

# ENGAGEMENT OF WORKERS

## GUIDANCE

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# ENGAGEMENT OF WORKERS

## GUIDANCE

### 1 PURPOSE AND SCOPE OF GUIDANCE

This guidance is intended to support departments/schools who engage individuals to carry out work on an irregular or short-term basis, where those engagements are not ones of self-employment or under a contract of employment. A typical worker relationship is characterised by the fact that, outside of the particular engagement, there will be no obligation for the individual to perform work or for the University to offer work to that individual.

In particular, the purpose of this guidance is to:

- Help managers choose the most appropriate type of engagement for individuals undertaking work for the university; and
- Ensure that the appropriate rates of pay and hours are applied for those individuals engaged as workers.

### 2 DEFINITIONS

For the purpose of this Guidance, the following definitions apply:

- *Academic Year*: The period from September to August, each year;
- *Assignee*: The individual engaged to carry out work for the University, as a worker.
- *Assignment*: The method by which the University records the:
  - department/school in which the work will be undertaken;
  - period during which the Assignee will be engaged;
  - number of guaranteed hours of work during that period;
  - type of work to be undertaken;
  - default ledger code;
  - Right to Work information; and
  - rate of pay.
- *Department/School Administrator*: A nominated individual within the relevant department/school, who is responsible for creating Assignments and processing individual claims for an Assignee's work, via the Supplementary Payroll system.

### 3 DECIDING UPON THE TYPE OF ENGAGEMENT AND PAYMENT ROUTE

#### 3.1 General

The University engages individuals to perform work through three key routes. This guidance relates to Workers, as highlighted in bold below:

Appointment type	Typical features	Key features of appointment process
Employee	100+ working hours guaranteed per Academic Year (unless the 100+ hours will be worked over a period of 4 weeks or less – see section 3.4)  Fixed term or open-ended contract	ATA required prior to appointment - please follow the guidance on the <a href="#">Recruiting at Strathclyde section of the website</a> or contact your usual HR contact.  Where role not previously graded, job graded by HR

		Standard recruitment and selection procedures apply  (See exceptions in section 3.4)
<b>Worker</b>	<p><b>Less than 100 guaranteed working hours per Academic Year – often hours worked are variable</b></p> <p><b>Worker has opportunity to refuse work</b></p> <p><b>University has obligation to guarantee a minimum number of hours, and to pay for any ‘shortfall’ that has been identified</b></p> <p><b>No continuing relationship between worker and University</b></p>	<b>Process administered by department/school through Supplementary Payroll</b>
Self-employed	<p>Lack of / limited control of individual’s work</p> <p>Individual may perform work for other employers</p> <p>Individual invoices University when work undertaken</p>	Process administered by department/school through the Finance Management System’s (FMS) ‘Contract for Service’ process. For further detail visit the <a href="#">‘Purchasing Goods and Services’</a> page of the website

To further assist department/schools in deciding which type of engagement may be appropriate and the relevant payment route, please see [Appendix I](#).

The main considerations are described below.

### 3.2 All workers and employees should be guaranteed hours – determining the appropriate figure

All workers and employees must be guaranteed a minimum number of hours of work over a specified period of time e.g. the course of an Academic Year.

When deciding upon the type of worker engagement and the appropriate payment route, the recruiting manager should assess the nature and regularity of work, in order to determine which engagement / payment route to follow. Matters to consider will include (but are not limited to):

- the department/school’s future needs;
- the historic needs of the department/school for work of this nature to be carried out; and
- the nature of any previous engagement(s) with the individual with whom they propose to engage. For example, where the individual has been engaged on the equivalent of / more than 0.2 FTE per year, consideration should be given to employing that individual on a contract of employment, rather than on a worker contract.

The principles that apply are as follows:

<b>Guaranteed number of hours per Academic Year</b>	<100 hours	>100 hours
<b>Payment Route</b>	Supplementary Payments	HR Payroll*  <i>*Note that where 100+ hours will be worked in a short period of 4 weeks or less, following discussion with HR, payments may be processed through Supplementary Payments. See Section 3.4 of this Guidance, for further detail.</i>

### 3.3 Workers: Guaranteed less than 100 hours over Academic Year

Where an individual is guaranteed less than 100 hours work over the course of an Academic Year, payments will be processed through Supplementary Payments. Departments/Schools must ensure that the Assignee is offered a reasonable and realistic number of hours, based on all relevant factors, including those noted in 3.2 above.

