declined an employees request for statutory paternity\adoption pay	12	3	6	1	11	5	3
Informed temporary staff when their employment would end	13	4	4	10	12	9	5
For redundancy payments, provided written breakdowns to employees showing how their redundancy payment had been calculated	14	11	5	9	13	8	6

Appendix C: Advance mailing

To whom it may concern

Department for Business - Employment Law Administration Burden Research

As part of its wider agenda to reduce the administrative burdens associated with Government regulation, the Department for Business, Enterprise and Regulatory Reform has launched a major programme to ensure that businesses have easy access to free and simple to use guidance on employment law.

We have now commissioned ORC International (an independent market research company) to conduct research to quantify the benefits that have already been delivered by this guidance programme; but also to help us to identify further ways for reducing the burdens on businesses when complying with employment law. The research places particular emphasis on establishing the time and expense businesses spend:

- maintaining records of working time
- maintaining records of national minimum wage payments
- providing written statements of employment particulars to employees
- assessing staff maternity/paternity leave and pay issues
- assessing staff flexible working time applications
- calculating staff redundancy payments

You may be contacted by someone from ORC International in the near future who will ask you to take part in a short survey, which will take about 15-20 minutes of your time. They will also offer you the opportunity to complete an online survey. This is an opportunity for you to feed back your views to the Government. I hope that you will be able to help us by providing us with an accurate reflection of your current practices.

The interview will be conducted under the Market Research Society Code of Conduct. This means that everything you tell ORC International is completely confidential, and no identifiable information will be shared with either the Department for Business or any other third party. If you have any questions regarding this research please feel free to contact ORC International, calling either Janine Hawkins on 020 7675 1135 or Sarah Brown on 0161 888 8026.

Yours sincerely



Carl Creswell,

Director, Employment Law Guidance Programme

Appendix D: Online Survey

D1 Hyperlink email to online survey

To whom it may concern,

BERR Employment Law Administration Burden Research

As part of its wider agenda to reduce the administrative burdens associated with Government regulation, the Department for Business, Enterprise and Regulatory Reform has launched a major programme to ensure that businesses have easy access to free and simple to use guidance on employment law.

ORC International, an independent research agency, has been commissioned to conduct research that will inform this programme. You will have spoken to them in this regard, and may have participated in a telephone survey.

The research places particular emphasis on establishing the time and expense businesses spend:

- maintaining records of working time
- maintaining records of national minimum wage payments
- providing written statements of employment particulars to employees
- assessing staff maternity/paternity leave and pay issues
- assessing staff flexible working time applications
- calculating staff redundancy payments

And for Employment Agencies in particular, we are evaluating the time spent across a range of administrative processes.

We would be delighted if you would participate in this survey through accessing the hyperlink below:

Your response to this survey is completely confidential, and no identifiable information will be shared with either BERR or any other third party.

If you have any questions regarding this research please feel free to contact ORC International, calling either Janine Hawkins on 020 7675 1135 or Sarah Brown on 0161 888 8026.

Yours sincerely



Carl Creswell,

Director, Employment Law Guidance Programme

D2 Online survey

Thinking back over the past 3 years or since this business started can you tell me if you have:

READ OUT TICK ALL THAT APPLY

1.2	Maintained records of workers' working time	1
1.2	Kept records of workers who were covered by the maximum working week requirements and opted out of the 48-hour per week limit.	2
1.3	Obtained employees written consent where you wished them to work more than 48 hours in seven days	3
2.1	Kept a record of payments made to workers who qualify for the National Minimum Wage	4
3.1.1	Approved a request for flexible working time (i.e. variation in contract)	5
3.1.2	Refused/declined a request for flexible working time (i.e. variation in contract)	6 If yes, continue to 3.2
3.2	Had an employee appeal your refusal of flexible working time – where you have upheld your refusal	7
3.3	Withdrawn an employee's application for flexible working time on the basis of their poor behaviour – e.g. where they have failed to attend meetings	8
4.1	Provided all employees with a written statement of employment particulars	9
4.2	Made any changes to the statement of employment particulars - for example, notifying employees in writing of a change in pay.	10
5.1	Postponed a period of parental leave	11
5.2	Declined an employees request for statutory paternity/adoption pay	12
5.3	Informed temporary staff – who were employed to provide short-term cover on maternity or medical grounds – when their employment would end	13
6	For redundancy payments, provided written breakdowns to employees showing how their redundancy payment had been calculated	14

None of the above	THANK AND CLOSE
-------------------	-----------------------

Section C – Information Collection for SCM Model

I am now going to ask you a few questions about the activities you undertook when you [CATI INSERT FULL INFORMATION OBLIGATION FROM A2 (CORE) OR A3 (EA)]. I may occasionally refer to this activity as the information obligation from hereon. An information obligation is a duty to collect, provide or prepare information for a third party.

Core (HR Related IOs) sample only

C1 How many times have you prepared and/or provided information for this obligation in the last 3 years?

TYPE IN

Employment Agency [Top-up sample] only

C1 How many times have you prepared and/or provided information for this obligation in the last year?

TYPE IN

C2 Thinking about **the last time** you complied with this information obligation, please describe what it involved OPEN QUESTION

TYPE IN

C3 On a scale of 1-5 where 1 means very easy and 5 means very difficult, how easy did you find it to prepare and/or provide information for this obligation?

Very easy	1
Easy	2
Neither	3
Difficult	4
Very difficult	5

Please read the following instructions which apply for the next question (C4).

