

Employment Legislation

It is vital that all employers are aware of the current legislation when recruiting, selecting and employing staff and it is easy to feel overwhelmed by the amount that exists! Within this area you will find an overview of the main legislation along with some of the checks, which are essential for child protection, you should undertake once you have offered someone a job.

Right to Work

Employers are legally required under the Immigration and Asylum Act 1999 to ensure that candidates have the right to work within the UK once they have offered them the job. Example of documents which can be used to check individuals right to work include:

- P45 or P60 from previous employer
- National Insurance Card
- British Passport
- Birth Certificate
- Evidence from the Home Office confirming someone's right to live in UK and take employment

Sex Discrimination Act 1975

Makes it unlawful for an employer to discriminate against an individual, either directly or indirectly, on the grounds of gender, marital status or gender reassignment (transsexualism).

Equal Pay Act 1970

Gives individuals the right to receive the same contractual pay and benefits as a person of the opposite sex in the same employment where the man and woman are performing like work, equivalent work or work of equal value.

Race Relations Act 1976

Makes it unlawful to discriminate, either directly or indirectly, against an individual on grounds of race, colour, nationality (including citizenship) or ethnic or national origin.

Employment Equality (Age) Regulations 1996

Makes it unlawful to discriminate against workers, employees, jobseekers and trainees because of their age.

Disability Discrimination Act 1995 (DDA)

Makes it unlawful to discriminate on the grounds of disability and imposes a duty on employers to make reasonable adjustments to practices, policies, procedures and premises in order to ensure that the disabled person is not at a substantial disadvantage.

It is important that you have access to current information on good employment practice. Directgov, Business Link and ACAS all produce free leaflets and have useful websites to help you. See Useful Contacts.