



Perry Hall Multi-Academy Trust

Casual Woker Policy

Title	Casual Worker Policy
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Date Approved	8 th September 2025
Approved By Name	Trustee
Signature of Approval	Andrew Brocklehurst – Chair of Trustees
Next Review Date	To be confirmed

This policy has been fully consulted on with the following trade unions NAHT, ASCL, NASUWT, Unison, NEU and GMB and was implemented by Perry Hall Multi-Academy Trust (PHMAT) on the above date.

PHMAT Casual Worker Policy

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1.0 Policy Statement

- 1.1 Perry Hall Multi-Academy Trust (PHMAT) are committed to adopting policies and procedures to encourage a positive working environment.
- 1.2 This policy has been developed to assist the Trust with engaging casual workers to support the work of their school.
- 1.3 PHMAT are responsible for ensuring the effective implementation of this Policy. As part of equality monitoring PHMAT will review and monitor the operation of the Policy on a regular basis and in line with the policy review date, alongside consultation with the recognised trade unions.

2.0 Scope

- 2.1 This procedure applies to all casual workers of PHMAT. This policy does not apply to staff on permanent, temporary or fixed-term contracts, volunteers or supply staff.
- 2.2 This policy applies to all Teaching Staff and NJC support staff within PHMAT.
- 2.3 The purpose of this policy is to ensure that headteachers and managers of the trust understand the nature of casual engagement, the employment implications and the processes that need to be followed throughout the employee life cycle when engaging a casual working.

3.0 Equal Opportunities Policy

- 3.1 The Trust recognises that the Equality Act 2010 covers the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.
- 3.2 Under the Equality Act 2010 it is unlawful to discriminate against a disabled person for reasons related to their disability. Disability covers both physical and mental impairments that have a substantial and long-term effect (i.e. has lasted or is expected to last for at least 12 months) on the person's ability to carry out normal day to day activities.
- 3.3 Where an employee meets the definition of a disabled person under the Equality Act employers are required to make reasonable adjustments to any elements of the job which place a disabled person at a substantial disadvantage compared to non-disabled people. Employers are only required to make adjustments that are reasonable. Factors such as the cost and practicability of making an adjustment and the resources available to the employer may be relevant in deciding what is reasonable.

4.0 Type of Appointment

- 4.1 Prior to engaging a casual worker, headteachers may wish to consider different types of employment to ensure that they get an appropriate solution to their recruitment needs such as permanent, temporary, or fixed term contracts, agency worker, volunteer or apprentice.

5.0 Legal Framework

5.1. Definition of a Casual Worker

A casual worker, or casual employee, is someone employed on an as-needed, flexible, or irregular basis, rather than having a permanent or fixed-term contract. They typically lack a guaranteed number of hours, and their work is not ongoing.

5.1.1 Casual workers, are typically engaged to do temporary work:

- which occurs only once and for a short period of time, or
- which occurs more often but, on an irregular, and/or unpredictable basis

5.2 Casual Work

5.2.1 Work is casual where there is no 'mutuality of obligation'. This means the School/ Trust is not obliged to offer work to an individual. Equally the individual is not obliged to take the work. A casual worker is in no circumstances defined as an employee and work that is on a truly 'ad hoc' casual basis does not count towards continuous service.

5.2.2 A 'casual' worker does not hold a contract of employment but has entered into a relationship with the School where there is no obligation on the School / Trust to provide work, and no obligation on the worker to accept any work offered.

5.2.3 Where the work does not fall into the above definition then the work should be offered on a temporary contract basis. For example, where there is a requirement to provide cover for a short-term pre-determined programme of work, or where an individual has continuously been working as a casual a period that will exceed 13 weeks, a temporary fixed term appointment should be made.

6.0 Advertising and Selection process

6.1 Where possible, the Trust will advertise locally and / or within the Trust. Details about the school and duties of the role should be provided.

6.2 The selection of casual workers should be shortlisted and assessed against the requirements of the post the same way as permanent posts. The interview should be used to determine the suitability of the role including pre-interview reference checks being undertaken.

7.0 Recruitment Process and Vetting

7.1 Casual Workers will be appointed in accordance with PHMAT's Recruitment Procedures and will be subject to all the relevant pre-employment checks that are required to be carried out on permanent employees.