### 3.4 Employees: Guaranteed 100+ hours over Academic Year

Where an individual is guaranteed 100 or more hours work over the course of an Academic Year, an ATA will be required prior to appointment and payments will usually be processed through HR Payroll.

However, where the guaranteed 100 or more hours will be worked over a period of 4 weeks or less (i.e. the Assignment is for 100 or more hours, over 4 weeks or less), these payments may be processed through the Supplementary Payments route:

Where this applies please discuss this with your HR contact in the first instance. If this limited, exceptional circumstance applies, payments may be processed through the Supplementary Payroll route.

### 3.5 Existing employees – additional engagement as a worker

Note that it is unusual for employees with an existing contract of employment (and a live record on the HR Oracle system) to also be engaged as a worker. Where additional payments are to be made to an existing employee, please use a [P1 or P2 Staff Fees / Overtime Payments Form](#), or contact the HR team in the first instance.

### 3.6 Ongoing review of guaranteed hours

The number of hours guaranteed by departments/schools in relation to the number of hours paid will be monitored to identify areas where further support maybe required to plan the number of guaranteed hours in future academic years and to ensure the correct payment route is used.

## 4 BUDGETING FOR ENGAGEMENT OF A WORKER

### 4.1 Guaranteeing the required number of hours

#### 4.1.1 Guaranteed minimum number of hours

All workers must be guaranteed a minimum number of hours over the course of an Academic Year. Departments/Schools must ensure that the Assignee is offered a reasonable and realistic number of hours, based on the factors noted in 3.2 above.

#### 4.1.2 Marking and preparation count towards guaranteed hours

When determining the minimum number of guaranteed hours for staff engaged in teaching (and recording them on system for payment), account should be taken of the time required to mark student work and prepare class teaching and assignments. For example, for each hour of tutoring or lecturing, an additional hour may be allocated for preparation time or marking time (whichever is relevant).

*Example:*

*Jean Brown will carry out 10 hours of tutoring over the Academic Year. Class contact time will be 10 hours. However taking into account the time taken to prepare for the tutorials, she will be allocated and (on successful completion) will be paid for 20 hours of work.*

This is particularly important when engaging students who have permission to work in the UK under a Student Visa. Student visa holders are generally permitted to work up to 20 hours per week during term-time and full-time outwith term-time dependent upon the level of study and when the work is undertaken. It should be noted that PhD students do not have set term-times and are limited to 20 hours per week all year round. Hours paid for marking or preparation count towards that limit. For further information, please see the [Right to Work in the UK](#) page of the University's website.

## **4.2 Published pay rates**

### **4.2.1 Adherence to published pay rates**

There are published rates that apply to workers. Please see Appendix 2 for further details. Departments/Schools should refer to the relevant role descriptions when determining the appropriate rate of pay. These published rates are available for selection when processing payments through the Supplementary Payments route.

When engaging workers who are guaranteed less than 100 hours per Academic Year (via Supplementary Payments) or workers who are guaranteed more than 100 hours per Academic Year (via HR Payroll), departments/schools must adhere to these rates unless exceptional circumstances apply (see 4.2.3 below)

### **4.2.2 Nationally agreed rate increases**

As a result of the published pay rates being aligned to the nationally-agreed pay scales, hourly rates shall increase in line with any nationally-agreed pay awards (normally applied from 1 August). Account should be taken of increases and likely increases to be applied in the duration of the Assignment, when budgeting for the engagement of a worker.

### **4.2.3 Exceptional circumstances**

In exceptional circumstances only, departments/schools will be able to enter a rate in the Supplementary payments system which is not contained within Appendix 2. Exceptional circumstances will apply to the use of market supplements applied to the published rates to ensure that our rates are competitive and that we attract the best external candidates to fulfil the roles. Any market supplements will need to be justified by a clear business case supported by objective market data, agreed in advance with Human Resources and subject to periodic review.

Departments/Schools should ensure that any non-standard rates are justifiable, with reference to the need to engage the worker on a higher rate. Justification must be provided when entering the rate on the Supplementary Payments system. The selection of rates which have not been published will be monitored, with a view to further standardisation of rates where reasonable and appropriate.