TIME IS RECORDED IN HOURS

- **PLEASE ENTER NUMBER OF HOURS, IN WHOLE NUMBERS THE FIRST BOX (E.G. 1 HOUR = 1) AND TAB ACROSS TO ENTER PART OF AN HOUR. PLEASE ALLOCATE PORTIONS OF TIME ACCORDINGLY, using two decimal places e.g.**
 - **15 MINUTES = 0.25 HOURS**
 - **20 MINUTES = 0.3 HOURS**
 - **30 MINUTES = 0.5 HOURS**

C4 Each time you fulfil this particular information obligation, how much time does your organisation spend preparing and/or providing information for this obligation?
Please include all the time from familiarising yourself with the requirement through to preparing and/or providing the required information

TYPE IN

C5 Thinking about the last time you undertook this information obligation did you/your organisation:

Take time to read the rules and the available guidance

PROMPT IF NECESSARY:

IT INCLUDES THE TIME REQUIRED BY A BUSINESS TO READ THE RULES AND THE AVAILABLE GUIDANCE FOR A GIVEN INFORMATION OBLIGATION. WHERE REGULATIONS CHANGE AT LEAST ONCE A YEAR THIS INCLUDES SPECIFIC TRAINING

Yes	1
No	2
Don't know	3

Gather figures/information and assess their relevance

PROMPT IF NECESSARY:

IT INCLUDES THE RETRIEVAL OF NECESSARY FIGURES AND INFORMATION NEEDED TO COMPLY WITH A GIVEN INFORMATION OBLIGATION

Yes	1
No	2
Don't know	3

Prepare figures (calculating,presenting checking, correcting)

PROMPT IF NECESSARY:

CALCULATION, CHECKING AND CORRECTION OF FIGURES. PERFORMING THE RELEVANT CALCULATIONS NEEDED FOR SUBMISSION TO THE RELEVANT AUTHORITIES

Yes	1
No	2
Don't know	3

Undertake reporting activities (written descriptions of data, submitting reports, etc.)

PROMPT IF NECESSARY:

IT INCLUDES PREPARING WRITTEN DESCRIPTIONS FOR SUBMITTING RETURNS AND KEEPING RECORDS IN ORDER TO COMPLY WITH THE INFORMATION OBLIGATION.

Yes	1
No	2
Don't know	3

Hold meetings

PROMPT IF NECESSARY:

IT INCLUDES MEETINGS HELD INTERNALLY BETWEEN THE VARIOUS PERSONNEL GROUPS INVOLVED IN COMPLYING WITH THE INFORMATION OBLIGATION AND MEETINGS HELD IN CASES WHERE COMPLIANCE WITH THE INFORMATION OBLIGATION REQUIRES MEETINGS WITH LAWYERS OR THE LIKE

Yes	1
No	2
Don't know	3

C6 And thinking about when you [IO], **who** within your company is mainly involved in carrying out this task? Please do not include anyone who is not an employee of the organisation.

OWNER/FAMILY MEMBER	1
DIRECTORS	2
SENIOR MANAGERS	3
OTHER MANAGERS	4
INTERNAL PROFESSIONALS (E.G. LAWYERS, ACCOUNTANTS)	5
TECHNICIANS (E.G. IT SPECIALISTS)	6
ADMINISTRATIVE AND CLERICAL STAFF	7

SKILLED / UNSKILLED TRADES	8
OTHER – SPECIFY	49
DON'T KNOW	50

Please think about how much time it takes you and your employees to undertake each of the activities to fulfil the Information Obligation. Just to remind you, you selected these activities at C5 (insert activities).

Interviewer note: At least one activity should have been selected at C5.

C7.1 Firstly – recalling that you said you spent [READ OUT QUESTION 1.2 TIME INDICATION] hours meeting this requirement, I am now going to ask you to apportion this time across the activities we have discussed. Can I check you are still happy with this time allocation?

Yes	1
No	2
Don't know	3

If 'no' at Q1.7

C7.2 And what would your total time allocation for this information obligation be?

INTERVIEWER NOTE: YOU MUST TAKE ANSWERS IN TERMS OF HOURS.

ONE DAY = 7 HOURS

ENTER NUMBER OF HOURS – CHECK WITH RESPONDENT THAT THEY ARE HAPPY WITH YOUR HOUR ALLOCATION IF THEIR ANSWER WAS ORIGINALLY DAYS.

TYPE IN

C8 Thinking about each of the activities involved, how long did it take you to:

[ROUTE THROUGH EACH ACTIVITY MENTIONED IN 1.5]

Please include all the time from familiarising yourself with the requirement through preparing and/or providing the required information. Please answer in hours, for the purpose of the interview, 1 day = 7 hours. Please allocated your total time as best you can, across each of the activities/tasks

ENTER NUMBER OF HOURS

TYPE IN

C9 Does your organisation purchase any goods OR services from external suppliers in order to prepare and/or provide information for this obligation?

None	1
Postage	2
Printing	3
Software	4
Technical equipment / machinery	5
External professional services e.g. lawyers, accountants, business advisers, trade association	6
Prepared guidance materials / manuals / proformas	7
Other - specify	8
Don't know	9

Refused	10
---------	----

[IF 1.9 = 6]

C10 Could you tell us how much the external professional services cost?

TYPE IN POUND STERLING; TYPE -1 IF REFUSED

[IF 1.9 = 6]

C11 And is that solely for providing external services for this obligation?

Yes	1
No	2
Don't know	3

[IF 1.9 = 2,3,4,5,7,8]

C12 Could you tell us how much [CATI INSERT RESPONSES FROM 1.9] cost in total?

