

Supporting and valuing volunteers, staff and users and making sure that you meet your legal obligations to them

This section is about supporting and valuing volunteers, staff and users and making sure that you meet your legal obligations to them. You need to ensure that information is shared and that staff and volunteers are supported in what they do and understand their role. Remember, part-time cleaners and care-takers are considered staff unless they are self-employed.

Volunteers include committee members and those that help out at events, on one-off occasions or in sub groups.

	Statement	Use this space to record any actions you need to take and/or the locations of your evidence	We do it	We can prove it	Complete (initialled and dated by assessor)
1	<p>You are aware of and meet the different legislative requirements relating to staff and volunteers. Examples of Evidence:</p> <p>Employer liability insurance</p> <p>Health and safety information</p> <p>Pre-employment checks</p> <p>Protecting vulnerable groups checks</p> <p>Pension provision</p> <p>National minimum wage</p> <p>Staff records</p> <p>Accident reporting</p> <p>Income tax and national insurance records Cross check sections 3:4, 5:3 and 6:5</p>	<p>N/A</p> <p>See Policies</p> <p>N/A</p> <p>See Policies</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>Book in kitchen</p> <p>N/A</p>	<p></p> <p>Y</p> <p></p> <p>Y</p> <p></p> <p></p> <p></p> <p>Y</p> <p></p>	<p></p> <p>Y</p> <p></p> <p>Y</p> <p></p> <p></p> <p></p> <p>Y</p> <p></p>	
2	<p>All your paid staff have contracts and terms and conditions. Your volunteers and committee members have role descriptions and agreements. Examples of evidence:</p> <p>Written contract and terms and conditions</p> <p>Staff job descriptions</p> <p>Volunteer role descriptions</p>	<p>N/A</p> <p>N/A</p> <p>See Job Descriptions</p>	<p></p> <p></p> <p>Y</p>	<p></p> <p></p> <p>Y</p>	

	Statement	Use this space to record any actions you need to take and/or the locations of your evidence	We do it	We can prove it	Complete (initialled and dated by assessor)
3	<p>You are aware of and comply with your employee's statutory rights and anti-discrimination legislation. Examples of evidence include:</p> <ul style="list-style-type: none"> Equal opportunities policy and procedure National minimum wage compliance Working hours compliance Holiday recording Pay slips Sickness procedures Maternity leave or other family related leave awareness Time off for public duties awareness Time off for trade union duties awareness Redundancy procedures/awareness 	Not employing.			

4	Your recruitment of staff and volunteers has a fair and open process and meets anti-discrimination legislation. Examples of evidence include:			
	Policies and procedure documents relating to recruitment and equal opportunities	See Policies	Y	Y
	Job descriptions and person specifications	See Job Descriptions	Y	Y
	Adverts for staff and volunteers members	N/A		
	Meeting minutes	See Minutes of all meetings on Website plus Appendix 2.4	Y	Y
	Applications forms and interview questions.	N/A		
5	New people are inducted into your organisation promptly and can describe the organisation's aims and services. Examples of evidence include:	All volunteers are given an induction by an existing director	Y	Y
	Induction procedure for staff and volunteers	Appendix 2.1 and 2.1b and 2.3		
	Induction pack	Included at end of induction pack	Y	Y
	Records of induction	Included in induction pack	Y	Y
	Instructions on use of equipment.		Y	Y
6	Your staff and volunteers have access to development opportunities. Examples of evidence include:			
	Supervision meeting notes	See minutes of all meetings on website	Y	
	Attendance certificates for training	Food Hygiene certificate Appendix 2.2 and 2.2b	Y	
	Distribution of local training opportunities			
	Records of attendance at conferences			

	Things to think about	Where to get help
1	<p>You are aware of and meet the different legislative requirements relating to staff and volunteers</p>	
	<p>Protection of Vulnerable Groups (PVG) Scheme The PVG Scheme provides a system that helps to ensure those who have regular contact with children and protected adults through paid and unpaid work do not have a history of harmful behaviour. It is only really necessary to carry out disclosure of your staff or volunteers if you run events or activities that involve regular contact with children or vulnerable adults. Crosscheck section 6:5</p>	<p>Skye and Lochalsh Community Toolkit Working with Children and other Vulnerable People http://tinyurl.com/3mxo8zb</p> <p>Appendix Aiii of Your Hall Manual has further information and an example child protection policy http://tinyurl.com/YourHallManual</p>
	<p>Employer liability insurance It is a legal requirement to hold such insurance if any staff are employed including caretakers or cleaners.</p>	<p>SCVO – Insurance information page includes details of types of insurance and specialist halls policies www.scvo.org.uk/information/financial-services/insurance/</p> <p>Action with Communities in Rural England (ACRE) Information Sheet 22: Managing employees and Volunteers. Cost £5. http://tinyurl.com/ACREpubs</p>
	<p>Health and safety The Employment Rights Act 1996 gives statutory rights for all employees in connection with health and safety legislation. The Health and Safety at Work Act 1974 covers the statutory duties of employers.</p> <p>Every employer MUST display a poster or distribute a pocket card setting out information on health and safety law. If you have five or more employees you must have a written health and safety policy. But even if your hall is run entirely by volunteers it is strongly recommended to write a simple policy.</p>	<p>SCVO - Health and Safety in Community Buildings www.scvo.org.uk/information/keeping-legal/health-and-safety-in-community-buildings/</p> <p>Free confidential Health and Safety advisory service funded by the Scottish Government. www.healthyworkinglives.com</p> <p>HR Resource Library - The Supporting Voluntary Action programme has created a really useful resource library which includes sample policies, procedures and letters. It includes an example health and safety policy and guidance notes. http://sva.scvo.org.uk/information-library/hr-library/</p>