## **4.3 Additional payments to be made**

Generally, workers are not entitled to the same additional payments afforded to the University's employees (e.g. contractual sick pay, contractual maternity / paternity / shared parental leave, shift allowances, overtime payments, etc.), due to their different status. However the University has taken the decision to make payment of the following to its workers:

### **4.3.1 Holiday pay**

All workers (regardless of the number of hours guaranteed per Academic Year will receive an additional payment of 17% or 19% of each payment (dependent on the job role that the worker is engaged to perform), in respect of holiday pay. This will be clearly specified on their payslip. This discharges the University's obligation to pay holiday pay, at the end of each period of work within the Assignment.

#### 4.3.2 Pensions auto-enrolment

Subject to the relevant rules of the pension scheme, workers are entitled to be enrolled into a pension scheme. For further details see the [Pensions section of the website](#).

## 5 ACCESS TO IT SERVICES FOR WORKERS

When setting up an Assignment, the Department/School Administrator will confirm whether to grant the worker access to IT services and if so, the type of user account required. It is crucial that the type of IT access assigned is appropriate to the type of work being carried out and no more extensive than necessary. The two types of worker IT access are as follows:

### 5.1 Limited Access Account

A Limited Access Account should be chosen in all circumstances, unless a University email address is essential to the role. A Limited Access Account provides access to the following:

- Myplace;
- Strathcloud;
- Sharepoint;
- I:\Drive;
- Local PC access; and
- Eduroam.

### 5.2 Temporary IT Access account

A Temporary IT Access Account provides access to the same services as a Limited Access Account (see 5.1 above), together with a University email address.

Access to IT services will be granted for the duration of an Assignment only. Where an Assignment has ended prematurely, Department/School Administrators are responsible for ensuring that the Assignment is set to 'closed', which will terminate any access to IT services.

## 6 ADDITIONAL CHECKS TO BE PERFORMED IN RELATION TO SOME WORKERS

In addition to the require [Right to Work checks](#) and depending on the scope of the work to be performed by the workers, additional checks may need to be performed, including:

- Qualifications check – this check is carried out by department/schools
- Protection of Vulnerable Groups (PVG) check- this check is carried out by department/schools and counter-signed by the HR department

## 7 USING THE SUPPLEMENTARY PAYROLL SYSTEM

*This section applies **only** to the engagement of workers, who are guaranteed less than 100 hours work over the course of an Academic Year.*

### 7.1 Process flowchart

For a detailed process flowchart, setting out the key steps in the Supplementary Payments process and the various roles and responsibilities, please see [Appendix 3](#).

### 7.2 Step-by-step guidance on using the Supplementary Payroll System

For high-level, step-by-step guidance setting out the key steps in the Supplementary Payments process and the various roles and responsibilities, please see [Appendix 4](#).