TYPE IN POUND STERLING; TYPE -1 IF REFUSED

[ASK ALL]

C13 How would you describe the process your organisation uses to prepare and/or provide the information for this obligation. Would you say that it is

A manual process	1
A partially automated process	2

A predominantly automated process	3
Don't know	4
Refused	5

C14 Now, thinking about your knowledge of employment regulation, on a scale of 1 to 5 where 1 is not at all confident and 5 is very confident how confident are you about your current knowledge of the legal requirements for [INFORMATION OBLIGATION]

SCALE 1 – 5

Not at all confident	1
	2
	3
	4
Very confident	5

Appendix E: Case Study Topic Guides

DRAFT TOPIC GUIDE

COI/BERR 95201 vs4

Interview date and time	
Phone / face to face?	
IOBS / QNO (from database)	
Interviewee	
Company	
Tel No	
Email address	

Introduction

Good Morning/afternoon, please can I speak to
<_____>?

My name is _____ and I am calling from ORC International, an independent research company. I understand that you have spoken to one of my colleagues and agreed to take part in a case study interview today?

To re-cap, we are researching the administrative burden of employment law compliance on organisations. This is on behalf of the Department of Business, Enterprise and Regulatory Reform, and the ultimate aim of the research is to identify how BERR can reduce the time businesses spend complying with employment law.

The purpose of this interview is as a follow up to the one you participated in recently – we are following up with about 30 organisations to gather more detailed information about the processes you've been through in attending to information

obligations. We are not concerned with whether or not you are law abiding, more about how long it takes you to make the efforts required of you. Please bear with me if I seem to repeat questions you've already been asked – this is mainly to ensure you and I come at this interview from the same starting point.

This interview will be carried out within the guidelines of the MRS Code of Conduct. This means that any comments that you make will be treated confidentially and your views will not be attributed to you as an individual or your company, unless you give us your permission otherwise.

I will be tape-recording this interview so I don't have to take notes while we are having our discussion. This recording will only be used by me and the rest of the research team at ORC International. Are you happy for me to tape-record this interview?

INFORMATION FROM RESPONDENT'S PREVIOUS INTERVIEW

Subject	Data location	Information	Question ref
All possible IOs	A2		
Information Obligation	Col Z		2
Ease of IO compliance	Col AF – BK C3 (C3_1 to C3_68)		3
Total time	Col DX – FC C7_2 (WC7_2_1 to WC7_2_68)		4
External services used	Col FD – GI C9 (C9_1 to C9_68)		5
Process	Col GK – HO C13 (C13_1 to C13_68)		6
Confidence in IO law knowledge (1 = not at all, 5 = very confident)	Col HP - IU C14 (C14_1 to C14_68)		7
SCM activities	Col CR – DW C5SEL-1 (C5_SEL_1 to C5_SEL_68)		8
Read guidance			
Gather info			
Prepare info			
Report			

Hold meetings			
Aware of guidance?	Col AD D5		10 ONLY IF NOT USED GUIDANCE (CHECK AGAINST D6 BELOW)
Used guidance	Col AE D6		19
SIC (Standard Industrial Classification)			
Size			

Section B – Demographics

I would like to start with a few questions about you and your employer:

1 How would you describe your business/employer? (*Can you tell me a bit about the company, the work you do, size, etc*)

TYPE IN

Section C – Information Collection for SCM Model

2. Thinking back to the interview you undertook with us, you provided information for [RELEVANT IO]. I would now like to discuss this in a bit more detail. Could I ask you please to again describe what was involved the last time you complied with this information obligation (- *PROBE who was involved, what were the stages/ activities (e.g. reading up on rules, meeting, gathering figures)*)

TYPE IN

3 In the interview, you said that you found it [C3] to prepare and/or provide information for this obligation?

3a If rated **1-3 (very difficult / difficult / neither easy nor difficult)** WHY- PROBE – *trouble understanding; activities that were particularly time consuming / resource intensive? Activities that required more work than you anticipated at the outset?*

3b If rated 4-5 (**easy/very easy**) WHY – PROBE – *processes in place facilitated requirement; straightforward; understand requirement; easy to obtain required guidance*

Where yes, ask for detail.

4 You mentioned it took you [C4.1 / 7.2] to complete this obligation and identified the following activities. Can you describe each activity in a bit more detail for me please?

CHECK IF USED EXTERNAL SERVICES, IF NOT, GO TO Q6

5 And what is the nature of external supply/professional services you used C9

6 You described the process your organisation uses to prepare and/or provide the information for this obligation as [C13 – manual or automated]. What made you describe it in this way – can you tell me about this process? *PROBE - Do you use this information for any other purposes? Would you continue to collect this information/undertake this activity even if there were not regulatory requirement to do so?*

7 You described yourself as [C14] about your current knowledge of the legal requirements for [INFORMATION OBLIGATION]. Again on a scale of 1-5, when you have gone through the process of complying with [IO], how confident are you that you have fully complied with the requirement?