	Things to think about	Where to get help
	<p>Pre-employment checks Employing someone who does not have the right to work in the UK is a criminal offence. If you plan to employ someone, you need to make sure that they are entitled to work in the UK before they start working for you. You must make the necessary checks on all potential employees even if you are sure they have the right to work here. If you have only made the check if they sound or appear to be 'foreign' this could be unlawful discrimination. Take up references and check qualifications.</p>	<p>Business Gateway link provides an interactive tool for employers to inform and help make the necessary checks on potential staff. http://tinyurl.com/BGeligibilityCheck</p>
	<p>Pension provision If you have five or more relevant employees on your payroll, and do not provide another qualifying scheme, you are obliged to provide your employees with access to a stakeholder pension. From 2012 under the Pensions Act 2008 all eligible workers (earning over £5000/year) will be automatically enrolled in a personal account scheme which the hall will be required to contribute.</p>	<p>Business Gateway - Know your legal obligations on pensions http://tinyurl.com/BGpensions The Pensions Regulator website provides lots of information www.thepensionsregulator.gov.uk</p>
	<p>Staff records There is a legal duty for employers to keep detailed records of pay, hours worked, tax, national insurance, statutory sick pay and statutory maternity pay. These must be kept in accordance with the requirements of the Data Protection Act. Crosscheck section 6:10</p>	<p>Business Gateway – Keep the right staff records http://tinyurl.com/BGstaffRecords HR Resource Library - The Supporting Voluntary Action programme has created a really useful resource library which includes data protection guidance notes and policies. http://sva.scvo.org.uk/information-library/hr-library/</p>
	<p>Accidents at work All accidents must be recorded in an accident book. Serious accidents must be reported the Health and Safety Executive Crosscheck section 6:4</p>	<p>HSE – Report an incident www.hse.gov.uk/riddor/</p>
	<p>Income tax and national insurance It is the employer's duty to deduct income tax from the pay of employees whether or not directed to do so by the tax office. Take care to check the tax status of all people working in the hall regardless of how much or little they are paid. If you are in any doubt whether income tax is payable or not contact you tax office. National Insurance contributions are related to employee's earnings and are collected along with income tax under the PAYE procedures. Crosscheck section 3:4</p>	<p>Business Gateway – Paying your staff http://tinyurl.com/BGpayingStaff Payroll can be handled by SCVO payroll services www.scvo.org.uk/membership/our-services/scvo-payroll-service/ Some Third Sector Interfaces (CVS) also have payroll services http://tinyurl.com/cvsnetwork</p>

	Things to think about	Where to get help
2	All your paid staff have contracts and terms and conditions	
	<p>Employment contracts A contract comes into existence once the employee has accepted the job offer whether the offer, acceptance or anything else relating to the job is in writing or not.</p>	<p>ACRE has produced a model contract of employment which has been designed in relation to the employment of a caretaker and includes terms and conditions as required by the Employment Rights Act 1996 and discipline and grievance procedures. ACRE Information Sheet 22: Managing employees and Volunteers. Cost £5. http://tinyurl.com/ACREpubs</p> <p>Business Gateway – The employment contract (includes an interactive tool to create a written statement of employment). http://tinyurl.com/BGcontract</p>
	<p>Terms and conditions All employees irrespective of their hours of work are entitled to receive a written statement of their terms and conditions of employment within two months of starting work.</p> <p>It is a legal requirement to have written disciplinary and grievance procedures, but it is strongly advised that these are clearly marked as non contractual.</p>	<p>ACRE has produced a model contract of employment which has been designed in relation to the employment of a caretaker and includes terms and conditions as required by the Employment Rights Act 1996 and discipline and grievance procedures. ACRE Information Sheet 22: Managing employees and Volunteers. Cost £5. http://tinyurl.com/ACREpubs</p> <p>Business Gateway – The employment contract (includes an interactive tool to create a written statement of employment). http://tinyurl.com/BGcontract</p>
	<p>Job descriptions All employees should be provided with a job description which sets out clearly their duties, this is particularly important for caretakers and cleaners who may be largely unsupervised.</p>	<p>A model job description for a caretaker is included in ACRE Information Sheet 22: Managing employees and Volunteers. Cost £5. http://tinyurl.com/ACREpubs</p>