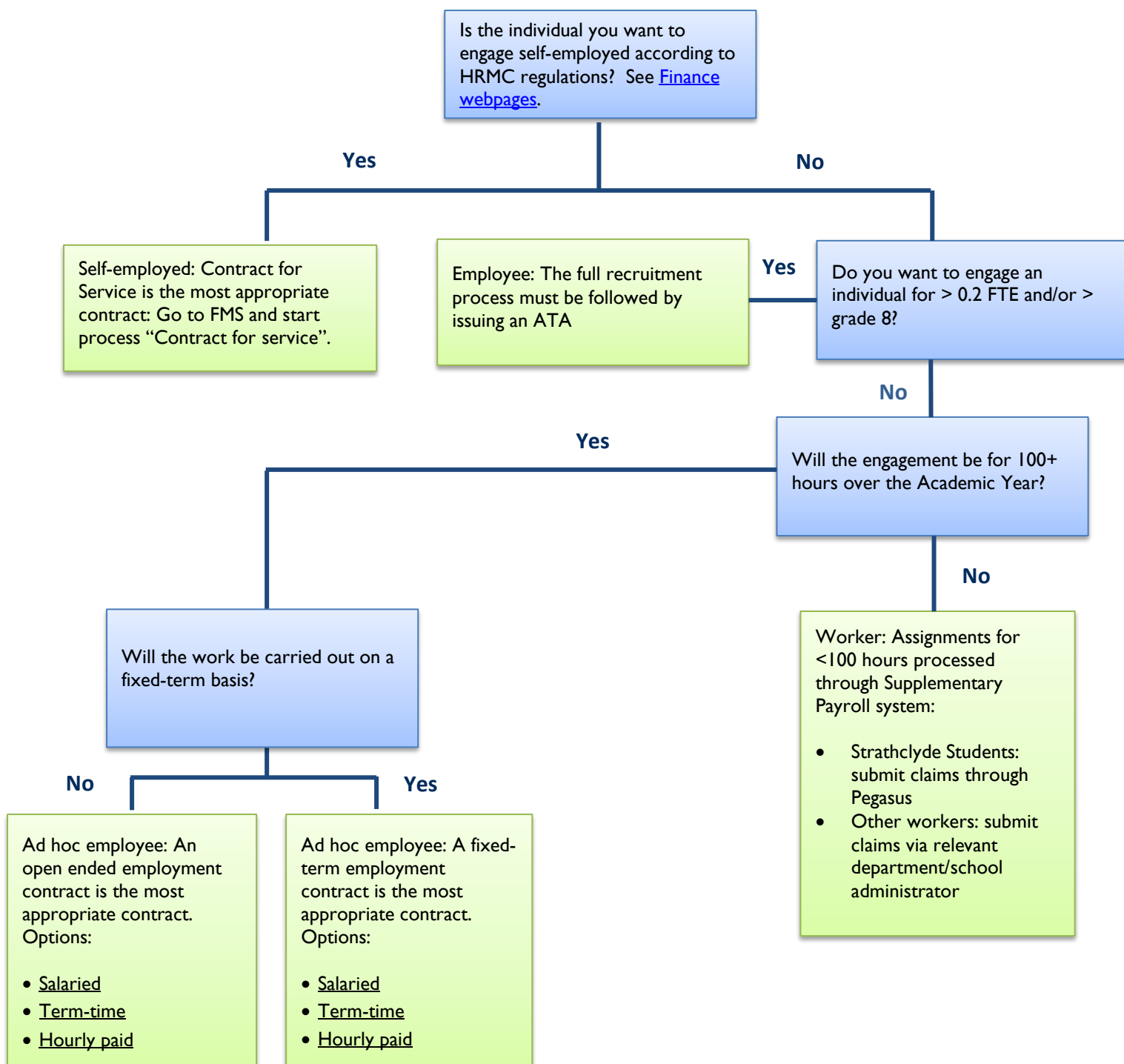
## 8 FURTHER GUIDANCE ON ENGAGING WORKERS

For general queries about engaging workers that are not dealt with in this Guidance, please speak to your usual contact in the Human Resources team or email the Human Resources Team on [humanresources@strath.ac.uk](mailto:humanresources@strath.ac.uk).

## 9 REVIEW OF GUIDANCE

This Guidance will be reviewed and updated as necessary. Any feedback on its content should be directed in the first instance to [Human Resources](#), who will consider this as part of the annual review.

## APPENDIX 1: ENGAGEMENT ROUTE FLOWCHART





## APPENDIX 2: PUBLISHED PAY RATES – WORKERS

Hourly rates are determined by ascertaining the main duties/demands of the work and determining which of the descriptions contained within the University Job Level descriptors provide the best match. Rates are presented as an hourly rate as individuals will undertake work on a short term, irregular basis and will not be undertaking all of the activities associated with a grade. Following evaluation of common types of work undertaken through supplementary payments, student payments and guaranteed hours assignments, the following rates of pay should cover the majority of work undertaken through these routes. Where the potential work is not covered below, Departments/Schools should refer to the [Job Level Descriptors](#) and speak to their HR team for further guidance.

