

Fair Work First Policy 2023



31/10/23

Muirhead Outreach Project
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Introduction

The Muirhead Outreach Project works with young people and their families to keep them together through challenging times. We aim to minimise the impact trauma has on families and break the cycle for them. We give them a foundation on which they can build, either on their own or with the help of specialist support. We help families rebuild and repair relationships and give them tools to create sustainable, life-long change. Our mission is to [keep families together through challenging times](#). Our vision is for **all families to overcome difficulties then go on to have healthy relationships and positive experiences**.

Policy Statement

The purpose and scope of this policy statement

Fair Work First is the Scottish Government's flagship policy for driving high quality and fair work across the labour market in Scotland by applying fair work criteria to grants, other funding and contracts being awarded by and across the public sector, where it is relevant to do so. Through this approach the Scottish Government is asking employers to adopt fair working practices, specifically:

- appropriate channels for effective voice, such as trade union recognition;
- investment in workforce development;
- no inappropriate use of zero hours contracts;
- action to tackle the gender pay gap and create a more diverse and inclusive workplace;
- payment of the real Living Wage (and preferably, becoming an accredited Real Living Wage Employer);
- offer flexible and family friendly working practices for all workers from day one of employment; and
- oppose the use of fire and rehire practice.

Muirhead Outreach Project are fully committed to instilling a robust and fair work culture and are dedicated to compliance with all legislation.

Legislation and Guidance that underpin the policy.

- Child Poverty (Scotland) Act 2017
<http://www.legislation.gov.uk/asp/2017/6/contents/enacted>
- Concession Contracts (Scotland) Regulations 2016
<http://www.legislation.gov.uk/ssi/2016/65/contents/made>
- Employment Relations Act 1999 (Blacklists) Regulations 2010
<https://www.legislation.gov.uk/uksi/2010/493/contents/made>
- Equality Act 2010
<http://www.legislation.gov.uk/ukpga/2010/15/contents>
- Equality Act 2010 (Gender Pay Gap Information) Regulations 2017
<https://www.legislation.gov.uk/ukdsi/2017/9780111152010>
- Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012
<http://www.legislation.gov.uk/sdsi/2012/9780111016718/contents>
- Gender Representation on Public Boards (Scotland) Act 2018
<http://www.legislation.gov.uk/asp/2018/4/contents/enacted>
- International Convention on Economic, Social and Cultural Rights
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>
- International Labour Organisation – Labour Law
<http://www.ilo.org/global/topics/labour-law/lang--en/index.htm>
- Health and Safety at Work Act 1974
<http://www.legislation.gov.uk/ukpga/1974/37/contents>
- Human Rights Act 1998
<https://www.legislation.gov.uk/ukpga/1998/42/contents>
- National Minimum Wage Act 1998
<https://www.legislation.gov.uk/ukpga/1998/39/contents>
- Procurement (Scotland) Regulations 2016
<http://www.legislation.gov.uk/sdsi/2016/9780111030868/contents>
- Procurement Reform (Scotland) Act 2014
<http://www.legislation.gov.uk/asp/2014/12/contents>
- Public Contracts (Scotland) Regulations 2015
<http://www.legislation.gov.uk/ssi/2015/446/contents/made>
- The Transfer of Undertakings (Protection of Employment) Regulations 2006
<http://www.legislation.gov.uk/uksi/2006/246/contents/made>
- Treaty on the Functioning of the European Union 2012
<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>

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- Utilities Contracts (Scotland) Regulations 2016
<http://www.legislation.gov.uk/ssi/2016/49/contents/made>
 - Working Time Regulations 1998
<http://www.legislation.gov.uk/uksi/1998/1833/contents/made>

Definition

Fair Work practices are those practices which go beyond an employer’s legal obligations and where an employer actively ensures its employees are aware of their legal rights. Fair work practices can generate a range of benefits to individuals, organisations and society. The five main dimensions that define fair work are:

- Security
- Respect
- Opportunity
- Fulfilment
- Effective Voice

These balance the rights and responsibilities of employers and workers and that can generate benefits for individuals, organisations and society. The Fair Work Framework sets out a vision that Scotland will be world leaders in a fair work society that drives success, well-being and prosperity.
(Scottish Government)

Aims of the Policy

The aim of this policy is to highlight Muirhead Outreach Project’s commitment to providing a fair working environment. We will follow the Scottish Government’s guidance and, where applicable, become accredited in order to maintain a fair and equal workplace.

