

Employment Contract Policy

Youth Start Limited

Company Number: 16864238

Registered Office: 370 Osmaston Park Road, Derby, DE24 8FB

Effective Date

1 January 2026

Next Review Date

1 January 2027

Introduction and Purpose

Youth Start Limited is committed to providing clear, fair, and legally compliant employment contracts to all individuals who work with us. This Employment Contract Policy sets out our approach to employment contracts for staff members, volunteers, and contractors, and sets out the terms and conditions of employment that apply to all individuals who work with Youth Start.

An employment contract is a legal agreement between Youth Start and an individual that sets out the terms and conditions of employment, including the role, responsibilities, salary, benefits, working hours, and other important matters. A clear and fair employment contract is essential to ensure that both Youth Start and the individual understand their rights and responsibilities.

This policy applies to all staff members employed by Youth Start Limited, all volunteers engaged by Youth Start, and all contractors and third parties who work with Youth Start.

Scope

This Employment Contract Policy applies to:

- All staff members employed by Youth Start Limited on a permanent, fixed-term, or temporary basis
- All volunteers engaged by Youth Start Limited
- All contractors and third parties who work with Youth Start
- All individuals who provide services to Youth Start in any capacity

This policy does not apply to:

- Candidates who are placed with employers through Youth Start (although Youth Start supervises employer compliance with employment contract requirements)
 - Individuals who do not have a formal employment relationship with Youth Start
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Legal Framework

Employment contracts must comply with the following legislation:

Employment Rights Act 1996:

This Act establishes the framework for employment rights and requires that employment contracts clearly set out the terms and conditions of employment.

Equality Act 2010:

This Act requires that employment contracts do not contain terms that discriminate on the basis of protected characteristics.

National Minimum Wage Act 1998:

This Act requires that all employees are paid at least the national minimum wage (or apprentice minimum wage if applicable).

Working Time Regulations 1998:

These Regulations require that employment contracts comply with working time limits and rest period requirements.

Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR):

These Acts regulate the processing of personal data and require that employment contracts include information about data processing.

Employment Contracts Act 1963:

This Act requires that employment contracts are in writing and clearly set out the terms and conditions of employment.

Flexible Working Regulations 2023:

These Regulations require that employment contracts allow for flexible working arrangements where possible.

Health and Safety at Work etc. Act 1974:

This Act requires that employment contracts include information about health and safety responsibilities.

Youth Start's Approach to Employment Contracts

Youth Start is committed to:

Clear and Fair Terms:

We provide employment contracts that are clear, fair, and easy to understand. Contracts set out the key terms and conditions of employment in plain language.

Legal Compliance:

We ensure that all employment contracts comply with employment law and best practice guidance.



Transparency:

We are transparent about the terms and conditions of employment. Individuals are provided with a copy of their employment contract and are given the opportunity to ask questions and seek advice before signing.

Fairness:

We ensure that employment contracts are fair and do not contain terms that are unreasonable or that disadvantage individuals.

Flexibility:

We recognise that individuals have different needs and circumstances. We are willing to discuss flexible working arrangements and to negotiate terms where appropriate.

Support:

We provide support to individuals to help them understand their employment contract and their rights and responsibilities.

Types of Employment Contracts

Permanent Employment Contracts

Definition:

A permanent employment contract is an employment contract with no fixed end date. The employment relationship continues until either Youth Start or the individual terminates the contract.

When Used:

Permanent employment contracts are used for staff members who are employed on an ongoing basis.

Terms:

Permanent employment contracts set out: - The role title and description - The salary and benefits - The working hours - The location of work - Holiday entitlement - Sick leave entitlement - Notice periods - Termination procedures - Other terms and conditions

Advantages:

Permanent employment contracts provide security and stability for both Youth Start and the individual.

Disadvantages:

Permanent employment contracts require a longer notice period to terminate and may be more costly for Youth Start.

Fixed-Term Employment Contracts

Definition:

A fixed-term employment contract is an employment contract with a specified end date. The employment relationship ends automatically on the specified date unless the contract is renewed.

When Used:

Fixed-term employment contracts are used for: - Temporary staff members - Staff members employed on a project-specific basis - Staff members employed to cover maternity leave or other absences - Staff members employed on a trial or probationary basis (although a probationary period is usually included in a permanent contract)

Terms:

Fixed-term employment contracts set out: - The role title and description - The salary and benefits - The working hours - The location of work - The start date and end date - Holiday entitlement - Sick leave entitlement - Notice periods - Termination procedures - Conditions for renewal - Other terms and conditions

Advantages:

Fixed-term employment contracts provide flexibility for Youth Start and allow us to employ staff members for specific periods or projects.