HY? [confident/not confident]

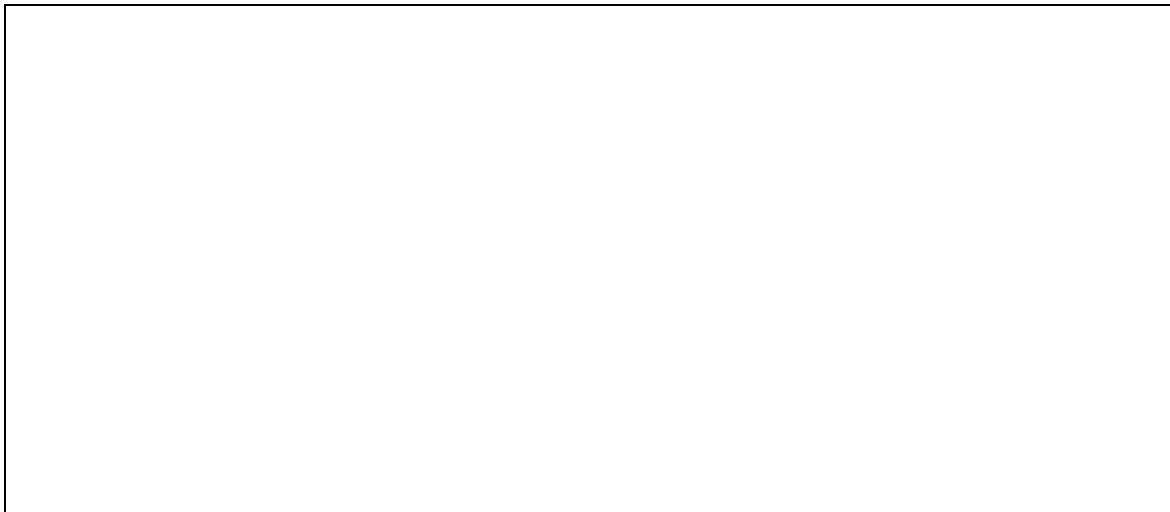
Probe – any particular aspect they are confident about/lack confidence about/ have obtained clarity on/seek clarity on

8 Were there any particular activities that you have found difficult? (remind of activities – **C5**) WHY - PROBE – *trouble understanding; activities that were particularly time consuming / resource intensive? Activities that required more work than you anticipated at the outset?*

8.2. Would you still do the activity if you were not required too? i.e. if the regulation was removed. Any bits you would keep or lose? [i.e. is it/has it become part of business practice or is it still solely done for regulatory purposes]

Section D – Awareness (continue straight from Section C)

9 Can you explain a bit more about what you do when you need help/information on employment law and how to comply with it? [with particular **reference to IO** if helpful]

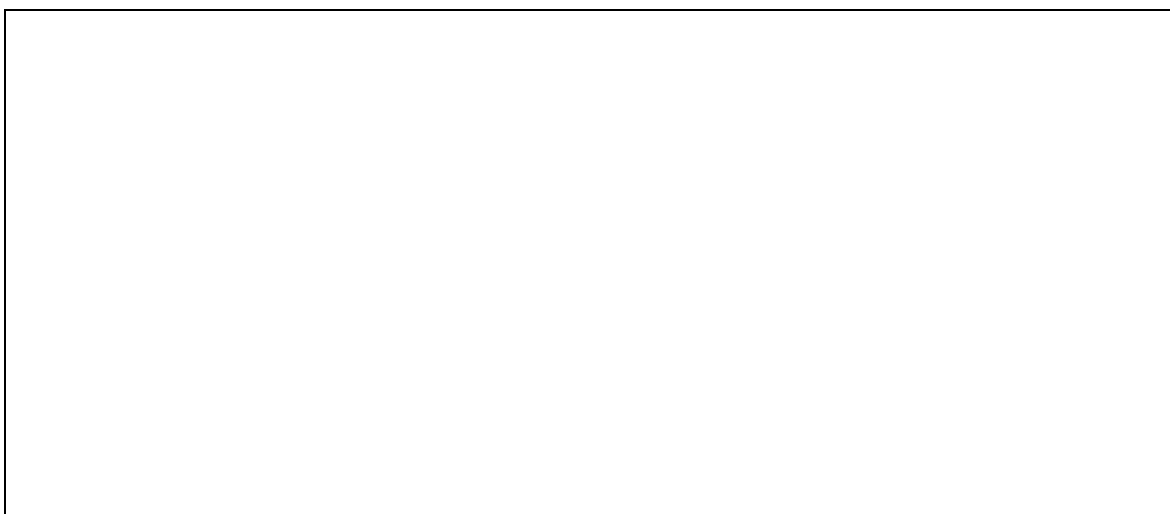


BUSINESSLINK GUIDANCE MATERIAL

Where aware but haven't used: (D5 but NOT D6), ask Q10

Where used guidance (D6) go to Q19

10 Why haven't you used any of these tools?



Now go to Q21

Section E – Review of template/toolkit

Thinking about the information obligation we have just discussed, I would now like us to review the available guidance that Businesslink / Department for Business provide. Interviewer to log onto relevant site and go through the site with the respondent and then explore:

11 What's your reaction to what you've seen? 12 Whilst we were going through it did you learn anything / see anything of interest? If yes, what?

12 Was/Would this guidance be useful to you when you are compiling the information for [IO]? Why?

13 What do you like about it? *Probe layout (are things they are looking for easy to find), ease of navigation, download times; content (is it useful, is the language easy to understand; are the instructions easy to follow)?*

14 What do you think could be improved? *Probe as above, plus explore other sites that provide similar or useful information (and what)*

15 What else would you like added?

16 You said earlier that you are confident/not confident [1.14b] about compliance with this IO – has the guidance / pro forma you used played a part in that? / Could it in the future? How?

17 Do you think you'll go back to the site to explore further? If yes, what might you be looking for?

18 On a scale of 1-5, 5 very useful, how useful did you find the tool / s you used?

1 – 2 – 3 – 4 – 5

18a Why do you say that?

