

Guide to employing staff for rugby clubs in Scotland

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This guide sets out the areas clubs may wish to consider when employing staff, together with links to further information. Whether to employ staff is a matter for each individual club to decide on based on the needs and best interests of that club in its own specific circumstances. **Clubs should obtain their own independent professional advice before making any employment related decisions.**

Employing staff

Before employing staff, clubs should seek to establish the employment status of the relevant role within the club. This status will determine that staff member's rights as well the club's responsibilities. The government's Employment Status Indicator (ESI) tool enables employers to check the employment status of an individual or group of workers – i.e. whether they're employed or self-employed for legal, tax, National Insurance or VAT purposes. For more information please refer to <https://www.gov.uk/guidance/employment-status-indicator>

If employing staff, clubs should:

- Register as an employer with HM Revenue and Customs
- Obtain appropriate employment insurance as an employer
- Prepare a job description for the role to help applicants to assess their suitability
 - This could include the purpose, main tasks/duties and scope of the job
- Decide on the salary associated with the role (this must be at least the National Minimum Wage)
- Ensure they do not discriminate during any recruitment/selection process on the grounds of sex, race, disability, age, sexual orientation, religion or belief, pregnancy, maternity, marriage and civil partnership, or gender reassignment.

- Ensure that any prospective employee has the legal right to work in the UK.
- Apply for a PVG for the prospective employee if required, e.g. where working with vulnerable people (children) or in security.
- Provide the employee with a “written statement of employment” detailing the role and any applicable terms and conditions.
- Consider auto-enrolment legislation covering pension provisions.
- Consider having relevant employment policies in place. ACAS offers free templates for employers to customise and these can be found at <http://www.acas.org.uk/index.aspx?articleid=1438>

For more information please refer to <https://www.gov.uk/employing-staff>

Written statements of terms and conditions of employment

Clubs must provide their employees with a written statement containing the main terms and conditions of their employment, whether full time, part time, fixed term or permanent. The following information should be included in one document:

- Name of employer and employee.
- Date employment started.
- Job location.
- Pay and whether weekly/monthly etc.
- Working hours.
- Holiday entitlement.
- Job description/job title.
- Minimum notice period (this must be at least the statutory minimum).
- Details of any collective agreements that directly affect the employee's conditions of employment.

Additional information may also be included or made reference to, for example:

- Sick leave and sick pay entitlements.
- Pensions and pension schemes.
- Disciplinary and grievance procedures.
- Appeal procedures.

Clubs should obtain independent professional advice in respect of what needs to be included in any written terms and conditions of employment for a role.

Pay

Clubs must give all their employees an individual written pay statement on or before their pay date. Deductions must be shown on the pay statement with detailed amounts and reasons - e.g. Tax and National Insurance. Part time workers should get the same pro rata rate of pay as full-time workers and most workers will be entitled to be paid at least the National Minimum Wage. For more information please refer to <http://www.acas.org.uk/index.aspx?articleid=1366>

Working hours

The law places restrictions on the hours that most people can work. For more information please refer to <http://www.acas.org.uk/index.aspx?articleid=1373>

Time off & holidays

Clubs must give their employees reasonable time off to carry out certain duties e.g. jury service, but this does not have to be paid. Most employees will also be legally entitled to 5.6 weeks paid holiday per year (this is known as statutory entitlement). Part time employees are entitled to the same amount of holiday (pro rata) as their full-time colleagues. Employers can set the times when workers can take their leave - for example a Christmas shut down. There is no legal right to paid public holidays. For more information please refer to:

<http://www.acas.org.uk/index.aspx?articleid=1370>

<http://www.acas.org.uk/index.aspx?articleid=1374>

Equality

It is unlawful to discriminate against people at work because of:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

For more information please refer to <http://www.acas.org.uk/index.aspx?articleid=1363>

Parents and carers

Parents and other people who combine work with caring for dependents have specific rights protected by law. These include various types of leave and the right to be considered for flexible working. For more information please refer to <http://www.acas.org.uk/index.aspx?articleid=1362>

Right to request flexible working

Employees may be entitled to request flexible working. For more information please refer to <http://www.acas.org.uk/index.aspx?articleid=1616>

Redundancy and termination of employment

Clubs should obtain independent professional advice in respect of a redundancy or potential redundancy situation, when dealing with a disciplinary or grievance, or where an employee's employment might be terminated. For more information please refer to: <http://www.acas.org.uk/index.aspx?articleid=1611>
<http://www.acas.org.uk/index.aspx?articleid=1365>
<http://www.acas.org.uk/index.aspx?articleid=1650>

[Acas Code of Practice 1 - Disciplinary and Grievance Procedures and Discipline and grievances at work: The Acas guide.](#)

Scottish Rugby

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