

MA197 24b)

- Parish Office to CAPALC

I am hoping you can give me some advice on the sub-contracting of employees.

A neighbouring parish has requested that they use some 'time' of our wardens to carry out jobs around their parish – as we have more than enough for the wardens to do we would be looking at adding hours to their already contracted time and then charging the other parish for this time.

I am not entirely comfortable that this is a sensible approach as we would need to take into account wages, insurance, vehicle use etc (the list goes on)! Is this something that you know of happening across other parishes? If so, could you let me know who I should talk to find out more about how it works for them.

- CAPALC passed enquiry to Worknest – HR Specialists

Case 412588

We don't advise on sub-contracting options but they can take separate legal advice on that as there are insurance considerations and you can't truly sub-contract employees.

What we would normally suggest here is a secondment arrangement with the terms of that clearly defined e.g. who would be responsible for holidays, conduct, performance etc. We can draft a secondment agreement and that is likely to be £380 plus VAT.

If you have any further questions, please do not hesitate to contact the team on 0330 912 4746 or capalc@worknest.com quoting the case number above.

- Clear Insurance

Would we be covered if we were to 'lend' current employees to another parish to carry out works? The suggestion is that our wardens would carry out work in a neighbouring parish, we would then charge that parish for their time. My question is would we be covered from a liability viewpoint covering the work they carried out and from an employee standpoint would they be covered for the activities they were carrying out in a different parish.

RESPONSE:

This is absolutely fine. As long as they are working on the instructions of Melbourn Parish Council then they are covered under the Employers Liability section of the policy. The only time this would be in question is if they were undertaking something particularly hazardous such as tree felling, roof repairs etc.