Disadvantages:

Fixed-term employment contracts may provide less security for individuals and may require renewal or renegotiation.

Equal Treatment:

Fixed-term employees must be treated equally to permanent employees in relation to pay, benefits, and working conditions, unless there is an objective reason for different treatment.

Volunteer Agreements

Definition:

A volunteer agreement is an agreement between Youth Start and an individual who provides services on a voluntary basis without payment.

When Used:

Volunteer agreements are used for individuals who provide services to Youth Start on a voluntary basis, such as mentors, advisors, or administrative support.

Terms:

Volunteer agreements set out: - The role title and description - The volunteer's responsibilities - The expected time commitment - The location of work - Insurance and liability arrangements - Confidentiality and data protection requirements - Safeguarding requirements - Termination procedures - Other terms and conditions

Advantages:

Volunteer agreements allow Youth Start to engage individuals who are committed to our mission and who are willing to provide services without payment.

Disadvantages:

Volunteer agreements do not create an employment relationship and volunteers are not entitled to employment rights (such as minimum wage, holiday pay, or sick leave).



Important Note:

Volunteer agreements must be clear that the individual is a volunteer and not an employee. If an individual is treated as an employee (for example, by providing training, supervision, or equipment), they may be entitled to employment rights even if they are not paid.

Contractor Agreements

Definition:

A contractor agreement is an agreement between Youth Start and an individual or organisation that provides services on a self-employed basis.

When Used:

Contractor agreements are used for individuals or organisations that provide specialist services to Youth Start, such as consultants, trainers, or service providers.

Terms:

Contractor agreements set out: - The services to be provided - The fee or payment terms - The duration of the contract - The location of work - Intellectual property rights - Confidentiality and data protection requirements - Insurance and liability arrangements - Termination procedures - Other terms and conditions

Advantages:

Contractor agreements allow Youth Start to engage specialist service providers without creating an employment relationship.

Disadvantages:

Contractor agreements do not provide Youth Start with the same level of control over the individual's work as an employment contract, and contractors are responsible for their own tax and National Insurance.

Important Note:

Contractor agreements must be clear that the individual is a contractor and not an employee. If an individual is treated as an employee (for example, by providing training, supervision, or equipment), they may be entitled to employment rights even if they are classified as a contractor.

Key Terms and Conditions

Role and Responsibilities

Job Title:

The employment contract clearly states the job title of the role.

Job Description:

The employment contract includes a job description that sets out the main responsibilities and duties of the role.

Flexibility:

The employment contract may include a clause that allows Youth Start to ask the individual to undertake other duties that are consistent with the level and nature of the role.

Changes to Role:

If the role changes significantly, Youth Start will discuss the changes with the individual and may provide an updated job description.

Salary and Benefits

Salary:

The employment contract clearly states the salary or hourly rate of pay.

Payment:

The employment contract sets out how and when salary is paid (for example, monthly in arrears by bank transfer).

National Minimum Wage:

All employees are paid at least the national minimum wage (or apprentice minimum wage if applicable).

Salary Reviews:

The employment contract may include information about salary reviews and how salary increases are determined.

Benefits:

The employment contract sets out any benefits provided by Youth Start, such as: - Pension contributions - Health insurance - Professional development and training - Equipment and technology - Flexible working arrangements - Other benefits

Working Hours and Location

Working Hours:

The employment contract clearly states the number of hours per week that the individual is expected to work.

Flexible Working:

The employment contract may include information about flexible working arrangements, such as: - Part-time work - Job sharing - Flexible hours - Remote working - Compressed working weeks

Location of Work:

The employment contract sets out the location where the individual is expected to work (for example, the Youth Start office, home, or client locations).

Travel:

The employment contract may include information about travel requirements and whether travel expenses are reimbursed.

Holiday and Leave Entitlements

Holiday Entitlement:

The employment contract sets out the annual holiday entitlement. The minimum holiday entitlement is 20 days per year (or 5.6 weeks if the individual works part-time).

Holiday Pay:

The employment contract sets out how holiday pay is calculated and when it is paid.



Holiday Accrual:

The employment contract may set out how holiday accrues (for example, monthly or annually).

Sick Leave:

The employment contract sets out the individual's entitlement to sick leave and how sick leave is managed.

