

CONTRACT OF EMPLOYMENT

1	Do all of your employees have Contracts of Employment stating place of work, notice periods, discipline and grievance procedures, job title and rate of pay?	<input type="checkbox"/>	<input type="checkbox"/>
2	Have these Contracts been updated since 2002?	<input type="checkbox"/>	<input type="checkbox"/>
3	Do you issue a Contract of Employment to all new employees within 8 weeks of the commencement of their employment?	<input type="checkbox"/>	<input type="checkbox"/>
4	Do your Contracts of Employment state your Discipline and Grievance procedure?	<input type="checkbox"/>	<input type="checkbox"/>

EQUAL OPPORTUNITIES

5	Do you have a contractual Equal Opportunities Policy in place?	<input type="checkbox"/>	<input type="checkbox"/>
6	Have all recruiting managers been trained in their responsibilities regarding Sex Discrimination, Race Discrimination, Disability Discrimination, Sexual Orientation Discrimination, Religious Discrimination, Age Discrimination?	<input type="checkbox"/>	<input type="checkbox"/>
7	Are all of your employees trained regarding their responsibilities for complying with Equal Opportunities legislation?	<input type="checkbox"/>	<input type="checkbox"/>
8	Are all of your employees considered equally for training, development and career progression? Can you substantiate your decisions if challenged?	<input type="checkbox"/>	<input type="checkbox"/>
9	Does your workforce reflect the ethnic makeup of the area in which you operate?	<input type="checkbox"/>	<input type="checkbox"/>
10	Do you keep records of applicants and employees for the purposes of ethnic monitoring?	<input type="checkbox"/>	<input type="checkbox"/>

11 Do you keep records of applicants and employees for the purposes of equal opportunities?

12 Do you actively seek to recruit from ethnic minorities for all levels of role?

HEALTH AND SAFETY

13 Do you have a contractual Health and Safety Policy in place

14 Are all of your employees trained in their responsibilities for Health and Safety under the requirements of the Health and Safety legislation?

WORKING TIME

15 Do you have any employees who work in excess of 48 hours per week, averaged over a rolling 17-week period?

16 If employees do work in excess of 48 hours per week, averaged over a rolling 17-week period, have they signed a agreement to opt out of the Working Time Regulations?

17 If employees do work in excess of 48 hours per week, averaged over a rolling 17-week period, do you keep records of the hours that they work (even if they do not receive paid overtime)?

MINIMUM WAGE

18 Do you have employees "on call"?

19 Have you assessed their entitlement to payment for "on call" hours, under the minimum wage regulations?

20 Are all of your employees paid at least the minimum wage when all of their hours of work of taken into consideration over a maximum referencing period of 1-month (even if they do not receive paid overtime)?

SCORING:

Score 1 point for each question answered "yes" and 0 for each one answered "no"

SCORE **Contract of Employment**

3 You are broadly compliant with the requirements

0-2 **You are at risk of a breach of contract claim. Employees can apply to an Employment Tribunal to make an order for breach of contract - costs involved; preparations for Employment Tribunal, representation at Employment Tribunal, potential award to the equivalent of the breach**

Equal Opportunities

8 You are broadly compliant with the requirements

0-7 **You are at risk to a claim under Equal Opportunities legislations. Penalties for failure to comply with Equal Opportunitis legislation are unlimited at Employment Tribunal, preparation for Employment Tribunal is extensive and cases usually last more than 1 day**

Heath and Safety

2 You are broadly compliant with the requirements

0-1 **You are at risk of prosecution by the Health and Safety Executive. Penalties for failure to comply with Health and Safety Regulations considerable and can result in the closure of premises**

Working Time Regulations

3 You are broadly compliant with the requirements

0-2 **You are at risk of a claim for breach of Working Time Regulations. Employees can apply to an Employment Tribunal to make an order for breach of Working Time Regulations - costs involved; preparations for Employment Tribunal, representation at Employment Tribunal, potential award to the equivalent of the loss and this may also involve the Health and Safety Executive if excess working may have caused a breach of Health and Safety legislation**

Minimum Wage Regulations

3 You are broadly compliant with the requirements

0-2 **You are at risk of a claim under the Minimum Wage Regulations. Employees can apply to Employment Tribunal for back pay to cover any breach and this can be back dated to the introduction of the Regulations**

This diagnostic questionnaire is intended as a guide only and should not be interpreted as having legal status or giving any protection against potential claims. enlightenHR cannot accept any responsibility for action arising as a result of the use of this questionnaire.