

Statement of Employment Particulars

Checklist of the written particulars of employment required in accordance with S.1 Employment Rights Act 196 (“The Act”)

All employees are entitled to receive a written statement of certain terms and conditions (“particulars”) of employment within 2 months of commencing that employment. These particulars do not need to be set out in one document but can be contained in a variety of forms, provided they are in writing (eg. a letter of appointment, a written contract of employment and/or a staff handbook).

The following particulars **must** be given to every employee (where a particular term is not offered, this fact must be stated):

1. Name of employer and employee.
2. Date employment started/is to start.
3. Date period of continuous employment began. The statement should confirm whether or not any previous periods of employment with either your organisation, or any other organisation, are to count towards the employee’s period of continuous employment.
4. Length of probationary period (if any) and period of notice during or at the end of that period.
5. Job title.
6. Place of work.
7. Scale or rate of remuneration.
8. Intervals at which remuneration is paid.
9. Hours of work.
10. Holiday (including public holidays) entitlement and holiday pay and calculation of holiday pay on termination. Note that employees are entitled to a minimum of 5.6 working weeks paid holiday including the public holidays (which equates to 28 days for a full time employee) and pro-rata for part time employees.
11. Details of the procedure employees should follow if absent due to sickness or injury, together with details of the sick pay the employee is entitled to receive. If no occupational sick pay is offered, the statement should give particulars regarding Statutory Sick Pay.
12. Confirmation as to whether any pension provision is offered and whether there is a contracting out certificate in force in relation to the employee’s employment.
13. Notice period for both employer and employee.
14. Term of contract (if it is for a fixed term).
15. Confirmation as to whether there are any collective agreements affecting the employee’s terms and conditions of employment.

16. Whether the employee will be required to work outside UK for more than 1 month. If so, particulars should be given.
17. Disciplinary and grievance procedures. Your organisation should have a written disciplinary procedure. This can either be attached to the statement, or the statement should refer the employee to the place where that procedure can be found. We do not recommend that the written disciplinary procedure is made a contractual term of employment. It is recommended that Disciplinary and Grievance Procedures at least comply with the ACAS Code of Practice. Whilst compliance is not mandatory, the procedures are recognised as best practice and employers may be penalised at Employment Tribunal for failure to follow the suggested procedures.

This checklist is provided for your general information only and does not seek to set out the employment legislation in this area in detail. If you have any queries or wish to discuss specific circumstances, please do not hesitate to contact one of our employment team who will be happy to assist.

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