NOTIFICATION OF CHANGES – September 2020

The way we administer Flexible Worker Agreements and Casual Contracts is changing.

1. Legislative change

1.1 As a result of a recent change to employment legislation which requires all workers and employees to receive a “written statement of employment particulars” on or before the first day of work, we have reviewed our current practices and have brought these in line with the new legislative requirements.

1.2 These legislative changes require all workers to be issued with a written statement that is much more encompassing than the current Flexible Worker Agreement and Casual Worker Contract, we will therefore phase out the Flexible Worker Agreement Terms and Conditions and the Casual Worker Contract and replace with a revised Flexible Worker Assignment letter.

2. Legislative Requirements

2.1 We draw your attention to the following legislative requirements that must now be included in all assignment letters, details as follows. This applies to each and every assignment offered and can no longer cover multiple assignments such as Tutoring and Research work, or other combinations of roles:

- the employer’s name
- the employee or worker’s name
- the start date (the day the employee or worker starts work)
- the date that ‘continuous employment’ (working for the same employer without a significant break) started for an employee
- job title, or a brief description of the job
- the employer’s address
- the places or addresses where the worker will work
- pay, including how often and when (for example, £9.30 per hour, paid on the second last working day of the calendar month)
- working hours, including which days the worker must work and if and how their hours or days can change
- holiday and holiday pay, including an explanation of how its calculated
- the amount of sick leave and pay
- any other paid leave (if this information is not included in the document, the employer must state where to find it)
- any other benefits, including non-contractual benefits
- the notice period either side must give when employment ends
- how long the job is expected to last (if it’s temporary or fixed term)

2.2 A template letter is provided for issue to all new Flexible Worker Assignments that take effect from September 2020. You are asked to complete the required fields and issue to the Flexible Worker no later than the first day of work. The information contained in the Flexible Worker assignment letter will be used by Salaries to create a record in ResourceLink, recording each and every assignment undertaken.
3. Parameters for engagements on a Flexible Worker Assignment

3.1 The revised Flexible Worker Assignment is for use in the following circumstances:

- Regular work, such as previously undertaken under a Casual Contract up to a maximum of 15 weeks, extendable by exception for 1 or 2 weeks subject to HRBP approval;
- Current Students, up to 12 months, mainly for tutoring and demonstrating work, providing they remain a current student for the duration of the assignment;
- Ad-hoc work in excess of 15 weeks duration, where the work is genuinely ad-hoc in nature, i.e. the work is irregular/unpredictable, hours are sporadic and not defined at the start of the assignment, work will be allocated and confirmed on an “as and when” basis.

AND

- The ad-hoc engagement is for less than one academic year
- Maximum weekly hours up to 36.25, please note Tier 4 restrictions still apply max 20 hours per week, as do the limits on teaching time for doctoral student who teach covered in the relevant policy.

3.2 The Flexible Worker Assignment is not suitable for work that is prescheduled and regular and required for more than 15 weeks at the outset, except for tutoring type roles for those who are current students. A fractional, fixed term contract should be considered for regular work for non-students, such contract would be funded from the Casual budget. Please refer to the Worker Process Flow chart for further guidance.

4. Revised forms and templates

4.1 In addition, we have undertaken a review of the Flexible Worker Details form and made some amendments. We have removed the Equal Opportunities Monitoring section and will now ask the Flexible Worker to update this information in HR Self Service once issued with their payroll number.

4.2 We will also ask that all Flexible Workers with a current record in HR Self Service use this facility to ensure bank and personal details are up to date, otherwise this may affect their pay. We will no longer ask these individuals to complete a Personal Details form.

4.3 For new hires and returners who do not have a current record in HR Self Service and for those are unable to access HR Self Service, a Personal Details Form must be completed and returned to Salaries with the signed Flexible Worker Assignment letter.

4.4 NB if the Flexible Worker does not have a current record visible on QlikView Casual Directory, they will be unable to access HR Self Service until assignment details are entered by Salaries.

4.5 There is no change to the Right to Work process. A Right to Work check is required for each new assignment.

5. Post Numbers for timesheets

5.1 We have created new post numbers for each School and Unit. This will improve our data capture of assignment information for each School/Unit. In general, there will be 2 post numbers per School/Unit, e.g.
• New post number will be published on the “Employing Casual Staff” webpage.
• New post numbers should be entered in timesheet submissions for all assignments starting from September 2020 onwards.
• Previous post numbers should continue to be used in timesheet submissions for all assignments, which commenced prior to September 2020.

6. **Interim Arrangements**

6.1 All Flexible Worker assignments and Casual Contracts which commenced prior to September 2020 will continue under the terms issued at that time.

6.2 Extensions to original assignments which commenced prior to September 2020 will not be processed; instead a new assignment letter must be issued.

6.3 **See also information at section 5 Post Numbers regarding new post numbers for timesheet submissions for new assignments processed from September 2020.**

6.4 The following documents have been updated or removed from the “Engaging Casual and Flexible Worker” webpages:

  - Flexible Worker Guidance notes – updated
  - Flexible Worker Process Flowchart – updated
  - Flexible Worker Details Form – removed and replaced with Flexible Worker Personal Details Form
  - Flexible Worker Assignment Letter – updated
  - Flexible Worker Agreement Terms and Conditions – removed (included in the updated Flexible Worker Assignment Letter)
  - Casual Workers Details Form – removed
  - Casual Contract Terms and Conditions – removed
  - FAQs – updated

7. **Revised Process**

7.1 Going forward, you will be asked to complete the following and submit to **Salaries:**

  - Flexible Worker Letter of Assignment
  - Right to Work Check
  - Personal Details Form – by exception and only for those listed [here](#)
  - HMRC Starter Checklist - for Flexible Workers not currently engaged by the University at the time of commencing assignment

7.2 For further information, please contact Mary Shotter, mls10