Real Living Wage

The Scottish Government promotes payment of the real [Living Wage](#) as the minimum rate for everyone in paid work; this is distinct from the statutory National Living Wage and National Minimum Wage which are set by the UK Government. The real Living Wage is a voluntary hourly pay rate based on what families need for an acceptable living standard in the UK. Enabling people to earn a decent income will help them to have a decent standard of living and is the best way of tackling poverty. Low wages are a prime cause of in-work poverty, along with the increased use of zero-hours contracts and other precarious practices.

Muirhead Outreach Project are Living Wage Accredited. We know that it improves our brand, boosts staff productivity and motivation at work. We also strongly believe it is the right thing to do to show our staff their worth.

Zero-hour contracts

Muirhead does not give out zero-hour contracts. The only time this may happen is in agreement with sessional workers. If they have other jobs and only work with us on an ad-hoc basis, they will specify their availability to us and we will work with their and our availability. Sessional workers have reasonable notice of shifts.

Staff are on rolling contracts which rely on funding. They are renewed annually. Staff have confirmed working hours which are flexible and known in advance.

Gender pay gap

Muirhead is committed to providing access to quality, fair paid and flexible work which accommodates caring and health commitments and aim to work towards closing the gender pay gap. We do this by being Living Wage accredited and having by recruitment processes that takes into account, understands, and appreciates cultural, language or communication needs. We have policies in place to specifically support women such as a menopause policy and breastfeeding and maternity leave.

We are female-led and our staff are motivated, skilled and diverse and we aim attract the right expertise to deliver our strategic priorities. We aim to ensure the best wages and training to employ and retain the highest standard of staff and professionalism.

Racial or other inequalities

Muirhead is committed to having recruitment, retention and promotion processes that prevent bias and barriers. We will use 'blind' recruitment at the application stage and provide additional support/adjustments at application and interview stages. Exit interviews are used to understand why a person is leaving. Staff are given opportunities to influence the MOP's approach to workplace equality, including by sharing their own experiences. We intend to make use of the [Minority Ethnic Recruitment Toolkit](#) to diversify our team.

Adjustments for disability

Muirhead provides a flexible working model, with hybrid working available. Workplace adjustments are in place and made for disabled staff or those with long term health conditions who need it. Again, workers are given a voice to share their experience and influence policies and working conditions.

Flexible working arrangements

Muirhead is committed to providing a flexible workplace and recognises that being able to balance work with other commitments enables workers to contribute more fully and productively in the workplace whilst protecting their wellbeing and improving job satisfaction. We aim to encourage people back into work and realise that being flexible helps to make work possible for people who might otherwise be unable to access, re-enter and sustain employment.

Avoiding fire and rehire

Muirhead Outreach oppose the use of fire and rehire tactics as laid out by the description by ACAS and the Scottish Government. Any changes to contracts must be designed and agreed by all parties involved.

Investment in Workforce Development

Muirhead are committed to having a motivated, skilled and diverse workforce who are professional and complete CPD. Where funding allows, we will support all staff in pursuing their professional goals and upskilling. We will provide any opportunity we can for development.

- Learning & development is integrated in our strategic planning. Workers and management jointly identify development needs and priorities, ensuring both individual and organisational needs are met.
- Regular equality and diversity training is provided for all staff.
- Learning & development opportunities are provided, and regularly reviewed, to help build Muirhead's resilience and responsiveness to change.
- Managers have development discussions with individuals and teams and prioritise this as part of operational activity.
- Formal and informal learning is offered across the workforce, relating to people's particular role and wider development.
- Staff are supported to keep their professional qualifications up-to-date.
- We aim to gain an appropriate charter mark achievement such as Investment in People or EFQM.

Provide appropriate channels for workers voice

Muirhead's values are honesty and transparency and we are devoted to creating an open and safe environment where the workers have a voice. We will ensure staff are aware they can join any union and we will work with representatives to ensure rights and policies are followed and clear.

We have formal routes in place for individuals with regular supervision and annual appraisals giving the team an opportunity to voice feedback and concerns. We also hold regular team meetings, allowing collective dialogue and ensuring all voices are heard.

