Engaging Casual workers

The University does from time to time require casual work to be done within Schools and Directorates. There does, however, need to be careful consideration as to whether a casual worker is engaged or whether the circumstances are such that there will be an employment relationship with the individual and a contract of employment is required.

The main difference between a casual worker and an employee is that:

- a casual worker is engaged on an ‘as and when required basis’
- there is no guarantee of the amount of work to be received and there is no obligation to accept work
- a casual worker is able to refuse work without any negative consequences
- there is no contract of employment issued to the individual

Although an individual doing casual work is not an employee they may be a worker and as such there are specific actions under law that the University must undertake.

Legal requirements:

1. Immigration checks: the University must ensure that the individual has the right to work in the UK.

2. Automatic enrolment: workers must be enrolled into a work place pension scheme if they meet the qualifying criteria for automatic enrolment.

These legislative requirements have meant that we have had to review the casual payment form to include additional sections to ensure that the appropriate checks are taking place and/or the relevant information is being provided.

Casual Payment Request form:

Section B: Information on automatic enrolment is provided to the individual (as required by law). It is anticipated that the nature of the casual work is such that for the majority of individuals the qualifying criteria will not be met. Recruiting managers do however need to be aware that if an individual does qualify and if they remain in the scheme (i.e. they do not opt out), employer’s pension contributions of 22.1% will have to be paid; this will be an additional cost to the School/Directorate. It is advised that casual payment request forms are processed as soon as the work is done as if a number of forms for one individual are processed together in any one month (rather than being submitted on a monthly basis), the £786/ month threshold for the individual may be reached and automatic enrolment will take place.

Section C: The University requires confirmation that the individual has the right to work in the UK. In connection with this, the recruiting manager/administrator must check and verify the individual’s passport, residence permit, visa etc and confirm that the individual does have the right to work in the UK. Colour copies of the appropriate documentation must be attached to the form. UKBA guidance for employers on required documentation can be found at [https://www.gov.uk/check-job-applicant-right-to-work/](https://www.gov.uk/check-job-applicant-right-to-work/)

A copy of the new Casual Payment Request form is attached. Payment for any casual work carried out will be made on receipt of the completed form. If you have any queries regarding this form, please contact Julie Strachan, Deputy Director of HR ([j.m.strachan@dundee.ac.uk](mailto:j.m.strachan@dundee.ac.uk), Ext 8-4326) or Anne Petrie, Payroll Manager ([a.y.petrie@dundee.ac.uk](mailto:a.y.petrie@dundee.ac.uk), Ext 8-4048).

If the work to be carried out by an individual is not occasional or adhoc and there is a pattern of work, mutuality of obligation etc., a temporary contract may need to be issued. In these circumstances, or if you are unsure, please discuss with your College/SASS HR Officer.