



T3SC Factsheet

Being a good employer

Employing staff is very complex. Here is an outline of some of the basic areas as a guide.

Definition of a Contract - You are obliged to give a written principal statement to an employee within two months of their starting work. However, even if you don't create a full written contract a contract exists as soon as you offer the job. This contract would be the statutory minimum terms and conditions as outlined below. Having everything written down simply clarifies the situation for both the employer and the employee.

Types of contract - There are two main types of contract:

Permanent - Which as the name suggests means the contract has no fixed end date. You can include a sentence saying this is subject to continued funding.

Fixed-term - If you have funding for a specific project, you may wish to offer a fixed-term contract which runs for as long as the funding does. The contract would include the expiry date when the job would end. If the contract is for more than two years, you can include a clause which means the employee waives the right to claim redundancy payments when the contract expires. Within these contracts there are different ways of working e.g. Full-time, part-time, job-share, term-time hours only. Where a post is 17.5 hours of a 35 hour week then the employee will be entitled to half the pay for that post. Offering flexible working patterns can benefit all parties.

What is contained in a Contract? - All the details about the employees working conditions will be included. The main elements of this may be outlined in what is called the 'principal statement' of the contract and then further details in the 'Terms and Conditions'. Below are areas that a contract should contain. We have included what the law states you must do and then some information on what is good practice. Offering an attractive employment opportunity with a good salary, generous holiday and good working conditions will attract good quality candidates. Model contracts of employment are available from ACAS.

Hours - The maximum number of hours an individual may work is 48, averaged over a 17 week period. There are exceptions to this rule, and if you think this will affect you ring T3SC for further information. It is up to your organisation how many hours you expect your employees to work. You would usually have a standard working week for all employees. Remember 9am - 5pm isn't necessarily going to be your working week if you run evening activities. Working specific core hours e.g. 10am - 2pm, with other hours arranged around that can be very useful for staff who have caring responsibilities. If staff work more than their required hours, you may wish to include provision for Time Off In Lieu (TOIL).

Pay - The minimum wage is set out in legislation. You must operate a PAYE (Pay As You Earn) system, if the employee's earnings are above the thresholds for tax and National Insurance. Compare the 'going rate' for the job you're offering by looking at job adverts to see what other organisations pay. Remember to take into account pay increments and inflationary increases. T3SC has copies of the current National Joint Council (NJC) payscales which the local authority and many voluntary organisations use.

Holidays - After three months an employee is entitled to four weeks paid holiday a year. If your employees work a six day week this would mean 24 days holiday. This does not include public holidays.

Sick Leave - An employee is entitled to Statutory Sick Pay (SSP) when they have been off sick for four or more days in a row. The rules about SSP are very complex, so you might wish to contact the Dept of Social Security (DSS) office for more information. Some organisations specify what the employee will receive when off sick. This can be full pay for a specified period (sometimes up to three or six months), then half pay for a further period.

Parental Leave/ Maternity Leave - All employees are entitled to paid time for antenatal appointments, health and safety risk assessment, 52 weeks maternity leave, statutory maternity pay (if they qualify) 39 weeks, notice requirements (15 weeks before baby is due) right to return to work, right not to suffer dismissal or detriment for maternity related reasons, and 10 keeping in touch days which are mutually agreed.

Statutory Maternity Pay (SMP) - Check with DSS and your local Inland Revenue office for further information. In the contract of employment you can offer more than the statutory minimum.

Paternity Leave covers fathers, mothers partner, 1 half of a couple who adopt. They need to have had 26 weeks service, and can take 1 – 2 weeks leave, notice of 15 weeks before the baby is due. Check with DSS and your local Inland Revenue office for further information.

Adoption rights - Adoption rights generally mirror maternity rights, covers UK and Overseas adoption, applies to males and females, need to have worked 26 weeks, statutory adoption pay is for 39 weeks if they qualify and notice requirements.

Unpaid Parental leave - For those with parental responsibility to spend with their child. You need 1 years service, applies to parents with a child under 5 or a disabled child under 18. 13 weeks per child and it is rationed at 4 weeks per year.

Time of for dependents - A reasonable amount of unpaid time off to deal with an emergency situation involved a dependent. Negotiation required between employer and employee.

Pensions - Currently there is no obligation to offer staff a pension. You have to offer access to information regarding pensions to all staff. This does not mean that you will have to contribute to the pension. People looking for a new job will weigh up the benefits of an adequate salary with good pension provision, against a generous salary with no pension provision.

Managing Your Staff - In addition to the Contract and Terms and Conditions there are other issues that will affect your employees:

Insurance - You are required by law to have employer's liability insurance.

Paperwork - You are legally required to keep payroll and National Insurance contributions records and it is good practice to keep records of holiday and sick leave.

Supervision Employees - Supervision is a mechanism for supporting staff and highlighting and working out any problems. You must make it clear who the supervisor will be, how often supervision will take place and how it will be carried out. Keep records of supervision sessions.

Organisational Policies - Formal written documents that outline the processes of the work done by the organisation. All policies will have an impact on staff. These are some of them:

Equal Opportunities - Staff need an understanding of how this affects their work.

Health & Safety - Details of working conditions and what is expected of staff in relation to health and safety.

Disciplinary & Grievance Procedures - Mechanisms by which the organisation deals with problems between employees and the organisation. The Disciplinary Procedure shows the steps the management would take in the event of a complaint against an employee or in the case of poor performance by the employee. If the employee has a problem with the way they are treated at work, the grievance policy outlines how such a complaint would be dealt with.

Training & Staff Development - This might include information on promotion, regrading of posts and procedures for staff training requests etc.

Further Help - Inland Revenue Employers Helpline 08457 143 143
ACAS 08457 47 47 47

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