	Things to think about	Where to get help
3	You are aware of and comply with your employee's statutory rights and anti-discrimination legislation.	
	<p>National minimum wage All village hall employees and workers must be paid at least the national minimum wage</p>	<p>Business gateway – Understanding national minimum wage law http://tinyurl.com/BGminimumwage</p>
	<p>Working hours The Working Time Regulations 1998 apply. For part-time village hall employees this unlikely to apply (apart from paid annual leave) unless they have other job(s).</p>	<p>Business gateway – Working time http://tinyurl.com/BGworkingHours</p>
	<p>Holidays The Regulations provide workers with the right to 28 days paid holiday per year (for a worker working a five day week) which can be inclusive of any Bank Holidays that are allowed by the contract. Part-time and sessional workers are entitled to paid leave on a pro rata basis</p>	<p>Business gateway – Holiday and time off http://tinyurl.com/BGHolidays</p>
	<p>Itemised pay Under the Employees Rights Act 1996 employees have a statutory right to receive a detailed written pay statement at or before the time of payment</p>	<p>Business Gateway – Pay an overview of obligations http://tinyurl.com/BGitemisedPay</p>
	<p>Statutory sick pay An employee who attracts a liability for Class 1 National Insurance contributions is entitled to statutory sick pay</p>	<p>Business Gateway – Pay an overview of obligations http://tinyurl.com/BGsickPay</p> <p>HR Resource Library - The Supporting Voluntary Action programme has created a really useful resource library which includes sickness absence policy and guidance. http://sva.scvo.org.uk/information-library/hr-library/</p>
	<p>Statutory maternity, paternity or adoption leave and pay, parental leave and time off for dependants Employees may be entitled to paid or unpaid time off in these circumstances.</p>	<p>Business Gateway – Pay an overview of obligations http://tinyurl.com/BGmaternity</p> <p>HR Resource Library - The Supporting Voluntary Action programme has created a really useful resource library which includes dependants, paternity and maternity guidance and policies. http://sva.scvo.org.uk/information-library/hr-library/</p>

3	<p>Redundancy Employees who have worked for the same employer for at least two years may be entitled to redundancy pay.</p>	<p>Business Gateway – Redundancy and dismissals http://tinyurl.com/BGredundancy</p> <p>HR Resource Library - The Supporting Voluntary Action programme has created a really useful resource library a redundancy policy and guide. http://sva.scvo.org.uk/information-library/hr-library/</p>
	<p>Anti-discrimination legislation It is illegal to discriminate on the grounds of race, gender, sexual orientation, religion or belief, and disability or age. There are some very limited exceptions to this.</p>	<p>Business Gateway – Equality and diversity http://tinyurl.com/BGequality</p>
	<p>Data Protection Act All data must be handled in accordance with the Data Protection Act. Crosscheck section 6:10</p>	<p>Business Gateway – Data protection and your business http://tinyurl.com/6jk54c</p> <p>HR Resource Library - The Supporting Voluntary Action programme has created a really useful resource library which includes data protection guidance and sample policy. http://sva.scvo.org.uk/information-library/hr-library/</p>
4	<p>Your recruitment of staff and volunteers has a fair and open process and meets anti-discrimination legislation</p>	
	<p>Recruitment of staff You should normally have an open recruitment process even if this only involves advertising the post in the local shop or on notice boards. In limited circumstances it may not be appropriate to advertise. For example if the post is for a very short time or if you're are seeking an alternative post for an employee due to redundancy or disability.</p>	<p>Business Gateway – Finding new people http://tinyurl.com/BGrecruitment</p> <p>HR Resource Library - The Supporting Voluntary Action programme has created a really useful resource library which includes recruitment guidance and sample policy http://sva.scvo.org.uk/information-library/hr-library/</p>
	<p>Anti-discrimination legislation It is illegal to discriminate on the grounds of race, age, gender, sexual orientation, religion or belief, or disability. There are some very limited exceptions to this.</p>	<p>Business Gateway – Equality and diversity http://tinyurl.com/BGequality</p>

5	New people are inducted into your organisation promptly and can describe the organisation's aims and services	
	Induction simply means providing a short session or programme and some information materials designed to bring any newcomer up to speed with what the organisation is all about.	<p>SCVO Information and induction for voluntary management committees http://tinyurl.com/SCVOinduction</p> <p>HR Resource Library - The Supporting Voluntary Action programme has created a really useful resource library which includes induction guidance and policies http://sva.scvo.org.uk/information-library/hr-library/</p>
6	Your staff and volunteers have access to development opportunities	
	This could include going on training courses or attending conferences	<p>SCVO training www.scvo.org.uk/training/scvo-training/</p> <p>Third Sector Interfaces (CVS) also provide training opportunities http://tinyurl.com/cvsnetwork</p>

Section complete

Signed

Date