

## LAVCH Teams Meeting 14<sup>th</sup> Dec 23

### All Matters Related to HR

#### 1. Introduction

Dawn Hughes, a HR Consultant came along to answer any queries relating to HR that member halls might have. In order to ensure discussions could be open and unhindered, it was agreed not to upload the recording of the meeting on to the internet. For the same reason, those in attendance will be kept confidential.

#### 2. Employing for the First Time

It was noted that a typical scenario to cause a hall to consider employing someone for the first time might be when the frequency of one-off event hires and the desire to check the hall between events, becomes difficult to manage among the trustees.

A first step should be to establish the hours required and the nature of the work pattern. It might not be an easy role to fill, due to the level of flexibility required to the working pattern and the restrictions that employment legislation might make.

If the hours are too low to make it a “viable” role, consideration could be given for adding more hours *of useful work* the person could do to make trustees lives easier.....

One thing agreed by all in the meeting was that getting “The Right Person” would be crucial.....

#### 3. Employed vs Self-Employed

Dawn advised that great care needed to be taken in determining either the employed or self-employed route.

If you employ an individual, you must:

- Meet national minimum wage requirements. See <https://www.gov.uk/national-minimum-wage-rates>
- Pay the tax and national insurance for the employee. Many halls might consider it best/safest to have an accountant look after this aspect for them.
- Pension – if qualify and *if they want it*. Currently not required for staff earning £192 a week, or less. See <https://www.thepensionsregulator.gov.uk/en/employers/new-employers/im-an-employer-who-has-to-provide-a-pension/work-out-who-to-put-into-a-pension>
- Holiday pay – accrues from day one of employment. See <https://www.gov.uk/holiday-entitlement-rights/holiday-pay-the-basics>
- Sickness pay – if they qualify. Note one requirement for qualification is an earning level of £123 per week or more. See <https://www.gov.uk/employers-sick-pay/eligibility-and-form-ssp1#:~:text=Employees%20do%20not%20qualify%20for,do%20not%20get%20these%20payments>. It was noted this might be a key concern for a hall considering employing someone for the first time – if they go off sick, how to manage the absence and might there be a situation where someone is being paid, but the work not being done. Noted this can be mitigated against, by ensuring weekly pay is below the threshold for SSP to apply.
- Issue a contract of employment
- Provide all equipment and materials required to carry out the work, plus training, if necessary

- Ensure all the elements required for staff management are in place – see separate section below.

If someone is self-employed the following applies:

- You cannot dictate the hours they work
- They provide all equipment, training, materials, etc
- They can substitute staff
- They can work for less than minimum wage, if they choose
- They can refuse work or to carry out certain tasks
- A hall's insurance company might suggest or even insist that we ensure they have their own public liability insurance.
- Care is required to ensure that the person absolutely understands what self-employment means and will actually take on their own responsibility for tax, insurance, etc.
- A contract for services might be advisable/useful

A person might make a claim to be an employee, if there is a "grey" area in determining any of the above.

#### 4. Staff Management

A key thing to consider here, is that trustees are, effectively staff – so any and all of the following **may** apply, even if there are no paid employees:

1. Employers liability insurance – previous advice received by LAVCH members has been that this is a requirement, even if there are no paid employees, because we all have volunteer staff – even if it is only ourselves, as trustees
2. Job description. For trustees, [The Essential Trustee](#) is a good starting point
3. Dawn asked if halls have volunteer agreements in place.....
4. Line management – if we employ someone – who is to manage them? Could be a named individual, or a sub-group?
5. Performance management. We do know from many discussions among LAVCH members, that there can be issues with trustees not "pulling their weight". It is a tricky one to solve, as many constitutions have little or no provision for the removal of a trustee. One hall went through a process of shrinking from 19 trustees to 9 completely "pain free", with considerable help from Community Futures. Expectations of trustees were made clear and all were asked to write down what they brought to the group and what they were prepared to do.
6. There was further discussion on the training modules Community Futures offer. Post meeting note – Eileen to just check on this, going forward, with the changes to Ruth's role.
7. Disciplinary and grievance procedures. Particular note to be given to identified roles among trustees, where there are employees. For example, keeping the chair out of the process until the final appeal, so they can handle that one, independently. ACAS have good sample procedures and templates: <https://www.acas.org.uk/example-discipline-and-grievance-procedures/disciplinary-procedure-template>
8. EDI – Equality Diversity and Inclusion – these are important issues for any business – and a village hall is a business too. Dawn advised that there is new legislation coming in on 3<sup>rd</sup> party harassment liability. Dawn said she would try to find some source of (free) updates on HR legislation, suitable for small charities. Post meeting note – it now seems that the third party harassment element of the forthcoming changes in HR legislation has been removed. It

is still something to be aware of. Many of us can quote instances of (for example) our bookings manager receiving unpleasant treatment from a customer. For more information see: <https://www.hrconnect.org.uk/news/government-abandons-proposal-to-reintroduce-third-party-harassment>

## 5. Any Other Business

A couple of those present use Hallmaster and gave it a “thumbs up”.

Post meeting note - possible sources of HR updates and other advice:

- <https://www.charityconnect.co.uk/home/> A national organisation providing a forum for charities to talk to each other – a bit like LAVCH, but on a national scale and covering all sectors. Registration is free and it operates online forums.
- [HR Connect](https://www.facebook.com/HRConnect/) – specialise in HR services for Education and Public sectors, but have a Facebook Page that posts what might be useful snippets: <https://www.facebook.com/HRConnect/>
- Roots HR CIC – This organisation have a Social Impact Fund, to provide free HR support to micro-charities. Might be overkill for us, but they also seem to offer a free newsletter and various toolkits: <https://www.rootshr.org.uk/free-hr-support>

Others? You may know of other useful resources we could all tap into. If so – email Eileen on [hello@lavch.org.uk](mailto:hello@lavch.org.uk) 😊