Quick Guide

Employment contracts

Why it matters...

Employment contracts are not an administrative matter but go to the heart of how people feel about working for us.

Our preference is for permanent employment contracts – this allows the University to invest in skills and development, and encourages more commitment from those that work for us.

There are often good reasons to use other arrangements e.g. fixed term or casual. In the interest of fairness, individuals must be clear what terms they are working under and what this means for them. These arrangements must also be managed carefully or legal risks may be created for the University.

What do I need to do?

When making a new appointment, assume that this will be based on a permanent contract unless there are good reasons not to. In these cases, speak to HR for further advice on options.

The process for new appointments is:
Recruitment – right to work – appointment form – HR issues contract.

Where you are responsible for someone on a fixed term or variable hours contract, or a casual arrangement – communication and careful management is key. See the separate Quick Guides.

General principles

• The University aims to reduce the number of casual and fixed term arrangements and to move to permanent employment contracts where possible.

• The contractual relationship is determined as much by what happens in practice as what may be agreed on paper. It is a matter of law and not a matter of choice.

• It is therefore important that the contracts in place match the reality of the relationship, and that this is managed carefully.

• Having the correct contract in place ensures that everyone working for the University is clear about their entitlements and responsibilities as employees or workers.

• Arrangements cannot be made locally to engage or pay people without a contract or agreement being in place. Where people would be recognised as workers or employees under employment law, they should not be paid through expenses, vouchers etc.

• Where we engage someone on a self-employed basis – i.e. they submit an invoice and/or we want to pay them outside of payroll – an assessment of their employment status must take place.

• HR must be informed about new starters and right to work checks must be completed before the first day of work.

Contact your Senior Employee Relations Adviser/Employee Relations Adviser for advice and support. For more Quick Guides go to 'People Strategy in Action'.
Types of contract

**Permanent**
- Open ended contracts for academic and professional staff.
- Hours may be annualised: a total number of hours for the year are agreed but to a pattern agreed with their line manager. This is often done to allow term time working.
- If there is a real need to vary hours annually, see Quick Guide on Variable Hours contracts.

**Fixed term**
- Contracts can be for a fixed period but there must be a justifiable reason why the contract is only for a fixed term. See Quick Guide on fixed term contracts.

**GTA/GLA**
- These are fixed term contracts that will come to an end when the student completes their studies. An umbrella contract is in place which is activated when the student begins a work engagement. See Employment Guidance.

**Casual**
- Casual agreements are open ended agreements for workers that allow ‘as and when’ casual engagements, each usually no longer than 12 weeks.

Common questions

- **It is not possible to move this team/individual onto a permanent contract.**
  In many cases, there will be sound business reasons for using a non-permanent contract. However, in some cases, we need to consider the appointment differently and change how we work, in particular that we start to plan our resource requirements further in advance and that we manage our permanent staff body as effectively as possible.

- **How are variable hours contracts an improvement on a fixed term contract?**
  This contractual arrangement is intended to be a step up from a fixed term contract, giving individuals some certainty that if the work is available, they will receive it. They also have their continuity of service recognized.

“Permanent contracts should be the usual way we engage people. If other arrangements are used, they must be managed carefully.”

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