

Employment Contracts

Overview

There is no statutory requirement for a written employment contract in the UK, but there is a requirement for certain terms to be set out in writing and given to the employee.

It is common practice, therefore, for all employees in the UK to have a written employment contract with their employer, which typically would contain at least the following terms:

- Names and addresses (employee and employer)
- Date of commencement of continuous employment
- Remuneration details
- Hours of work
- Holiday and holiday pay
- Sickness and sick pay
- Pension
- Additional details for work outside the UK
- Notice period
- Title
- Temporary or permanent work
- Place of work
- Collective agreements, if any
- Grievance and appeals
- Disciplinary rules and procedures (or a reference to where these can be found—n.b., it is good practice for these to be non-contractual, so that the employer can more easily depart from them or vary them from time to time)

Employees in the UK are entitled to the following statutory minimum employment terms (in each case, the parties can agree on terms that are more favourable):

1. Minimum notice periods to terminate employment:
 - (a) One week's notice for those with between one month and two years of service.
 - (b) Thereafter, an additional week's notice for each continuous year of service, up to a maximum of 12 weeks for 12 complete years of service.

2. A minimum period of 5.6 weeks of paid annual leave (i.e., 28 days for full-time workers, which is inclusive of UK bank and public holidays, of which there are usually eight each year).
3. A national minimum wage.
4. Statutory sick pay (SSP) for up to 28 weeks of absence on account of sickness at the current rate of SSP.
5. Family leave rights, e.g., maternity leave for up to 12 months, paternity leave for up to two weeks, parental leave for up to 18 weeks (in total) for children under 18, shared parental leave (where the non-primary caregiver can share his or her partner's statutory leave if that other person has curtailed their statutory leave) and the right to request to work flexibly (after six months of service).
6. Automatic enrolment into a qualifying pension scheme (legislation being phased in).

How Katten can help

We advise on the full range of contentious and non-contentious UK employment law matters—from advising on senior executive employment, to partnership and investment documentation, managing disputes and exits as well as team moves, advising businesses on restructurings involving TUPE, and advising on all the employment issues associated with a corporate transaction or outsourcing, as well as managing the above in an international context.



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