Statutory Leave:

The employment contract sets out the individual's entitlement to statutory leave, such as: - Maternity leave - Paternity leave - Parental leave - Adoption leave - Time off for dependants - Jury service

Other Leave:

The employment contract may set out entitlements to other types of leave, such as: - Compassionate leave - Career break leave - Sabbatical leave - Unpaid leave

Confidentiality and Data Protection

Confidentiality:

The employment contract includes a confidentiality clause that requires the individual to keep confidential any information about Youth Start, candidates, employers, or other individuals that they become aware of during their employment.

Exceptions:

The confidentiality clause includes exceptions for information that is: - Already in the public domain - Required to be disclosed by law - Necessary to disclose for safeguarding purposes - Necessary to disclose to seek legal advice

Data Protection:

The employment contract includes information about how personal data is processed, including: - What data is collected - Why data is collected - How data is used - Who data is shared with - How long data is retained - The individual's rights under data protection law

Intellectual Property:

The employment contract may include a clause that sets out who owns intellectual property created during the course of employment.

Safeguarding and Code of Conduct

Safeguarding Commitment:

The employment contract includes a commitment to safeguarding young people and vulnerable individuals.

Code of Conduct:

The employment contract includes reference to Youth Start's Code of Conduct, which sets out the standards of behaviour expected of all staff members.

Compliance with Policies:

The employment contract requires the individual to comply with all Youth Start policies and procedures.



Background Checks:

The employment contract includes information about background checks and the individual's consent to background checks.

Safeguarding Training:

The employment contract may require the individual to undertake safeguarding training.

Termination and Notice Periods

Notice Periods:

The employment contract sets out the notice period that must be given by either party to terminate the employment relationship.

Notice Period by Youth Start:

Youth Start must give the individual notice of at least the statutory notice period (which is one week for the first two years of employment, and then one week per year of service up to a maximum of 12 weeks).

Notice Period by Individual:

The individual must give Youth Start notice of at least the notice period set out in the employment contract (which must be at least one week).

Termination for Cause:

The employment contract may allow Youth Start to terminate the employment relationship immediately if the individual commits a serious breach of contract (such as gross misconduct).

Termination for Incapacity:

The employment contract may allow Youth Start to terminate the employment relationship if the individual is unable to perform the role due to illness or disability.

Redundancy:

The employment contract may include information about redundancy procedures and redundancy pay.

References:

The employment contract may include information about references and how references are provided.

Dispute Resolution

Grievance Procedure:

The employment contract includes reference to Youth Start's Grievance Procedure, which sets out how the individual can raise concerns or complaints.

Disciplinary Procedure:

The employment contract includes reference to Youth Start's Disciplinary Procedure, which sets out how misconduct is dealt with.

Mediation:

The employment contract may include reference to mediation as a way of resolving disputes.

Arbitration:

The employment contract may include reference to arbitration as a way of resolving disputes.

Employment Contract Development and Approval

Development Process

Template Contracts:

Youth Start uses template employment contracts that are reviewed and updated regularly to ensure compliance with employment law.

Customisation:

Template contracts are customised to reflect the specific role, responsibilities, salary, and other terms relevant to the individual.

Legal Review:

Employment contracts are reviewed by a qualified legal advisor to ensure compliance with employment law before they are offered to individuals.

Approval:

Employment contracts are approved by the Data Protection Lead (Nick Calin) before they are offered to individuals.

Provision to Individuals

Written Contract:

All individuals are provided with a written employment contract before they start work.

Timing:

Employment contracts are provided to individuals as soon as possible after a job offer is accepted, and in any case before the individual starts work.

Opportunity to Review:

Individuals are given a reasonable opportunity to review the employment contract and to ask questions before they are required to sign.

Advice:

Individuals are encouraged to seek independent legal advice before signing the employment contract.

Signature:

Individuals are required to sign the employment contract to confirm that they agree to the terms and conditions.

Copy:

Individuals are provided with a signed copy of the employment contract for their records.

Changes to Employment Contracts

Variation of Terms:

If Youth Start wishes to change the terms and conditions of employment, we will: - Discuss the proposed changes with the individual - Provide written notice of the changes - Allow a reasonable period for the individual to consider the changes - Obtain the individual's agreement to the changes (unless the changes are required by law)

Statutory Changes:

If changes are required by law (for example, changes to the national minimum wage), Youth Start will update employment contracts accordingly.

Consent:

Youth Start will not make changes to employment contracts without the individual's consent, unless the changes are required by law or unless the individual's contract allows for changes.

Specific Provisions for Different Groups

Staff Members

Permanent Staff:

Permanent staff members are provided with permanent employment contracts that set out their role, salary, benefits, working hours, and other terms and conditions.