Where used:d6

19 Can you describe your working process before you used the guidance (where relevant) - *probe, can they estimate what it saved them? In terms of time/external professional costs*

20 How did you find out about it the guidance? Do you use any other key sources of guidance?

Section F - Closing

21 Are there any particular areas you would like future guidance on?

22 What are the key ways you would like BERR to use when communicating with you?

23 That's almost all of the questions I wanted to ask, so coming to the end, to summarise, if there was one thing that Department for Business could help with in your compliance with employment law information requirements, what would that be?

24 Do you think the current economic climate will place any new demands or change the guidance you need? *PROMPT for specifics*

25 The overall purpose of this research is for Department for Business to reduce the time and expense that businesses spend / incur complying with employment. What's your gut reaction to that question? Explore – move away from 'reduce amount of law' responses!

26 In 2 years time, we will be repeating this study to establish progress with reducing the time taken to comply. Would you be interested in taking part? If yes:

During this time, it would be helpful if you could make use of the website and guidance material we have reviewed today.

Is there any way we could facilitate this? e.g. provide reminders, online forum for comments, updates on further guidance materials

27. We are doing some specific write up of these current case studies, are you happy to be named in a case study write up? (if not, don't worry your feedback will remain anonymous)

28. Would you be happy to take part in a visit from BERR to talk about your experiences of employment law and what BERR can do to make life easier for you?

29. If yes, do you give permission for us to pass your details back to BERR so they can contact you?

30. Finally can I take the details of your nominated Charity please

That concludes the interview. Is there anything you would like to add or review? In which case, thank you for your time, my name is _____ and I've interviewed you for ORC International on behalf of the Department of Business, Enterprise and Regulatory Reform. If you have any queries, please contact the person who sent you the email confirming our appointment today.

Appendix F: Detailed breakdown of sample loaded for CATI surveys

Outcome	Total
<i>Achieved CATI interviews</i>	1105
<i>Achieved WEB interviews - SCM section only</i>	24
<i>Contacted sample but no interview</i>	4592
Refusal - all types	3133
Interview terminated (CATI survey)	371
Interview terminated (web survey)	77
Language Barrier	10
Respondents who opted to take online survey, but did not complete it	1001
<i>Sample not eligible</i>	375
Quota failure	4
Duplicate Number	34
Referral to another number	153
A1 screen out	61
A2 screen out	45
B9 screen out	7
S1 screen out	71
<i>No contact</i>	4234
Engaged	174
No reply	815
Unobtainable	1600
Respondent Moved	62
Res/Business Number	272
Answerphone	1179
Fax	62
Operator Message	34
Max Calls	36
<i>Other outcome</i>	957
<i>Leads still alive</i>	2459
Appointment – non achieved/ after fieldwork period	356
General Callback	2103
Total Core Sample loaded	13,722

Appendix G: BERR Background on Information Obligations

An information obligation (IO) is a duty to procure or prepare information and subsequently make it available to a public authority or a third party, as well as a duty to facilitate the collection or preparation by others, e.g. by permitting and cooperating with an audit, visit or inspection. It includes regular requirements to read guidance and updated rules, for example, rules which are updated annually. An IO does not necessarily require information to be sent to a public authority: it may also be directed towards third parties, such as consumers or employees. Each regulation may contain several IOs.

Each IO consists of different information or data that a business shall provide in order to be able to comply with the IO - these are the data requirements (DR).

Information Obligations Definitions

1 Written Statements

1.1. Providing employees with an employment contract which includes:

- employer/employee details;
- commencement dates/dates related to continuous employment;
- details of remuneration and its payment;
- hours of work;
- holiday entitlement;
- sickness provisions;
- pension arrangements;
- notice periods;
- job title;
- place of work;
- whether the role is fixed term;
- whether there are any collective agreements;
- provisions related to work outside of the UK; and
- any disciplinary and dismissal and grievance rules. (In some cases reference may be made to a separate document which is readily accessible to the employee.)

Policy Area	Employment Relations and Equality
Regulation Name	Employment Rights Act 1996
Regulation description	An Act to consolidate enactments relating to a large number of employment rights.
Third Party	Yes
Origin	A - International, no domestic discretion
Obligation Type	Providing statutory information for third parties
Section Reference	1 and 7A, 1,2,3
Information Metric	Number of employees for whom an employment contract is issued (p.a.)
BAU Factor	25%
Total Admin Burden	£585,843,533

1.2. Providing a revised contract of employment if any changes are made to the particulars of employee's contracts and providing notice of this within one month of those changes.

Policy Area	Employment Relations and Equality
Regulation Name	Employment Rights Act 1996
Regulation description	An Act to consolidate enactments relating to a large number of employment rights.
Third Party	Yes
Origin	A - International, no domestic discretion
Obligation Type	Providing statutory information for third parties
Section Reference	4, s.4
Information Metric	Number of employees changing their employment contract
BAU Factor	20%
Total Admin Burden	£57,912,002
Change ID	0

2. Flexible Working Requests

2.1. Providing an employee with written notice of the decision relating to a request for a contract variation. Specifying in the written notice: - the contract variation agreed to and date on which the variation is to take effect, where your decision is to agree to the application; or - the prescribed grounds for refusal where the application is turned down.

