

## **Freedom of Information – Response – 26819**

*Please provide documentary evidence that all home care providers commissioned by Suffolk County Council pay care workers no less than £12.21 for all working time, including:*

- 1. Direct contact time with service users*
- 2. Travel time between care visits*
- 3. Gaps of less than 60 minutes between care visits*

*For the avoidance of doubt, this request is not asking for policy statements or intentions, but for actual evidence of compliance, including but not limited to:*

- Contractual clauses specifying pay for the above categories of time*
- Auditing or monitoring reports*
- Payroll or compliance checks (redacted as necessary)*
- Enforcement actions, breach notifications, or improvement plans*
- Any documents relied upon by the council to confirm that providers meet these requirements in practice*
- Any other documentation used to assure or verify compliance*

*If the council does not hold evidence for any of the above elements, please explicitly confirm this and explain how the council discharges its legal and ethical responsibilities to ensure commissioned providers comply with minimum pay requirements.*

Suffolk County Council (SCC) does not hold payroll records, salary information, or other employer-level evidence about the hourly pay of staff working for independent home care providers.

These providers are independent organisations, responsible for setting their own pay, keeping payroll records, and ensuring they follow employment law. SCC does not request or store provider payroll data, as this would be disproportionate, intrusive, and outside its role as a commissioner rather than an employer.

Instead, SCC meets its legal duties through its commissioning and contract management arrangements. These set out clear expectations that providers must comply with all relevant employment law, including the National Minimum Wage and National Living Wage.

Providers are contractually required to operate lawfully and remain accountable to national enforcement bodies such as HMRC, which is responsible for investigating and enforcing minimum wage compliance.

SCC's role is to establish lawful contractual standards, monitor service quality and safeguarding, and act where credible concerns about provider practices are raised. It is not responsible for auditing payroll or enforcing employment law, which sits with national regulators.

Where concerns about workforce practices come to SCC's attention, it may seek assurance from the provider, issue a contractual challenge, or refer the matter to the appropriate enforcement agency.