Probationary Period:

New permanent staff members may be employed on a probationary period (usually 3-6 months) during which their performance is assessed. During the probationary period, either party can terminate the employment relationship with shorter notice.

Fixed-Term Staff:

Fixed-term staff members are provided with fixed-term employment contracts that set out the duration of employment and the conditions for renewal.

Volunteers

Volunteer Agreements:

Volunteers are provided with volunteer agreements that clearly set out that they are volunteers and not employees, and that they are not entitled to employment rights such as minimum wage, holiday pay, or sick leave.

Expenses:

Volunteer agreements may include information about how expenses are reimbursed.

Insurance:

Volunteer agreements may include information about insurance cover for volunteers.

Termination:

Volunteer agreements set out how the volunteer arrangement can be terminated by either party.

Contractors

Contractor Agreements:

Contractors are provided with contractor agreements that clearly set out that they are contractors and not employees.

Services:

Contractor agreements set out the services to be provided and the fee or payment terms.

Intellectual Property:

Contractor agreements may include information about intellectual property rights.

Confidentiality:

Contractor agreements include confidentiality clauses to protect Youth Start's confidential information.

Employer Responsibilities

While Youth Start provides employment contracts to its own staff members, volunteers, and contractors, employers who engage candidates through Youth Start have their own responsibilities in relation to employment contracts.

Provide Employment Contracts:

Employers must provide employment contracts to candidates before they start work.

Comply with Employment Law:

Employers must ensure that employment contracts comply with employment law.

Fair Terms:

Employers must ensure that employment contracts contain fair terms and conditions.

Youth Start Supervision:

Youth Start supervises employer compliance with employment contract requirements. We provide guidance to employers on best practice and review employment contracts where appropriate.

Data Protection and Confidentiality

Data Protection Compliance

Legal Basis:

We process employment contract information on the basis that it is necessary for the purposes of employment and compliance with legal obligations.

Consent:

We obtain consent from individuals before processing their personal data in employment contracts.



Transparency:

We provide individuals with clear information about how their personal data is processed.

Data Subject Rights:

Individuals have the right to access employment contract information held about them, to request correction of inaccurate information, and to request deletion of information in certain circumstances.

Confidentiality

Restricted Access:

Access to employment contracts is restricted to authorised staff members only. Staff members are required to treat employment contract information confidentially.

Confidentiality Agreements:

All staff members are required to sign confidentiality agreements that require them to treat employment contract information confidentially.

Secure Storage:

Employment contracts are stored securely in our CRM system (ZohoCRM) and on a password-protected USB backup drive.

Secure Disposal:

Employment contracts are securely deleted after the retention period has expired. We retain employment contracts for 6 years after the employment relationship ends, in accordance with employment law and best practice guidance.

Responsibilities

Data Protection Lead:

Nick Calin (contact@youthstart.co.uk, 07470435603) is responsible for overseeing employment contracts, ensuring compliance with this policy and employment law, approving employment contracts before they are offered to individuals, and providing guidance to employers.

Human Resources:

Human Resources staff are responsible for developing employment contracts, customising template contracts for specific roles, providing employment contracts to individuals, and maintaining records of employment contracts.

Individuals:

Individuals are responsible for reading and understanding their employment contract, signing the contract to confirm agreement, and complying with the terms and conditions of employment.

Employers:

Employers are responsible for providing employment contracts to candidates, ensuring that contracts comply with employment law, and treating candidates fairly in accordance with their employment contracts.

Related Policies

This Employment Contract Policy should be read in conjunction with the following policies:

- Right to Work Policy
 - Equal Opportunities Policy
 - Background Checks Policy
 - Candidate Selection Policy
 - Safeguarding Policy
 - Code of Conduct Policy
 - Disciplinary and Grievance Policy
 - Data Security Policy
 - Privacy Policy
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Changes to This Policy

We may update this Employment Contract Policy from time to time to reflect changes in employment law, our practices, or best practice guidance. We will notify relevant staff members and individuals of material changes and provide updated guidance as necessary.

Relevant Legislation

This Employment Contract Policy is based on the following legislation:

- Employment Rights Act 1996
 - Equality Act 2010
 - National Minimum Wage Act 1998
 - Working Time Regulations 1998
 - Data Protection Act 2018
 - UK General Data Protection Regulation (UK GDPR)
 - Employment Contracts Act 1963
 - Flexible Working Regulations 2023
 - Health and Safety at Work etc. Act 1974
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Contact Information

If you have questions about employment contracts or this policy, please contact:

Data Protection Lead:

Nick Calin

Email: contact@youthstart.co.uk

Telephone: 07470435603

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