Policy Area	Employment Relations and Equality
Regulation Name	Flexible Working (Procedural Requirements) Regulations 2002
Regulation description	Regulation relating to the statutory right to request a contract variation to change the terms and conditions of an employee's contract of employment to allow for flexible working. This right is provided for in the Employment Act 2002 and the relevant provisions are incorporated by that Act into the Employment Rights Act 1996. The Regulations set out the manner in which an employer should deal with an application for a contract variation made by an employee (under new section 80F Employment Rights Act 1996).
Third Party	Yes
Origin	C - Domestic
Obligation Type	Providing statutory information for third parties
Section Reference	4, 5(b)
Information Metric	No of requests for a contract variation in relation to flexible working
BAU Factor	20%
Total Admin Burden	£137,336,472
Change ID	

2.2. Notifying the employee, in writing, when you uphold your decision to refuse an application to change working arrangements after the employee has appealed. The notice of your decision should specify the contract variation agreed to and stating the date from which the contract variation is to take effect.

Policy Area	Employment Relations and Equality
Regulation Name	Flexible Working (Procedural Requirements) Regulations 2002
Regulation description	Regulation relating to the statutory right to request a contract variation to change the terms and conditions of an employee's contract of employment to allow for flexible working. This right is provided for in the Employment Act 2002 and the relevant provisions are incorporated by that Act into the Employment Rights Act 1996. The Regulations set out the manner in which an employer should deal with an application for a contract variation made by an employee (under new section 80F Employment Rights Act 1996).
Third Party	Yes
Origin	C - Domestic
Obligation Type	Providing statutory information for third parties
Section Reference	8(2), 8(2)(b)
Information Metric	No of instances an employer upholds their decision to refuse an application to change working time arrangements after the employee has appealed
BAU Factor	20%
Total Admin Burden	£10,911,884
Change ID	

2.3. Confirming the withdrawal of an application for a contract variation to change working arrangements to the employee in writing in certain circumstances, for example, where the employee has failed to attend meetings.

Policy Area	Employment Relations and Equality
Regulation Name	Flexible Working (Procedural Requirements) Regulations 2002
Regulation description	Regulation relating to the statutory right to request a contract variation to change the terms and conditions of an employee's contract of employment to allow for flexible working. This right is provided for in the Employment Act 2002 and the relevant provisions are incorporated by that Act into the Employment Rights Act 1996. The Regulations set out the manner in which an employer should deal with an application for a contract variation made by an employee (under new section 80F Employment Rights Act 1996).
Third Party	Yes
Origin	C - Domestic
Obligation Type	Providing statutory information for third parties
Section Reference	17(2)
Information Metric	No of withdrawals of an application for a contract variation to change working arrangements tin certain circumstances, for example, where the employee has failed to attend meetings.
BAU Factor	20%
Total Admin Burden	£2,345,123
Change ID	

3. Working Time

3.1 Maintaining records (for at least two years from the date on which they were made) of worker's working time to demonstrate whether certain working time limits (insofar as they are applicable to the worker) are being complied with in the case of each worker employed by him. [In addition to the general excluded categories, there are various exclusions to the requirements in respect of which these records need to be kept. The obligations in respect of civil protection services, mobile workers in civil aviation; those performing mobile road transport work; those in domestic service; workers in security and surveillance; workers where continuity of service or production is required (e.g. at hospitals, prisons, docks, airports, press and certain media, gas/water/electricity production and transmission, agriculture and urban transport), and also tourism, postal services and railway transport are more limited. Note: this is not an exhaustive list and the scope of the exclusions has been a matter of legal debate. There are also reduced obligations where workers have signed opt-outs from the weekly working limit and for "managing executive" level staff (the scope of which category is not clear). This is a complex structure and may need further expert input to assess impacts in different sectors]

Policy Area	Employment Relations and Equality
Regulation Name	Working Time Regulations 1998
Regulation description	Regulation governing the maximum average weekly working time of workers, the average normal hours of night workers, the provision of health assessments for night workers, and rest breaks to be given to workers engaged in certain kinds of work; employers are also required to keep record of workers' hours of work.
Third Party	No
Origin	B - International, domestic discretion
Obligation Type	Keeping records
Section Reference	9(a)
Information Metric	Number of employers required to keep records of workers' working time
BAU Factor	20%
Total Admin Burden	£55,124,143
Change ID	

3.2 Keeping up-to-date records of all workers who are covered by the maximum working week requirements and have opted out of the 48-hour per week limit (evidenced by yourselves obtaining the worker's agreement in writing to perform such work).

Policy Area	Employment Relations and Equality
Regulation Name	Working Time Regulations 1998
Regulation description	Regulation governing the maximum average weekly working time of workers, the average normal hours of night workers, the provision of health assessments for night workers, and rest breaks to be given to workers engaged in certain kinds of work; employers are also required to keep record of workers' hours of work.
Third Party	No
Origin	B - International, domestic discretion
Obligation Type	Keeping records
Section Reference	4(2)
Information Metric	No of employers obtaining an employees written consent if they wish a worker to perform work for an average of more than 48* hours in seven days
BAU Factor	13%
Total Admin Burden	£9,512,978
Change ID	

3.3 Obtaining an employee's written consent if you wish a worker to perform work for an average of more than 48* hours in seven days [Doctors in training have (where the limit is 58 hours from 01/08/2004 to 31/07/2007 and 56 hours from 01/08/2007 to 31/07/2009)]

Policy Area	Employment Relations and Equality
Regulation Name	Working Time Regulations 1998
Regulation description	Regulation governing the maximum average weekly working time of workers, the average normal hours of night workers, the provision of health assessments for night workers, and rest breaks to be given to workers engaged in certain kinds of work; employers are also required to keep record of workers' hours of work.
Third Party	Yes
Origin	A - International, no domestic discretion
Obligation Type	Keeping records
Section Reference	4(1)
Information Metric	No of employers obtaining an employees written consent if you wish a worker to perform work for an average of more than 48* hours in seven days
BAU Factor	0%
Total Admin Burden	£123,835,849
Change ID	

4 National Minimum Wage (NMW)

4.1. Keeping a record of payments made to workers who qualify for the NMW (national minimum wage) to establish that the employer is paying the worker as per the NMW.

