



EMPLOYMENT OF FREELANCERS POLICY

2022 - 2023

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Context

We recognise the vital role freelance workers play in the cultural sector, and how much we have to gain from these relationships. We believe it is important to acknowledge the challenges that freelancers face that are not shared by salaried staff, and to find ways of providing employment on a more equitable basis. This policy sets out our commitment.

CAPA College is a free school and part of Enhance Academy Trust and therefore many of the references to CAPA College in this document can also be considered as references to Enhance Academy Trust.

Policy

CAPA College employs artists, practitioners and other creative staff on a freelance basis, primarily to deliver creative learning activity, develop artistic work with us or to work on productions in collaboration with our Associate Artists and Companies.

We are committed to treating freelancers fairly and respectfully, recognising that you do not benefit from the same terms and conditions as salaried staff. We recognise that we are dependent on the artistic output of freelance staff to maintain CAPA College's artistic offer, and seek to establish a more balanced, symbiotic relationship.

Supporting artists and freelancers


Applying to us

- We aim to streamline application processes whilst ensuring they are accessible to all. We will always advertise the timeline of deadlines, shortlisting, interviews and appointments. Where possible we aim to offer feedback on applications.

Approaching us for development support, programming and commissions

- We want our processes to be as transparent as possible and we regularly publish information on our website about opportunities and how to contact us. We aim to reply to everyone who contacts us directly about opportunities, and you can expect us to be honest with you about whether a) your work is likely to fit CAPA College, or b) your work fits in with our timelines for planning and programming.

Contact and Communication

- Freelancers will always have a named point of contact within CAPA College, and access to other staff to support their work and practice.
 - We value freelancers time and will seek to streamline contact time and meetings, and save travel time and costs by offering opportunities to talk by phone or meet online.
 - If we are contracting you on a freelance basis to deliver a programme of work for CAPA College, you will be given a written brief and a line manager. We will discuss all relevant areas of delivery expected from both of us.
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- Freelancers working regularly with us become part of the fabric of who we are and will be included in relevant organisation-wide communication, invited to all-staff meetings and special events.
- We like to plan well in advance and for all activities to run smoothly and as stress free as possible for all involved. This means that freelancers should expect to be asked about the arrangements for your activity in advance of delivery, to enable rooms, equipment, refreshments etc to be set up prior to the start of your activity.
- For larger scale events and productions, it is likely we will put a team together including technical, programming, front of house and event support. We will work with you to ensure that the level of support we can offer and any associated costs are clear and agreed in advance.

Correspondence

- Most of our correspondence takes place by email and we aim to reply to emails from artists and freelancers we are working with, wherever possible within 10 working days. We aim to reply to emails from artists and freelancers new to us within 20 working days.

Duties

During your appointment you agree:

- i. To devote your time, attention and skill to carrying out your services in an expert and diligent manner and to provide your services to the best of your commercial, technical and creative skill.
- ii. To the best of your ability promptly and faithfully comply with and observe all lawful, reasonable and proper requests that may from time to time be given to you by CAPA College.
- iii. That during the course of your appointment you are likely to obtain knowledge and confidential information, details of which are not in the public domain in relation to CAPA College and, in particular, of your students' welfare, and agree that:
 - You shall not use the confidential information and knowledge other than during the continuance of this service agreement and in connection with the provision of the Service; and
 - You shall not at any time after the end of this service agreement (save as required by law) disclose or divulge knowledge and confidential information, details of which are not in the public domain, to any person outside CAPA College.

DBS

- We will require you to have an up to date DBS check to carry out your work with CAPA College. We will make arrangements for this.

Professional Development and Training

- If we offer freelancers support and training we will always be clear about what that is, and when it will be available.

- Wherever possible, we will open up training sessions available to salaried staff to freelancers who work regularly with us.

Resources

- We will make CAPA Colleges resources available to freelancers working with us, including access to office space and printing facilities, workspace and equipment.
- We know how important it is to feel comfortable and to have a base in a building so whilst working at CAPA College, freelancers will have access to staff facilities.

