



Employment contracts for local councils

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Employment contracts for local councils

- Why have them?
- Written v verbal employment contracts
- Are verbal contracts valid ?



Pre-contract documentation

- Letter offering employment v employment contract
- Statutory written statement (given within 2 months of employee starting work (ss.1-3 Employment Rights Act 1996)) v employment contract

Which is better?



Statutory Written Statement

Statutory written statement includes:

- Employer's name
- Employee's name
- Employment start date
- Period of employment (if not permanent)
- Notice periods each way
- Start date of continuous employment
- End date of employment (if for a fixed term)



Statutory Written Statement (contd)

Statutory written statement includes:

- Pay (scale, rate or calculation method)
- Pay intervals eg weekly, or monthly
- Details of pension and pension scheme membership
- Hours of work (including normal working hours)
- Holidays, public holidays and holiday pay
- Sick leave and pay
- Disciplinary and dismissal procedures
- Job title or a brief description of duties



What is the employment contract?

Made up of:

- Express terms – apply whether there is a written or verbal contract
- Implied terms – applied when they are necessary to make the contract work, not just because it would be better for one or the other
- Incorporated Terms – laid down in other documents e.g. an employee handbook, or policies
- Statutory obligations – apply whether there is a written or verbal contract



What is the employment contract (cont)

Different categories of implied terms which can be made by:

- Conduct of parties e.g. payment of salary on a particular day of the month.
- Business efficiency – the salary of an employee is 1700 per month. For a parish council, this would not mean 1,700 dollars or yen.



Test your knowledge

The below may be statutory, express, implied or incorporated terms of employment .

Where should they be documented?

- Health and safety obligations
- Long service benefits
- Facilities for staff parking
- Lunch hour
- Pension arrangements
- Overtime payments
- Notice to terminate contract
- Dress code
- Equality of opportunity

