



Types of contract

This factsheet aims to provide information on the contractual relationship between the employer and employee. It describes what constitutes a written statement of terms and conditions of employment and different clauses.

Written statement of terms and conditions of employment

It is a legal requirement to provide a written statement of employment to employees who will be employed for more than one month. You must also include a number of clauses in a written statement of employment, for example:

- Name of employer and employee
- Date the employment and continuous employment began
- Job description or job title
- Working hours
- Duration of employment
- Place of work

Different employment contracts

Different employment contracts have emerged due to a changing environment and workforce.

Fixed term contracts are used widely across the sector for project roles and where funding for the role had a specific end date. Fixed term contract employees should not be treated less favourable than workers on **permanent** contracts.

The **Part-time** Workers (Prevention of Less Favourable Treatment) Regulations 2000 ensure that part time employees benefit from the same terms and conditions (pro-rata) as their **full-time** counterparts.

Zero hours and **annual hours** contracts give greater flexibility for employers to use their employees, for example at busy time of the year or to cover for staff sickness.

Employers should be aware of the implications of **Transfer of Undertakings (TUPE)** of staff. This allows employees to retain their original terms and conditions of service should they be transferred from another organisation. The Regulations will be reformed from 6 April 2006, which will provide more comprehensive coverage for service contracting operations. Further information about the regulations can be found at www.dti.gov.uk

Self-employed consultants may be required at some point to assist your organisation with a project or employment advice. The 'contract for services' should clearly define the terms of the agreement.

Workers are normally referred to as casual workers if they can be offered and accept work as and when they wish to.

**This information is taken from the publication *The Good Employment Guide (2005)*.
Find out more at www.ncvo-vol.org.uk/publications**

To find out more on written statements or contracts, visit the following websites:

1) Acas: Provides information relevant to all new and existing employers
www.acas.org.uk

2) askNCVO: NCVO provides free information, signposting and services for trustees, staff and volunteers
www.askncvo.org.uk

3) Business Link: Provides information for those becoming an employer for the first time
www.businesslink.gov.uk