

Written Statement of Principal Terms and Conditions of Employment Policy

Document Control

Item	Detail
Policy Title	Written Statement of Principal Terms and Conditions of Employment Policy
Document Reference	ORG/HR/005
Version	1.0
Effective Date	
Next Review Date	

2.0 Purpose and Legal Basis

This policy is a foundational instrument of good governance for the charity. While the charity does not currently have employees, its constitution explicitly grants the power to employ staff. This policy is therefore created proactively to ensure the charity is fully prepared to meet its legal obligations from the moment the first employee is hired. By establishing these procedures in advance, the Trustee Board safeguards the charity from legal risk and formally commits to its role as a responsible employer.

The policy has a dual purpose:

1. To ensure the charity complies with its legal obligations under the Employment Rights Act 1996. This Act requires all UK employers to provide employees with a written statement of their main terms and conditions of employment.
2. To provide a clear and transparent framework for any future employment, aligning with the charity's power to "employ and remunerate such staff as are necessary" as stated in Clause 4(4) of the charity's Constitution.

3.0 Scope

Clearly defining the scope of this policy is a strategic necessity to prevent legal ambiguity regarding the status of different individuals associated with the charity. This policy applies to all individuals employed by the charity on a contract of employment, irrespective of their role, seniority, or hours worked.

To ensure absolute clarity, the status of other individuals connected with the charity is defined as follows:

- **Employees:** Are fully covered by this policy and will receive a Principal Statement as outlined herein.
- **Contractors and Service Providers** Are not covered by this policy. They are engaged under a contract for services, not a contract of employment, and are responsible for their own employment terms.
- **Volunteers:** Are not employees and are not covered by this policy. They provide their time and skills freely and do not receive remuneration for their work.
- **Trustees:** Serve in a voluntary capacity and are not employees of the charity. As outlined in Clause 6 of the Constitution, there are strict rules governing any payments to trustees, and they are expressly prohibited from being employed by the CIO, as stated in Clause 6(1)(c).

4.0 Policy Statement

This statement is the formal declaration of the Trustee Board's commitment to fair, lawful, and transparent employment practices. It is an instrument for building a positive organisational culture and protecting the charity's reputation as it grows.

The charity will:

- Provide every employee with a legally compliant Written Statement of Principal Terms and Conditions on or before their first day of employment.
- Ensure all terms and conditions of employment are fair, clearly communicated, and applied consistently and equitably.
- Uphold all its duties as an employer in a manner that reflects the charity's core mission to support the beneficiary community.

5.0 Definitions

Precise, shared terminology is a prerequisite for the unambiguous interpretation and application of this policy, preventing misunderstandings between the charity and its employees. The following definitions shall apply.

Term	Definition
The Charity / Employer	Refers to the charity, a Charitable Organisation defined by its constitution.
Employee	An individual who has entered into or works under a contract of employment with the Charity.
Trustee Board	The body of charity trustees responsible for the overall governance and management of the CIO, as defined in Clause 9 of the Constitution.
Principal Statement	The 'Written Statement of Principal Terms and Conditions of Employment' must be provided to an employee under the Employment Rights Act 1996.
Contract of Employment	A legally binding agreement between the employer and the employee which sets out the terms and conditions of employment.

6.0 Procedures

These procedures translate the policy's intent into a series of clear, actionable steps. They provide a practical roadmap for Trustees and any future managers to follow, ensuring full and consistent compliance with employment law from day one.

1. Issuing the Principal Statement

- The Principal Statement will be prepared and issued to a new employee on or before their first day of employment.
- The statement will be signed by at least two trustees on behalf of the Charity, in accordance with Clause 21 of the Constitution regarding the execution of documents.

2. Content of the Principal Statement

- As a minimum, the statement will contain all information required by the Employment Rights Act 1996. This includes:
 - Names of the employer (the charity) and the employee.
 - Date the employment and continuous employment began.
 - Job title or a brief description of the work.
 - Place of work.
 - Pay (the rate, scale, calculation method, and interval of payment).
 - Hours of work, including any terms relating to normal working hours.
 - Holiday entitlement, including public holidays and holiday pay.
 - Sick leave and pay entitlement.
 - Pension arrangements.
 - Notice periods required from both the employer and employee to terminate the contract.
 - Information on disciplinary and grievance procedures (or where to find them).
 - Any terms related to a probationary period, including its conditions and duration.

3. Changes to Terms and Conditions

- Should any of the terms and conditions detailed in the Principal Statement change, the Charity will provide the employee with an individual written statement detailing the changes. This notification will be issued within one month of the change taking effect.

4. Record Keeping

- A signed copy of the issued Principal Statement, along with any subsequent updates, will be kept securely in the employee's confidential personnel file.
- The storage and handling of this personal data will be conducted in strict compliance with UK GDPR and the charity's Data Protection and Document Retention policies.

7.0 Roles and Responsibilities

Assigning clear roles and responsibilities is essential for ensuring accountability and the effective execution of this policy, preventing critical compliance tasks from being overlooked.

- **The Trustee Board:** Has ultimate responsibility for ensuring the charity complies with its legal duties as an employer. This includes formally adopting this policy and approving the remuneration for any staff, as permitted under Clause 4(4) of the Constitution.

- **A Designated Trustee or Committee:** Will be assigned responsibility by the Board for overseeing the practical implementation of this policy. Their duties include ensuring the preparation and issuance of all Principal Statements, verifying their accuracy and legal compliance, and managing the process for any subsequent updates.
- **Employees:** Are responsible for reading their Principal Statement, seeking clarification on any points they do not understand, and promptly notifying the charity of any changes to their personal details (e.g., address).

8.0 Implementation

This section outlines the practical steps for embedding the policy into the charity's governance framework, ensuring it is ready for activation when needed.

- **Timeline:** This policy is effective immediately upon formal adoption by the Trustee Board. It will be implemented for the first employee hired by the charity and for all subsequent employees thereafter.
- **Training:** All Trustees will receive a briefing or formal training on their legal responsibilities as employers before the charity commences its first recruitment process.
- **Resources:** A legally compliant template for the Principal Statement will be developed and maintained by the Designated Trustee or Committee. The Board will seek external legal or HR advice as necessary when preparing to hire its first employee to ensure full compliance with current legislation.

9.0 Monitoring

Monitoring is a critical governance function that ensures this policy is not merely a document but is being actively and effectively applied. This process safeguards the charity against compliance failures and reinforces its commitment to being a responsible employer.

- **Key Performance Indicator (KPI):** The primary measure of success is that 100% of employees receive a legally compliant Principal Statement on or before their first day of employment.
- **Reporting:** For each new employee, the Designated Trustee or Committee will provide formal confirmation to the full Trustee Board that this procedure has been completed in line with the KPI.
- **Review Schedule:** This policy and its associated procedures will be reviewed annually by the Trustee Board. It will be reviewed more frequently if there are significant changes to UK employment legislation. This regular review cycle is a core governance commitment to prevent policies from becoming outdated, addressing a key weakness identified in external policy reviews.

10.0 Related Policies

This policy does not exist in isolation. It is an integral part of the charity's broader governance framework and must be read and applied in conjunction with other key documents to ensure consistent and comprehensive operational management. The terms outlined in the Principal Statement are directly supported by the following policies:

- Document Retention and Archiving Policy
- Data Protection Policy
- Conflict of Interest Policy
- Safeguarding Adults Policy
- Complaints Handling Policy
- Internal Financial Controls Policy
- Future policies to be developed: Disciplinary Procedure, Grievance Procedure, and Equal Opportunities Policy.