

1. ABOUT THIS POLICY

- 1.1 A “Zero hours contract” does not have one universally accepted definition. A zero hours contract is a type of contract between a business and a casual worker where the worker is engaged on an ad hoc basis with no guarantee of work from the business.
- 1.2 We are aware that zero hours arrangements have generated a significant amount of negative publicity in recent times, where it has been suggested that some organisations have abused such situations for a variety of reasons, including keeping costs down, avoiding recruitment and/or agency fees, and evading employment rights. As well as the legal issues around such practices, abuse of such arrangements also gives rise to ethical considerations, particularly in relation to the exploitation of people, and in-work poverty.
- 1.3 We are committed to ensuring such abuses and the knock-on effects play no part in our organisation. Therefore, as a business, we work on the basis that zero-hour arrangements will only be utilised at the request of individuals who have alternative full or part-time work and are seeking to “top-up” hours and/or ad hoc arrangements.
- 1.4 If such arrangements are utilised, we are committed to ensuring that as well as acting in accordance with our legal requirements, we also conduct ourselves in an ethical way in relation to such contracts.
- 1.5 If such arrangements are utilised, the employment rights and benefits available to an individual working under a zero hours contract will depend on their employment status as a worker, employee or self-employed contractor. The Company are up to date with the Department for Business, Energy and Industrial Strategy (BEIS) guidance, issued in October 2015, for employers and businesses on the definition, appropriate use and employment rights arising out of zero hours contracts.
- 1.6 The Company will therefore ensure that the legislation applicable to the individual’s status is adhered to, although as stated above, we are also committed to acting ethically, no matter what the status of the individual. We have systems in place to ensure proper treatment and compliance with all ethical, legal and statutory obligations. We ask that all our staff read and engage with this policy. This policy sets out how ISS Labour Limited (“**the Company**” / “**we**”) (as part of the Specialist People Services Group Limited group of companies) engage individuals on a zero-hours basis and what steps we take to comply with our ethical, legal and statutory requirements.
- 1.7 This policy does not form part of any individual's contract of employment or part of any other type of contract which we may enter into with any individual. We may amend this policy in our absolute discretion at any time.

2. SCOPE OF POLICY

- 2.1 This policy applies to all business units and functions of the Company, in particular where individuals are engaged on a zero hours basis. The aim of this policy is to clearly set out and define how the Company will engage with those on zero hours contracts and the standards that it will hold itself to.
- 2.2 This policy is not intended to be a comprehensive explanatory note on the law relating to zero hours contracts but is intended to set out the basic points and key obligations so that those engaged on such contracts, as well as the wider workforce, are aware the standards that we will both adhere to and expect from those we employ and engage.

3. EXCLUSIVITY CLAUSES

- 3.1 No zero hours contract that we enter into will contain an “exclusivity” clause. An exclusivity clause is a clause requiring a worker to work exclusively for the company that engages them. Such clauses were banned in May 2015.
- 3.2 The intention behind the ban on exclusivity clauses was to ensure that the earning ability of individuals working under zero hours contracts, with no guarantee of work, was not restricted by preventing them from working elsewhere. This is something we fully support and will adhere to.

4. RIGHTS AVAILABLE TO ZERO HOURS WORKERS AND EMPLOYEES

- 4.1 At the time of implementation, the following rights are available to all individuals engaged under a zero hours contract, regardless of their status:
 - 4.1.1 Zero hours workers and employees will be entitled to the following rights under the Working Time Regulations 1998:
 - 4.1.1.1 A 48-hour limit on the average working week.
 - 4.1.1.2 Up to 5.6 weeks' annual leave, subject to hours worked.
 - 4.1.1.3 Daily and weekly rest periods and rest breaks.
 - 4.1.2 The national minimum wage (NMW);
 - 4.1.3 Holiday entitlement and pay;
 - 4.1.4 Subject to satisfying criteria, Statutory sick pay (SSP);
 - 4.1.5 Subject to satisfying criteria, family friendly rights (e.g. maternity, paternity, adoption leave and pay);
 - 4.1.6 Itemised payslips; and
 - 4.1.7 Written statement of terms on or before the first day of work (although note that certain terms may be provided within the first two months of the engagement).
- 4.2 Further rights will be dependent on the status of the individual and will be no less than the minimum rights prescribed by law, as amended from time to time.

5. WHAT DOES THIS MEAN FOR THE COMPANY?

Your relationship with us

- 5.1 As stated above, we will not generally engage individuals on a zero hours basis. However, we will consider such a request upon the request of an individual.

Written terms

- 5.2 We will ensure that in accordance with what is set out above, any individual engaged on a zero hours contract will receive a written statement of terms on or before their first day of work. This will clearly set out the individual’s status (i.e., employee, worker or self-employed contractor). This statement of terms will not contain an exclusivity clause.

Discrimination

- 5.3 We take a zero-tolerance approach to discrimination in our workplace. This applies to zero hours staff too, so that any action by anyone employed or engaged by us which discriminates against an individual on a zero hours contract will not be tolerated and will be dealt with under our disciplinary policy.

Data protection

- 5.2 We will take all reasonable steps to protect zero hours staff's personal data and are committed to processing their personal data only for legitimate purposes and in accordance with our Data Protection Policy **OR** Privacy Notice, a copy of which is available on our website.

6. ROLES AND RESPONSIBILITIES

- 6.1 **Responsibility of the Company.** We are also committed to regular auditing of zero hours staff engaged in the Company, including what basic terms they receive and how these terms compare with other staff members.
- 6.2 **Responsibility of all employees.** We aim to comply with the laws, rules, and regulations that govern our organisation and with recognised compliance good practices. All those employed or engaged by the Company must comply with this policy, and if you have any questions about it or are concerned that we are in breach of this policy, you should contact immediately.
- 6.3 **Responsibility for this policy.** The Company Finance Director is responsible for the monitoring of this policy and updating the policy from time to time, where appropriate.

7. BREACH REPORTING AND AUDIT

- 7.1 **Reporting policy breaches.** We are committed to enforcing this policy. The effectiveness of our efforts, however, depend largely on employees. If you feel that the Company, you or someone else may have breached this policy, you should report the incident immediately to your supervisor. If you are not comfortable bringing the matter up with your immediate supervisor, or do not believe the supervisor has dealt with the matter properly, you should raise the matter with the Company HR Advisor.
- 7.2 No one will be subject to and we do not allow any form of disciplinary, reprisal, intimidation, or retaliation for reporting any concerns in connection with this policy or co-operating in related investigations.

8. OTHER RELEVANT POLICIES

This policy supplements and should be read in conjunction with our other policies and procedures in force from time to time, including without limitation our:

- Anti-Harassment and bullying policy;
- Data Protection Policy/ Privacy Notice; and
- Health and Safety Policy



Gary Beeston
Group Managing Director