Roles and Responsibilities

The Trustees of the board, are responsible for ensuring, so far as is reasonably practicable, the health, safety and welfare of employees and others affected by the work of the Project. This includes ensuring all policies are up to date and that MOP is a fair work employer.

The Board of Trustees of Muirhead Outreach Project has vested responsibility for overall control of operational activity and conformity with legislation, along with the managers of Muirhead Outreach

Project. On behalf of the Board, managers are responsible for ensuring that the health, safety, well-being and welfare of all workers are safeguarded.

Responsibilities of Managers

- To ensure staff and volunteers comply with this policy and related procedures and that it is implemented as appropriate;
- To ensure that they consult with staff and volunteers in the assessment of risk and preparation of their individual staff practices;
- To develop training plans to meet staff and volunteer needs and ensure staff and volunteers attend induction and mandatory training days;
- To be aware of measures in place to protect staff and volunteers and that staff and volunteers are trained in these;
- To ensure that individual requirements of staff and volunteers are recognised and that more vulnerable or less experienced members of staff or volunteers receive additional training and support;
- To ensure that any adverse incidents are reported and investigated in-line with Muirhead Outreach Project's incident reporting policy;
- To provide support for staff involved in any adverse incident.

All Staff and volunteers should:

- comply with this policy and related procedures;
- take reasonable care of their own health and safety whilst undertaking working;
- promptly report any concerns or adverse incidents to their line manager or trustee, in-line with the Project's incident reporting policy;
- be aware of the measures that are in place to protect them;
- work with their manager in the preparation of procedures relevant to their duties;
- attend induction and mandatory training days.

Risks

Failure to adhere to this policy and fair work practises creates the risk of MOP and it's workers:

- being unable to provide a decent standard of living and income;
- not having the security of contract, including hours and earnings; other entitlements including sick pay and pension;

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- fostering an environment where workers' views are not actively sought or listened to;
 - giving no opportunities for all to learn, develop and progress;
 - creating an unhealthy and unsafe environment, where individuals' wellbeing is not supported;
 - not enabling people to have a good work-life balance;
 - allowing people to feel unvalued and disrespected and that they have no sense of purpose in work and wider society;
 - creating an unfair, non-diverse and non-inclusive workforces; and
 - not promoting innovation and productivity but stagnating.

Control Measures

- Encourage equality, diversity, and inclusion in the workplace as they are good practice and make business sense.
- Create a working environment free of bullying, harassment, victimisation, and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.
- This commitment includes training managers and all other employees about their rights and responsibilities under the equality, diversity, and inclusion policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation, and unlawful discrimination.
- All staff should understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation, and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.
- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others during the organisation's work activities.
- Such acts will be dealt with as misconduct under the organisation's grievance or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.
- Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from

Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

- Make opportunities for training, development, and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- Make decisions concerning staff based on merit (apart from any necessary and limited exemptions and exceptions allowed under the Equality Act).
- Review employment practices and procedures when necessary to ensure fairness and update them and the policy to take account of changes in the law.
- Monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity, and inclusion, and in meeting the aims and commitments set out in the equality, diversity, and inclusion policy.

Reporting

All concerns that MOP is not meeting the Fair Work First policy should be reported to the manager and in the event of the Manager being the subject of the complaint, or in their absence, please report to the Chair of the trustees.

Monitoring and Reviewing

The Muirhead Outreach Project are committed to monitoring all of their policies in keeping with legislation and review their policies on an annual basis. Monitoring will also include assessing how the policy is implemented, and any supporting action plans, are working in practice and considering and taking action to address any issues.

Useful Contacts:

Shannon Wright – Service Manager: shannon.wright@muirhead-outreach.org.uk;
07765 991728

Kylie Christie – Chair of Trustees: KCK9@outlook.com; 07850 341129

Janine Norris – Charity Development Officer: Janine.norris@muirhead-outreach.org.uk;
07506685415


*The designated policy officer for Muirhead is **Shannon Wright**.*

We are committed to reviewing our policy and good practice annually.

This policy was last reviewed on:7th Novemeber 2023.....(date)

Signed(Author):

Signed(Service Manager):

Signed(Chair of Trustees):

Date:31/10/23

Other policies linked:

- *Recruitment & Selection Policy*
- *Diversity, Inclusion & Fairness*
- *Equal Opportunities*
- *Flexible Working*
- *Whistleblowing*
- *Duty of Candor*
- *Maternity*