Policy Area	Employment Relations and Equality
Regulation Name	National Minimum Wage Regulations 1999 (SI 1999/584)
Regulation description	These Regulations set the hourly rate of the national minimum wage as determined from time to time; prescribe the working hours in respect of which workers must be paid at least the national minimum wage; provide for what payments by employers to workers are to be taken into account in determining whether the national minimum wage has been paid for those hours; and require employers to keep records sufficient to establish that they are paying their workers at least the rate of the national minimum wage and any applicable agricultural minimum rate.
Third Party	No
Origin	C - Domestic
Obligation Type	Keeping records
Section Reference	38 (1)
Information Metric	Number of businesses who have employees qualifying for the minimum wage
BAU Factor	0%
Total Admin Burden	£22,690,478
Change ID	

5. Parental Leave

5.1. Communicating to relevant employees in writing when you (the employer) wish to postpone a period of parental leave stating the information required. Ensuring that the postponement notice states the reason for the postponement; and the date on which the period of leave the employer agrees to permit will begin and end.

Policy Area	Employment Relations and Equality
Regulation Name	Maternity and Parental Leave etc Regulations 1999
Regulation description	The Regulations confer rights to maternity and parental leave.
Third Party	Yes
Origin	B - International, domestic discretion
Obligation Type	Providing statutory information for third parties
Section Reference	Schedule 2, paragraph 6
Information Metric	No of instances when an employer requests and employee to postpone parental leave
BAU Factor	10%
Total Admin Burden	£6,462,312
Change ID	

5.2. Providing an employee, who has given evidence of entitlement to statutory paternity pay or statutory adoption pay with the details of a decision not to make payments and the reasons for the decision.

Policy Area	Employment Relations and Equality
Regulation Name	Statutory Paternity Pay and Statutory Adoption Pay (Administration) Regulations 2002
Regulation description	These Regulations provide for the funding of employers' liabilities to make payments of statutory paternity or statutory adoption pay; they also impose obligations on employers in connection with such payments and confer powers on the Commissioners of Inland Revenue.
Third Party	Yes
Origin	C - Domestic
Obligation Type	Providing statutory information for third parties
Section Reference	11(1)
Information Metric	No of instances of employers providing details of a decision not to make payments for statutory paternity pay and the reasons for the decision
BAU Factor	10%
Total Admin Burden	£4,448,635
Change ID	

5.3. Providing written notice to temporary employees that their employment will be terminated in situations where they are providing short-term cover for another employee because of maternity or medical grounds.

Policy Area	Employment Relations and Equality
Regulation Name	Employment Rights Act 1996
Regulation description	An Act to consolidate enactments relating to a large number of employment rights.
Third Party	Yes
Origin	C - Domestic
Obligation Type	Providing statutory information for third parties
Section Reference	106(2), 106 (2)
Information Metric	No of temporary employees whose contracts are to be terminated in situations where they are providing short-term cover for another employee because of maternity or medical grounds.
BAU Factor	8%
Total Admin Burden	£3,893,954
Change ID	

6. Redundancy Pay

6.1. Providing a written breakdown to employees showing how their redundancy payment has been calculated.

Policy Area	Employment Relations and Equality
Regulation Name	Employment Rights Act 1996
Regulation description	An Act to consolidate enactments relating to a large number of employment rights.
Third Party	Yes
Origin	C - Domestic
Obligation Type	Providing statutory information for third parties
Section Reference	165
Information Metric	Number of employers (excluding public sector) making redundancy payments
BAU Factor	24%
Total Admin Burden	£29,160,541
Change ID	

Appendix H: ORC Quality Procedures & Accreditations; professional standards and legal compliance

Quality procedures

As a company, we place great emphasis on delivering a high quality service to our customers. This section provides details on the accreditations achieved and working practices that ensure this happens.

The British Standard 7911 specifies requirements for organisations and individual practitioners conducting market research. These requirements include the executive responsibilities, data collection and data processing activities that occur in market research projects, together with quality assurance requirements.

Our quality policy is to work within the framework of a defined quality system and maintain and implement quality procedures that meet the requirements of BS 7911.

Our primary aim is to meet or exceed the expectations of our clients while achieving our Company Objectives. The Quality System is designed to meet the specified objective for the delivery of market research and associated data processing services, which is the business of the company. These quality system procedures cover all ORC International UK sites; London Angel Corner, London Angel Square and Manchester.

It is mandatory for staff to follow the requirements as laid down in the quality system procedures. To maintain the BS 7911 accreditation, it must be possible, after the event, to establish whether a procedure has been followed (e.g. by examining documented records and/or electronic files).

Specific aspects of the company's work are carried out to the requirements specified by other bodies. These include the following:

- All members of staff abide by the Code of Conduct of the Market Research Society (MRS).
- All fieldwork meets or exceeds the requirements of the Interviewer Quality Control Scheme (IQCS), which is administered by the Market Research Society. Fieldwork records are audited at regular intervals in line with the requirements of this scheme.
- International fieldwork is conducted in line with the Code of Conduct of the European Society of Market Research Organisations (ESOMAR).
- The company abides by the requirements of the Data Protection Act 1998 as these relate to the market research industry.