8.0 Engaging a casual worker

8.1 Casual workers are not subject to an employment contract and receive more of a verbal agreement on a 'as and when basis'. The casual worker can choose to accept or decline the offer of work. This allows flexibility between the employee and employer.

8.2 A casual worker must be given an engagement letter that outlines the terms and conditions of the casual relationship including scope of work, responsibilities, expectations and responsibilities to both the employer and casual worker.

9.0 Induction and Training

- 9.1 Casual workers will receive an induction into the school the same as other employees. A planned induction will help to ensure that the casual worker feels valued and welcomed into the trust. This will also be an opportunity to outline the Trusts culture and expectations.

10.0 Performance Management

- 10.1 Performance Management does not apply to casual workers. However, it is recommended that Headteachers and management still provide feedback, when necessary, that applies to the job that the worker is carrying out in the school.

11.0 Pay and Pensions

11.1 Casual Teaching Staff

- 11.1.1 Teaching staff will be paid at an appropriate rate, in accordance with the School Teachers Pay and Conditions Document.
- 11.1.2 Pension contributions will be automatically deducted from salary payments unless the Supply Teacher has previously opted out of the Teachers Pension Scheme.

11.2 Casual NJC Support Staff

- 11.2.1 Casual workers will be paid an evaluated rate for work done in accordance with NJC rates of pay for non-teaching staff.
- 11.2.2 Annual leave is based on the statutory entitlements set out in the Working Time Regulations.
- 11.2.3 Payment of holiday entitlement will be paid upon submission of each timesheet.
- 11.2.4 Casual workers are not automatically enrolled in the LGPS., as generally they are considered to have a contract of less than three months. They may be automatically eligible for LGPS if they have a contract of at least three months. They have the right to opt in to the scheme at any time. If they opt in, they will be enrolled from the first day of the pay period following their decision.

12.0 Statutory Sick Pay

12. 1 Causal workers may be entitled to statutory sick pay (SSP) if the below criteria applies:
- Have done some work under their contract.
 - Earn an average of at least £125 per week.
 - Have been ill for more than 3 days in a row (including non-working days)

13.0 Ending casual worker engagement

- 16.1 When ending a casual worker engagement there is no statutory requirement to provide notice. However, it is generally best practice to have an informal conversation to notify the worker that the work and engagement will come to an end. Before ending a casual engagement, employers should consider any contractual terms that were agreed in relation to the termination.

14.0 Monitoring

- 14.1 The hours of work and frequency of use of casual workers must be closely monitored within each School, to ensure it is on an 'ad hoc' basis. Where a casual worker undertakes work on a regular basis, continuity could result, or mutuality of obligation implied, leading to an employment relationship.
- 14.2 Where a 'casual' worker has been working continuously, rather than on an 'ad hoc' basis, for more than 13 weeks, an evaluation of the continuing service need will be made by the Headteacher and HR. If there is an ongoing service need requirement, the casual worker will be offered a temporary appointment for the remainder of the service need duration. If the worker is offered a temporary contract, they would be entitled to terms and conditions relevant to the role.

15.0 Entitlements for Casual Workers

- 15.1 Casual Workers benefit from the following employment rights;
- Protection from discrimination under the provisions of the following:
 - Race Relations Act 1976
 - Sex Discrimination Act 1975
 - Employment Equality (Age) Regulations 2006
 - Equality Act 2010
 - Employment Equality (Sexual Orientation) Regulations 2003
 - Employment Equality (Religion or Belief) Regulations 2003
 - Sex Discrimination (Gender Reassignment) Regulations 1999
 - Working Time Regulations 1998, such as paid holiday, restrictions on working hours and the right to rest breaks
 - Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
 - National Minimum Wage Regulations 1999
 - Trade Union & Labour Relations (Consolidation) Act 1992
 - Protection for whistle blowing
 - Health and Safety
 - Protection against unlawful wage deductions
- 15.2 Casual workers are not usually entitled to:
- A minimum notice period if their employment is ending.
 - Protection against unfair dismissal
 - Flexible working request rights
 - Time off for dependents
 - Statutory redundancy pay

16.0 Procedural Issues

- 9.1 Casual workers are subject to the same policies and procedures as permanent / fixed term employees.