Orientation

- If you are new to CAPA College, we will give you a welcome and a guided tour of the building when you arrive to begin work. We will largely leave you to get on with your work but your named person will be on hand for queries and questions. If you have not worked at CAPA College before the Course Pathway Leader will arrange an induction session with you. You will also be required to attend a briefing in September with the Principal of the College which will include Safeguarding training.
- You will be required to sign in and out when you are on school premises and wear an official CAPA College lanyard and ID badge at all times.

Access Requirements

- We will ask if freelancers have any access requirements when we start working with you. We endeavour to meet the access requirements of all members of staff, including freelancers, and to fulfil access riders.

Other terms and conditions


Fees and Payments

- Freelancers are required to complete the data collection sheet including contact details, email, phone number, and bank or building society account details, to enable payments.
- You must also inform CAPA College if any of your contact details change during this period, i.e. address, email address, mobile phone number. You will be issued with a College Workforce privacy statement which details the personal information we may hold about you and how this may be used.

Annual Leave

In accordance with the Working Time Regulations 1998, you will be entitled to annual leave and holiday pay, and an allowance for this is included in the rate of pay below. The time off relating to this holiday pay will be deemed to be taken in those periods when you do not work.

Sickness



Due to the casual nature of this engagement, you will not be entitled to any occupational sickness allowance. However, upon receipt of a medical certificate, you may be entitled to Statutory Sick Pay (SSP) if your average earnings in the 8 weeks prior to the period of sickness absence are equivalent to the lower earnings limit.

If you are absent for any reason including sickness, you should notify your line manager by telephone at the earliest convenience.

Maternity, Adoption & Nominated Carers Leave

There is no entitlement to occupational Maternity, Adoption or Nominated Carers Leave Pay. Statutory Maternity/ Adoption/ Nominated Carers Pay including Paternity pay may be payable if you are eligible under the Department of Social Security Regulations. You will be informed if you qualify for payment and comply with the requirement.

Pension Scheme

Self-employed workers will not be able to join the TPS or LGPS.

Termination Provisions

In terms of notice to end the engagement of your services, both parties are required to give one month's written notice.


Payment Arrangements


The rate which will be paid is £25 per hour. Please submit your invoice to your named Course Pathway Leader who will authorise payment and send to the Finance Officer for processing. You will normally be paid within 10 working days.

Additional Information

As a self-employed freelance teacher you are responsible for payment of your own income tax and national insurance contributions. If requested, CAPA College and Enhance Academy Trust will share your pay data with Government Bodies for the purpose of preventing and detecting fraud. Consequently, if you are in receipt of any means tested benefits (e.g. council tax benefit, job seekers allowance, etc) you must disclose details of your work at CAPA College to the relevant Benefit-paying Authority.

Planning and Agreements

- We will always agree fees, arrangements, responsibilities, timescales and deadlines for activity in writing. This will not always be a formal contract but may take the form of a letter of agreement or email exchange. We are happy to provide more formal paperwork if requested.
 - If delivery circumstances change, for CAPA College or for freelance staff, we will endeavour and find alternative ways for freelancers to engage in your contracted work and receive payment as planned,
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providing alternatives (streaming, blended delivery, online) are appropriate, practical and possible for the purpose of the work.

Postponements and Cancellations

- We will always agree in writing and in advance what will happen in terms of fees if the activity is postponed or cancelled.

Policies and Information

- We will share our Safeguarding Policy with freelancers in advance of starting work, and arrange safeguarding training and DBS checks.

Monitoring of Subcontractors and Subcontracted Provision

- The Trust will manage and monitor all subcontractors to ensure that high-quality delivery is taking place that meets the requirements of the contract which has been entered into with ESFA for the provision of ESFA funded delivery
- The Trust will carry out a regular and substantial programme of quality assurance checks on the education and training provided by subcontractors including spot checks and face to face interviews with staff and learners. The programme will:
 - Include verifying that learners exist and meet the eligibility criteria for ESFA Funding.
 - Involve direct observation of initial guidance, assessment and delivery of learning programmes, training and/or direct observation of assessment.
 - The findings of your assurance checks will be consistent with the Trusts expectations and the subcontractor's records.
- Prevent duty applies to subcontracted provision, and the Trust has due regard to the need to prevent inadvertent funding to extremist organisation.

Monitoring and Review

This policy will be reviewed on an annual basis or when new legislation or guidance concerning the employment of freelance workers is published. The Local Governing Board and Principal will have responsibility of reviewing the policy