### **Teaching and Teaching Support – Individuals will contribute to teaching programmes within the University to ensure consistent teaching provision.**

Job Title	Description of Work	Hourly Rate
Tutor 1	To lead tutorials/classes, within a framework set by others, for groups of students, with specified learning outcomes, in discussing key points from lectures and/or course materials within a clear and established programme. Identification of topics for discussion and assist in developing reading lists, to contribute to setting and marking, under supervision, of assignments and/or exams. To monitor student progress and provide feedback to the student, highlighting to the Course Organiser any concerns about student performance or pastoral issues.	Aligned with <a href="#">spinal point 24</a> (grade 6 equivalent)
Tutor 2	Design and deliver teaching materials through use of appropriate teaching, learning and assessment methods. Challenge thinking, foster debate and develop the ability of students to engage in critical discourse and rational thinking. Facilitate student projects and/or assignments and, where appropriate, placements and/or field trips. Mark and assess work and examinations and provide feedback to students. Contribute to setting assignments. Workers are required to be PhD qualified to undertake activities at this level.	Aligned with <a href="#">spinal point 29</a> (grade 7 equivalent)
Marking	Marking is normally covered within tutor 1 and 2 rates.	As above
Demonstrator	To demonstrate use of practical equipment (including where relevant, software packages), experiments, exercises, techniques and/or processes that may form an element of an undergraduate course of study in line with specific learning objectives, set by others. To oversee students carrying out such experiments, exercises etc. and offer assistance as appropriate.	Aligned with <a href="#">spinal point 18</a> (grade 5 equivalent)
Guest Lecturing	Rates of pay will be determined directly with the individual in line with the University job level descriptors.	Variable

### **Student Learning Support –individuals will work on supporting students who are undertaking teaching programmes within the University.**

Job Title	Description of Work	Hourly Rate
Personal Support Assistant	Provide student with physical help for carrying out day-to-day study related tasks such as opening doors, carrying materials, library support. Assist student to get around campus, access buildings and classrooms and participate in university activities. Accompany student to lectures/tutorials.	Aligned with <a href="#">spinal point 12</a> (grade 3 equivalent)
Scribing/ Notetaking	To take notes for students with disabilities in lectures, seminars and tutorials submitting typed notes to disability service within 24 hours. To respond to students' preferences regarding structure/details and style of notes as directed by disability service staff.	Aligned with <a href="#">spinal point 15</a> (grade 4 equivalent)

Practical Lab Assistant	To work with students with disabilities in laboratories and support the student to undertake experiments and be involved in doing the experiment where required.	Aligned with <a href="#">spinal point 15</a> (grade 4 equivalent)
Study Support Assistant	To provide individual, general study support for students with disabilities to enable them to successfully participate on their university course. To help the student identify their personal learning style, learning strengths and areas for improvement. To assist the student in identifying effective note-taking strategies, organisational skills, effective reading techniques, effective planning and writing techniques, presentation skills and revision techniques.	Aligned with <a href="#">spinal point 24</a> (grade 6 equivalent)
Mentors	Leading groups of 3 <sup>rd</sup> and 4 <sup>th</sup> year pupils through a series of interactive activities during these events, that will allow them to find out more about Higher Education at College and University	Aligned with <a href="#">spinal point 10</a> (grade 1 equivalent)

**Academic – Work which requires individuals to provide expertise in their field of work to support the teaching, research, knowledge exchange and administrative activities of the Department/School/Faculty.**

Job Title	Description of Work	Hourly Rate
Academic	There may be a requirement to engage an academic on a short term basis, in these cases, rates of pay should be determined in line with job level descriptors for academic staff.	Variable

**Research – Work which individuals to provide support to established programmes of research.**

Job Title	Description of Work	Hourly Rate
Researcher 1	To assist within a research team on an established research programme under general supervision. To assist in the delivery of research activities, undertake literature reviews, collect and collate data and record the outcome of experiments.	Aligned with <a href="#">spinal point 24</a> (grade 6 equivalent)
Researcher 2	To undertake specific research under the general guidance of a research leader. Within the parameters of the research programme, lead on the delivery of research activities. Analyse complex specialist information and write up research work for publication individually or in collaboration with colleagues. Workers are required to be PhD qualified to undertake activities at this level.	Aligned with <a href="#">spinal point 29</a> (grade 7 equivalent)

**Examination Support –involves on the day examination support and external assessment for undergraduate, post graduate and PhD.**

Job Title	Description of Work	Hourly Rate
Invigilation	To provide invigilation support for University examinations to assist academic departments in ensuring that examinations run as smoothly as possible. Ensure correct examination papers have been delivered, distribution of materials to candidates, assist in ensuring candidates are informed of examination procedures prior to the examination commencing and supervise the examination for the duration of the scheduled time.	Aligned with <a href="#">spinal point 10</a> (grade 1 equivalent)
Exam Scribing	As per scribing rates detailed above. To take notes for students with disabilities during examinations.	Aligned with <a href="#">spinal point 15</a> (grade 4 equivalent)

