

How to make sense of an offer of a participation payment



Written by Peter Bates

Introduction

Members of the public have many opportunities to participate in the activities of organisations that deliver health research¹. This paper explains why such organisations sometimes offer participation payments, and how much money is offered.

Principles

1. In this paper, the term 'public' means patients, service users, carers and members of the public.
2. This paper explains the arrangements for participation payments. Such payments are entirely separate from reimbursement of expenses, salary payments and contractor fees.
3. Participation payments fall into the space between volunteering (in which there is community benefit rather than commercial advantage), formal employment (which is managed through the Human Resources Department) and procuring contractors for specific tasks (such as specialist occasional lecturers). Within our organisation, we seek to promote both volunteering and employment opportunities, as well as offering participation payments where appropriate, in accordance with the best advice².
4. The offer of participation payments does not form part of a contract of employment. No one has an entitlement to a participation payment or a formal basis for grievance if such a payment is not made. In other words, the payment is a gift or voluntary payment, and not a wage³.
5. Where people choose to take time off from work in order to participate, the engaging organisation is under no obligation to compensate them for the loss of earnings.

¹ Research is one of a family of activities where these arrangements apply. The other members of the family are education, charities and involvement that is required by law such as the NHS or local authorities. See https://www.scie.org.uk/co-production/supporting/paying-people-who-receive-benefits?utm_sfid=0030f00002qhrd8aai&utm_role=&dm_i=4o5,62hg5,4g50a0,nthfm.

² See <http://www.crn.nihr.ac.uk/wp-content/uploads/mentalhealth/PartC-CRN%20Mental%20Health%20PaymenstPolicyPartCOct2014.pdf>.

³ This means that the National Minimum Wage levels may not apply. Payments that are proportionate to attendance, productivity or output targets and that are made regularly are more likely to be viewed as wages and part of a contract of employment by an Industrial Tribunal.

Public bodies, such as health services, the local authority or universities, are unlikely to offer participation payments to people who are in receipt of a full-time salary from public funds⁴. To support the health benefits of maintaining a work/life balance, they do not encourage people to take up substantial responsibilities as public contributors in addition to working full time.

6. People who are offered participation payments are likely to have obligations towards the Department of Work and Pensions and Her Majesty's Revenue and Customs⁵.

Responsibility for notifying agencies such as Jobcentre Plus, the Department of Work and Pensions or Her Majesty's Revenue and Customs lies with the recipient. Some welfare benefit payments are means-tested, and so reduce as the recipient's income from other sources rises. Such arrangements usually work on a principle of 'last resort', so people are expected to accept income from other sources before they ask for a 'top-up' from the benefits system. In other cases, receiving any funds from another source may trigger a review or disqualify the person from their entire benefits entitlement. We strongly advise individuals to seek advice on their personal circumstances before accepting payment.

7. There are a range of opportunities for involvement both within and beyond the engaging organisation. In a similar way to the market where different retailers offer different prices for the same product, participation activities may attract different payment levels. Organisations endeavour to clearly label each item, so that potential participants know what they may receive before embarking on the activity.
8. Payments may vary from one activity to another, depending on funding available and other factors. Where a member of the public is involved in more than one activity, the rate may vary for similar activities.
9. Wherever possible, the engaging organisation will take note of the examples provided by the National Institute for Health Research and other guidance from the Department of Health and elsewhere⁶. A broad principle is to offer payment at a level that is consistent with other members of the research team to acknowledge the value

⁴ See National Institute of Health Research Central Commissioning Facility (Dec 2017) [Reward and recognition for public contributors: A guide to the payment of fees and expenses](#)

⁵ Advice from HMRC dated 3 January 2018 indicates they would not routinely ask for details of small participation payments and reimbursement of expenses in respect of participation in research. See <https://www.gov.uk/hmrc-internal-manuals/employment-income-manual/eim71105>. Bedford Citizens Advice Bureau offers [specialist advice](#) on the relationship between participation payments and welfare benefits to anyone involved in research funded by the National Institute of Health Research. To access this service, you need to provide a code for the NIHR-funded organisations that you are involved with. SCIE also subscribe to this service. See Scott J (11/6/2020) [ESA and getting paid for service user involvement](#). One commentator suggested that PPI payments are like foster care payments and should be considered as 'Public Service Status – some information at <https://www.gov.uk/foster-carers/help-with-the-cost-of-fostering> but there is no formal support for this argument.

⁶ See, for example, the section on 'Money' [here](#).

placed on public involvement⁷. Budget restrictions may reduce the availability of participation payments.

10. While some organisations prefer to offer a voucher or payment in kind, this is rejected for the following reasons. First, it is less versatile than money for the person. Second, the means-tested welfare benefit system has power to treat a voucher or other ‘in kind’ item as if it were cash, so there are no benefits to the recipient. Third, for some people a voucher feels paternalistic. Current finance and audit systems usually require payments to be made via bank transfer rather than in cash.

Examples of payment rates

11. The following table illustrates some of the participation payments made by one organisation.

Activity	Participation payment	Local Example
Attend discussion or learning opportunity, with no preparation required	Nil	Occasional meeting for public contributors to support one another and hear about new opportunities. Attendance and contribution is entirely casual.
Attend a brief focus group with others to work on specific topic	£20	Patient Safety Forum
Give a short lecture	£45	Co-presenting with a researcher at a conference
Take significant responsibility for a day	£150	Membership of a strategy group where many papers are read in advance and important decisions are made Sitting on a staff recruitment panel Co-chairing a conference Part of a team pitching a bid to a funding panel
A regular commitment		Any activity that involves a regular, frequent commitment or a higher payment than is set out above falls outside the participation payments arrangements and must be procured.

⁷ See <http://www.invo.org.uk/good-practice-for-payment-and-recognition-things-to-consider/>