

PEOPLE BASICS

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Agenda:

- Recruitment
- Documentation
- Supporting People
- Equality Act
- Rights and Responsibilities
- Legal Update



Recruitment:
Advertising
Interviewing
Safer Recruitment
Induction
Probationary Periods

Job Description

- Ensure effective recruitment
- Plan induction
- Managing Performance
- Identify needs for mandatory checks and training.

Job Description

- Role focused
- Accountabilities and Responsibilities
- Neutral language
- Regularly reviewed

Interviews



- Face-to-face
- At least two interviewers
- Consider work exercises.
- Remember - they are interviewing you too!!

Pre-employment checks

- Proof of Identity (if required)
- References (if required)
- Proof of right to work (if paid)
- Qualifications or Professional Membership
- DBS (if required)



Documentation



Types of engagement

Volunteer

Volunteer Agreement

Unpaid - expenses only. No obligation to volunteer.

Employee

Statement of Terms and Conditions

Paid via PAYE. Obligated to do regular work (unless on leave). Cannot ask someone else to do the work for them. Can expect work to be available. All required equipment will be provided.

Worker (sometimes called casual or zero hours)

Statement of Terms and Conditions

Paid via PAYE. Cannot ask someone else to do the work for them but has no obligation to accept any hours offered. There is also no expectation that the employer will provide any work. All required equipment will be provided.

Types of engagement

Self-employed

Contract for Services or Terms of Business

Paid via invoice. May be able to ask someone else to do the work. No obligation to provide work. Will provide their own equipment, insurances etc.

Office Holder

Minimal duties which are outlined via a constitution or trust deed or similar. Unpaid or a voluntary payment which is decided by the organisation and does not change if they do more work. Unsupervised.

Volunteers

- Unpaid - expenses only
- A volunteer is agreement recommended
- No obligation to volunteer
- No expectation that volunteering opportunities will be provided
- Safer recruitment, DBS and mandatory training may be required



Employees

- Paid - at least national minimum wage
- Written Terms
- Payslip
- Must do the work requested of them, including training
- Employment rights
- Pension (if eligible)
- Safer recruitment, DBS and mandatory training may be required



Employees

- Name of Employer
- Employees Name
- Job Title and Start Date
- Rate of pay and pay date/frequency
- Hours of work
- Holiday entitlement
- Location
- Probationary period
- Any other benefits
- Any required training
- Sick pay and procedure
- Other paid leave (maternity for example)
- Notice periods



Employees

- Details of the pension scheme
- Any right to any other training
- Disciplinary and Grievance Procedures



Workers (casual/ zero hours)

- Paid - at least national minimum wage
- Written Terms
- Payslip
- No obligation to do work
- Some employment rights
- Pension (maybe)
- Safer recruitment, DBS and mandatory training may be required



Self-employed

- Paid what they invoice
- Must have other clients/work!
- Can send someone else in their place
- Should not be supervised
- No sick pay, holiday pay etc
- Provide own equipment
- Safer recruitment, DBS and mandatory training may be required



Office Holders



- Ecclesiastical appointment, such as members of the clergy
- OR
- No contract or service agreement
- Duties are minimal and are only those required by the constitution/ trust deed etc
- Unpaid OR a voluntary payment made via PAYE which does not change regardless of the work they do.
- Not under supervision

Equality Act

Protection from direct and in-direct discrimination,
harassment and victimisation

Based on protected characteristics

Age - Sex - Disability - being married or in a civil partnership -
gender reassignment - being pregnant or on maternity leave
- race (including nationality, ethnicity) - religion or belief -
sexual orientation

Exemptions

The Worker Protection (Amendment of Equality Act 2010) Act 2023

Introduced the legal duty for employers to proactively take reasonable steps to prevent sexual harassment.

Failure to demonstrate reasonable action was taken could result in an uplift of up to 25% of any award given at tribunal.

The Worker Protection (Amendment of Equality Act 2010) Act 2023

Action could include:

- Training
- Policies
- Guidelines for contractors/volunteers
- Risk Assessments

Legal Update

- National Living Wage - 1st April
- Neonatal Care (Leave and Pay) - 6th April
- Paternity Leave (Bereavement) - TBC
- Employment Rights Bill - TBC

Getting it right

- ID Check / Right to Work
- Safer Recruitment
- What type of engagement?
- Written terms/agreements
- GDPR - and keeping things
- Pensions

Support

[HR Health Check](#)



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HELP

HR Health Checks





