



GUIDANCE ON GOOD EMPLOYMENT PRACTICE

This document is intended to provide information and guidance to help promote best practice for employment on the Fringe and does not necessarily reflect every aspect of employment legislation. The intention is to promote best practice over and above minimum standards required by law.

BECTU, Equity and the Edinburgh Festival Fringe Society are committed to [Fair Work Principles](#) and the Real Living Wage as supported by the Scottish Government. We encourage employers on the Fringe to aspire to these principles, and to adhere to the working time directive.

This document defines a worker as any individual in receipt of payment for work done, regardless of contract type or tax status. We believe that adopting fair work employment standards is both morally and economically beneficial for everyone involved in the Fringe and for the City of Edinburgh as a whole, and this document is designed to support the development of best practice across venue operation and sit alongside other codes of conduct developed by the Society.

ENGAGEMENT OF WORKERS

Regardless of the tax or contractual status of anyone being employed or engaged, it is important that there is a clear written agreement signed by both parties in place before any work starts. There are legal requirements in terms of what must be contained in a contract of employment, but the key points are:

- To set out clearly who the employer is.
- To ensure there is absolute clarity around hours of work and rate of pay.
- How holiday pay/public holidays are addressed must also be specified.
- Notice for terminating the contract by either party should be stated too.
- Reference should be made as to how the worker can access other company policies, such as health and safety or grievance and disciplinary policies.

HOURS OF WORK/PAY RATES

In agreeing a contract, the worker and the employer should be very clear on exactly how much they are being paid and what this payment applies to, particularly where 'buy-out' contracts are being offered. Contracts which simply state a rate of pay per week or for a specified number of days can be considered open to challenge.

Items to include:

- where employers intend to provide/offer accommodation to workers then the contract must state precisely the type, condition and facilities included in the accommodation offer
- exact details of remuneration should be articulated outside of the offer of accommodation
- rate of pay and how much is being charged for the accommodation and how that will be paid/charged.
- contracted working hours should be included in all agreements
- It should be clear if overtime will be paid, or if time off in lieu (TOIL) is available

SCHEDULING OF WORK

Each worker should be told who is responsible for scheduling their hours and for approving any additional hours required. Workers should have access to a weekly schedule which clearly sets out their contracted hours of work and days off.

- Any additional hours required for that week should be shown but differentiated from contracted hours.
- Records should be kept of actual hours worked to help clarify any issues around the actual or real hourly rate of pay.
- Employers must meet the Working Time Regulations

Proactive management of schedules and actual hours worked can and does significantly assist in managing costs and demonstrates to workers that their safety and wellbeing is being taken seriously by the employer. While the actual hours of work required are a matter of discussion between the employer and the worker, the Working Time Regulations govern daily and weekly rest breaks which therefore limits the working hours available. For more information contact BECTU and Equity (details below).

HEALTH AND SAFETY

It is essential that all workers are properly trained for the work they are being asked to undertake.

- workers are at their safest and most productive when they are properly rested and refreshed. Workers must be aware of how to access the employer's safety policies
- Workers should be properly briefed on the safety policies which most directly affect their day-to-day work

BECTU, Equity and the Fringe Society are committed to working with employers and workers to find solutions that are safe and sustainable for everyone.

KEY THINGS TO CONSIDER

Workers should have access to:

- three types of break - rest breaks at work, daily rest and weekly rest.
- a break of 11 hours between the end of one day's work and the start of the next day's work
- at least one 24-hour rest period during the working week
- (where the nature of the Fringe makes this impossible) compensatory rest
- holiday entitlement where applicable and clearly communicated to workers

For further advice on this code of conduct, please contact:

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or call BECTU on +44 (0)141 370 1590

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AND FINALLY

BECTU, Equity and the Edinburgh Festival Fringe Society urge you to recognise the very real benefits from becoming an accredited Living Wage employer and we hope that you will contact us for further information or advice on how best to achieve this status.

The Edinburgh Festival Fringe Society is an accredited Living Wage employer.
For more information please contact: Lyndsey Jackson, Deputy Chief Executive,
Edinburgh Festival Fringe Society, admin@edfringe.com.
If you are a venue or company operating on the Edinburgh Festival Fringe and would
like to discuss this issue with the Fringe Society, please contact: artists@edfringe.com.

For further information on the Living Wage, visit: livingwage.org.uk

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