Quality accreditations:

- ISO 9001:2000: The design, development, deployment and support of web-based applications, databases, data extracts and ORC International IT network infrastructure. Certificate Number: 0411
- BS 7911:2003: Data collection, data processing and research activities. Certificate Number: 0328
- ISO 20252:2006: Data collection, data processing and research activities.
- IQCS: Data collection, data processing

Professional standards:

- MRS Code of Conduct
- ICC\ESOMAR Code of Conduct

Legal compliance:

Registered with the Information Commissioners Office for the collection and use of data in the following categories:

- Market research
- Staff and administration
- Accounts and records
- Consultancy and advisory services
- Trading/sharing in personal information
- Advertising, marketing and PR for ORC International
- Advertising, marketing and PR for our clients
- Registration Number : Z4817392

Appendix I: ORC International Data Protection Procedures

ORC International has a rigorous approach to handling data given to us by clients for research purposes. Our staff are trained in quality procedures and understand the implications of holding personal data particularly using it only for the purposes the data was collected, anonymising data when using it for research purposes and destroying databases when no longer required. We regularly review our quality procedures and update our internal Quality Manual (SCOPE).

Our procedures are compliant with Market Research Society (MRS) guidelines for handling data and our external bi-annual audit in September commended ORC International for the quality of its policies, procedures and systems. Specifically, ORC International is a member of the MRS company partnership and adheres to MRS guidelines. We have the BS 7911 market research accreditation. Further we are working toward our ISO 20252 accreditation, International market Research accreditation, and anticipate receiving this accreditation during 2008.

The company also holds the ISO 9001 accreditation. We have the technical skills to handle encrypted data should COI or BERR wish to use this way to send and receive information from us in the future.

To further enhance quality and quality controls, we are working to improve our already robust quality procedures with respect to data handling. In 2008 we have as a business plan objective to achieve ISO 27001 accreditation. In that regard we have undertake a gap analysis and are now working toward ensuring that we meet the objective of this accreditation during 2008. If COI or BERR would like to see our gap analysis we are more than happy to provide this to you.

We have laid aspects in relation to specific procedures below:

Paper information

We have a range of measures in place to prevent unauthorised access to client and project data where it is held in paper form.

Typically the vast majority of our project data is handled electronically, however, where data is held in paper form we do have stringent security procedures in place. In the case of any paper-based questionnaires common practice is that we separate any personal details from responses that are provided, such as using unique ID numbers on questionnaires rather than personal details.

All our office premises are secure and all staff are required to use keycards and/or specific access codes to gain entry to our office locations. In addition specific areas (such as server rooms) are subject to increased security access (including keypad locked doors) with

restricted staff access. We also have 24-hour CCTV coverage and office hours' reception security at all our office locations.

Internal departments and project staff only have access to the hard copy files relevant to their specific role and where necessary these are secured in locked filing cabinets.

Electronic data

With regard to electronic data:

- ORC International is registered to ISO 9001:2000 for network, IT integrated solutions and database projects.
- ORC is currently working towards information security standard ISO27001 and has set a business objective to achieve this accreditation in 2008.
- ORC is accredited for BS7911 for market research activities and we have just upgraded to the international standard ISO20252.
- Both standards incorporate compliance to the Data Protection Act and Market Research Society guidelines concerning data security and respondent anonymity.
- ORC's default method of sending / transferring personal data is by secure FTP (SFTP).
- Data transferred outside of the ORC network in physical format (e.g. CD, USB key) is encrypted using industry-recognised encryption software.
- Personal data sent outside of ORC's network using mail or courier services travels using a traceable or equivalent registered mail service.
- Any personal data held on ORC laptop hard drives is encrypted using industry-recognised encryption software.
- When disposing of PC's, laptops or servers, ORC removes and destroys hard drives using an approved partner to guarantee elimination of sensitive files from these devices.
- Magnetic tapes used for network back-ups are encrypted and stored in a secured on-site location with access restricted to designated ORC IT staff.

All staff are required to use system logins when accessing the network and where required, password-protect documents and files containing sensitive and other project related information. Internal departments and project staff only have access to the files relevant to their specific role.

Remote Access to Information

Any staff member with the necessary authorisation wishing to access project data from outside the office must access our secure network via our VPN (Virtual Private Network) and work on a terminal services computer, ensuring sensitive client data is not removed from physical premises.

Removable Media

In general our policy is that sensitive data should not be removed from our physical premises and that staff should use the VPN to access any data they require from our secure servers. In cases where data is removed from our physical premises:

- ORC's default method of sending / transferring personal data is by secure FTP (SFTP).
- Data transferred outside of the ORC network in physical format (e.g. CD, USB key) is encrypted using industry-recognised encryption software.
- Personal data sent outside of ORC's network using secure mail or courier services travels using a traceable or equivalent registered mail service. With some Government clients (such as the DWP) we have used our own staff to collect certain sensitive data by hand and we would be happy to consider such an option for COI or BERR.
- Any personal data held on ORC laptop hard drives is encrypted using industry-recognised encryption software.

Disposal Of Information

With regard to any COI or BERR data that we process during this project, we have a number of measures in place to assure the secure and controlled disposal of the data when it is no longer required.

As standard:

- When disposing of PC's, laptops or servers, ORC removes and destroys hard drives using an approved partner to guarantee elimination of sensitive files from these devices.
- Magnetic tapes used for network back-ups are encrypted and stored in a secured on-site location with access restricted to designated ORC IT staff.

Department for Business, Enterprise and Regulatory Reform. www.berr.gov.uk

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