External Examiners	Rates are issued by SEES <a href="http://www.strath.ac.uk/exams/externalexaminers-postgraduateresearch/">http://www.strath.ac.uk/exams/externalexaminers-postgraduateresearch/</a>	Variable
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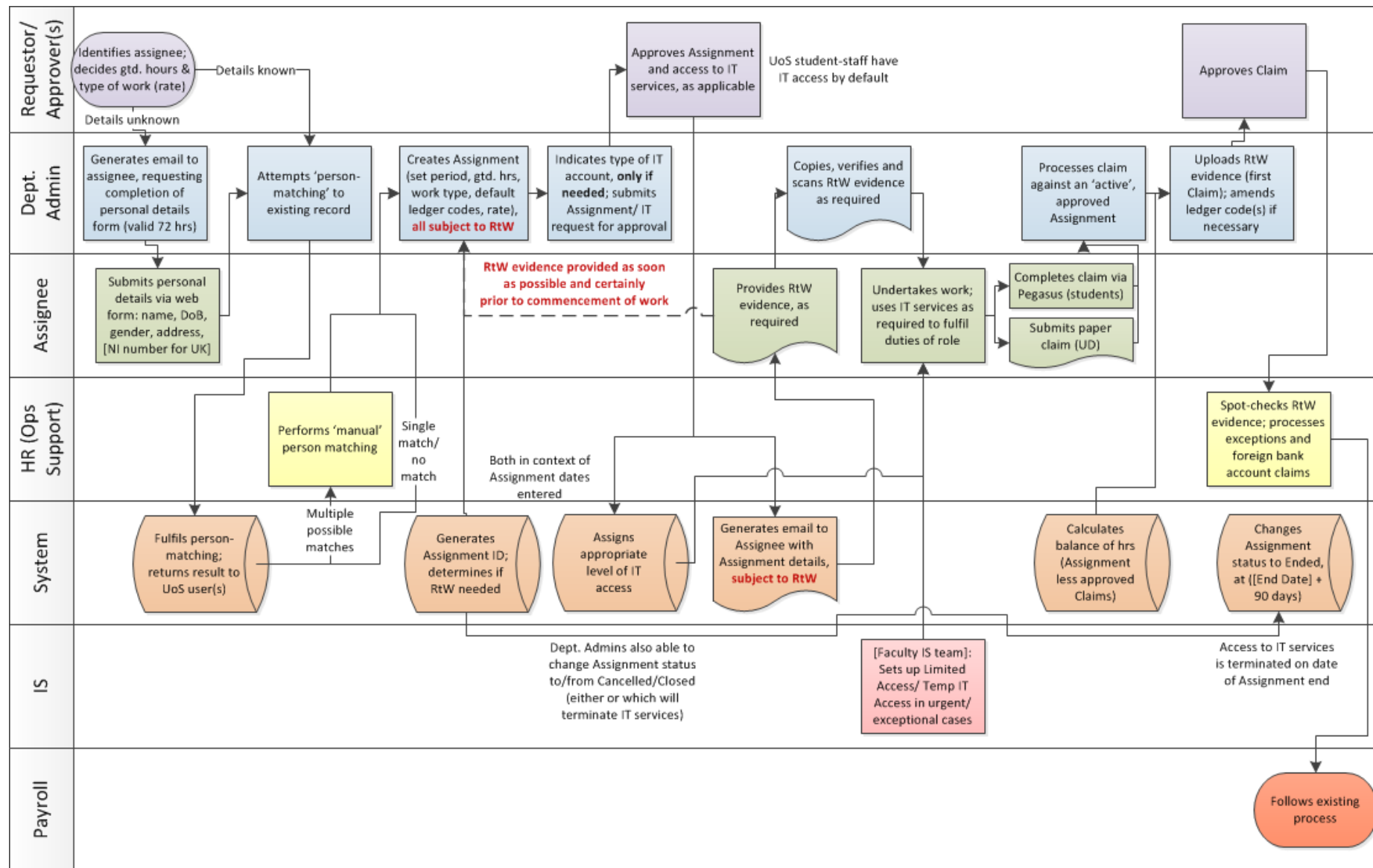
**Administrative Support**

Job Title	Description of Work	Hourly Rate
Admin Support 1	To provide short term administrative support to assist and work within established routines and procedures within Departments/Schools. Work may include, responding to queries, data entry, processing forms, reproducing documents, photocopying course materials etc.	Aligned with <a href="#">spinal point 12</a> (grade 3 equivalent)
Admin Support 2	To provide short term administrative support to assist with work at a more complex level within Departments/Schools. Work may include, dealing with more complex queries, producing reports, dealing with correspondence, preparation of course materials, routine checking of reports etc.	Aligned with <a href="#">spinal point 15</a> (grade 4 equivalent)

**Campus Activity**

Job Title	Description of Work	Hourly Rate
Campus Support	Student ambassadors and open days/tours	Aligned with <a href="#">spinal point 10</a> (grade 1 equivalent)
Food & Beverage Assistant	The Food & Beverage Assistant will primarily set up and serve staff and visitors food and barista style beverages. Deliver and present catering in a professional, safe and courteous manner.	Aligned with <a href="#">spinal point 10</a> (grade 1 equivalent)
Telethon	Undertaking telephone calls to alumni to raise support for the Alumni fund	Aligned with <a href="#">spinal point 10</a> (grade 1 equivalent)
Lifeguarding	Carry out relevant reception duties, set up and down equipment for fitness classes, swimming pool supervision, opening and closing of facilities along with carrying out various daily checks. Workers must hold a current Pool Lifeguard Qualification (NARS, RLSS or equivalent)	Aligned with <a href="#">spinal point 10</a> (grade 1 equivalent)
Domestic Assistant - Residences	Cleaning flats after students leave and generally providing a cleaning service to students and vacation guests. Duties include deep cleaning of kitchen / lounge areas, bedrooms, toilets and showers and corridors and stairs.	Aligned with <a href="#">spinal point 10</a> (grade 1 equivalent)

## APPENDIX 3: SUPPLEMENTARY PAYMENT PROCESS FLOWCHART



## APPENDIX 4: USING THE SUPPLEMENTARY PAYMENT PROCESS

This section applies **only** to the engagement of 'Supplementary Payments' workers, who are guaranteed less than 100 hours over the course of an Academic Year.

### (A) Capturing the Assignee's personal details

Once the department/school has identified the Assignee, their guaranteed number of hours and the appropriate rate of pay, the Assignee's personal details need to be captured in order to ensure payment can be processed.

The Department/School Administrator will have the facility to send an electronic 'token' to the Assignee's personal email address, requesting completion of the web form.

On receipt, the Supplementary Payments system (or where that is not possible, HR Ops Support) will attempt to match the person to existing records. The response shall be sent to the relevant Department/School Administrator.

### (B) Setting up the Assignment

The Department/School Administrator creates the Assignment and enters relevant details, including:

- period during which the Assignee will be engaged
- guaranteed hours of work during that period;
- type of work to be undertaken;
- default ledger code;
- rate of pay;
- Right to Work Information
- whether or not to grant IT access to the Assignee for the period of the Assignment;

The Department/School Administrator will then email a soft copy to the Assignee for their records.

### (C) Uploading Right to Work evidence

Appropriate Right to Work evidence for each Assignee should be copied, verified and uploaded at the point of creating the Assignment. For further guidance on Right to Work checks, please see the [Right to Work in the UK pages on the website](#).

***Please note that satisfactory Right to Work evidence must be copied, verified and uploaded prior to each Assignee starting work (and at required intervals thereafter). Failure to do has significant consequences for the University and may constitute a disciplinary offence. The University will monitor compliance on an ongoing basis.***

### (D) Processing the individual claim

For each individual piece of work carried out by the Assignee, the Assignee must make a claim against the Assignment. Claims by students carrying out work will be made via Pegasus. Claims by non-students carrying out work will be made on a paper form, which is passed to Department/School Administrators for uploading on the system.

Department/School Administrators will process claims against the live Assignment which relates to the relevant Assignee.

### (E) Ending an Assignment prematurely

Where an Assignment has ended prematurely, Department/School Administrators are responsible for ensuring that the Assignment is set to 'closed', which will terminate any access to IT services and ensure that a correct record of the Assignment is held by the University.