Employment Rights Act 1996

1996 CHAPTER 18

PART I

EMPLOYMENT PARTICULARS

Right to statements of employment particulars

1 Statement of initial employment particulars.

(1) Where **[**[F1]a worker**]** begins employment with an employer, the employer shall give to **[**[F2]the worker**]** a written statement of particulars of employment.

[[F3](2) Subject to sections 2(2) to (4)—

(a) the particulars required by subsections (3) and (4) must be included in a single document; and

(b) the statement must be given not later than the beginning of the employment.**]**

(3) The statement shall contain particulars of—

(a) the names of the employer and **[**[F4]worker**]**,

(b) the date when the employment began, and

(c) **[**[F5]in the case of a statement given to an employee,**]** the date on which the employee's period of continuous employment began (taking into account any employment with a previous employer which counts towards that period).

(4) The statement shall also contain particulars, as at a specified date not more than seven days before the statement **[**[F6](or the instalment of a statement given under section 2(4) containing them)**]** is given, of—

(a) the scale or rate of remuneration or the method of calculating remuneration,

(b) the intervals at which remuneration is paid (that is, weekly, monthly or other specified intervals),

[[F7](c) any terms and conditions relating to hours of work including any terms and conditions relating to—

(i) normal working hours,

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(ii) the days of the week the worker is required to work, and

(iii) whether or not such hours or days may be variable, and if they may be how they vary or how that variation is to be determined.**]**

(d) any terms and conditions relating to any of the following—

(i) entitlement to holidays, including public holidays, and holiday pay (the particulars given being sufficient to enable the **[**[F8]worker's**]** entitlement, including any entitlement to accrued holiday pay on the termination of employment, to be precisely calculated),

(ii) incapacity for work due to sickness or injury, including any provision for sick pay, [F9]...

[[F10](iia) any other paid leave, and**]**

(iii) pensions and pension schemes,

[[F11](da) any other benefits provided by the employer that do not fall within another paragraph of this subsection,**]**

(e) the length of notice which the **[**[F12]worker**]** is obliged to give and entitled to receive to terminate his contract of employment **[**[F13]or other worker's contract**]**,

(f) the title of the job which the **[**[F14]worker**]** is employed to do or a brief description of the work for which he is employed,

(g) where the employment is not intended to be permanent, the period for which it is expected to continue or, if it is for a fixed term, the date when it is to end,

[[F15](ga) any probationary period, including any conditions and its duration,**]**

(h) either the place of work or, where the **[**[F16]worker**]** is required or permitted to work at various places, an indication of that and of the address of the employer,

(j) any collective agreements which directly affect the terms and conditions of the employment including, where the employer is not a party, the persons by whom they were made, [F17]...

(k) where the **[**[F18]worker**]** is required to work outside the United Kingdom for a period of more than one month—

(i) the period for which he is to work outside the United Kingdom,

(ii) the currency in which remuneration is to be paid while he is working outside the United Kingdom,

(iii) any additional remuneration payable to him, and any benefits to be provided to or in respect of him, by reason of his being required to work outside the United Kingdom, and

(iv) any terms and conditions relating to his return to the United Kingdom.

[[F19](l) any training entitlement provided by the employer,

(m) any part of that training entitlement which the employer requires the worker to complete, and

(n) any other training which the employer requires the worker to complete and which the employer will not bear the cost of.**]**

(5) Subsection (4)(d)(iii) does not apply to **[**[F20]a worker**]** of a body or authority if—

(a) the **[**[F21]worker's**]** pension rights depend on the terms of a pension scheme established under any provision contained in or having effect under any Act, and

(b) any such provision requires the body or authority to give to a new **[**[F22]worker**]** information concerning the **[**[F23]worker's**]** pension rights or the determination of questions affecting those rights.

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[[F24](6) In this section "probationary period" means a temporary period specified in the contract of employment or other worker's contract between a worker and an employer that—

(a) commences at the beginning of the employment, and

(b) is intended to enable the employer to assess the worker's suitability for the employment.**]**

Textual Amendments

F1 Words in s. 1(1) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(a)(i)** (with reg. 15)

F2 Words in s. 1(1) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(a)(ii)** (with reg. 15)

F3 S. 1(2) substituted (6.4.2020) by The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018 (S.I. 2018/1378), regs. 1, **3(a)** (with reg. 8)

F4 Word in s. 1(3)(a) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(b)** (with reg. 15)

F5 Words in s. 1(3)(c) inserted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(c)** (with reg. 15)

F6 Words in s. 1(4) substituted (6.4.2020) by The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018 (S.I. 2018/1378), regs. 1, **3(b)(i)** (with reg. 8)

F7 S. 1(4)(c) substituted (6.4.2020) by The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018 (S.I. 2018/1378), regs. 1, **3(b)(ii)** (with reg. 8)

F8 Word in s. 1(4)(d)(i) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(d)** (with reg. 15)

F9 Word in s. 1(4)(d)(ii) omitted (6.4.2020) by virtue of The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018 (S.I. 2018/1378), regs. 1, **3(b)(iii)** (with reg. 8)

F10 S. 1(4)(d)(iia) inserted (6.4.2020) by The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018 (S.I. 2018/1378), regs. 1, **3(b)(iii)** (with reg. 8)

F11 S. 1(4)(da) inserted (6.4.2020) by The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018 (S.I. 2018/1378), regs. 1, **3(b)(iv)** (with reg. 8)

F12 Word in s. 1(4)(e) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(e)** (with reg. 15)

F13 Words in s. 1(4)(e) inserted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(f)** (with reg. 15)

F14 Word in s. 1(4)(f) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(e)** (with reg. 15)

F15 S. 1(4)(ga) inserted (6.4.2020) by The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018 (S.I. 2018/1378), regs. 1, **3(b)(v)** (with reg. 8)

F16 Word in s. 1(4)(h) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(e)** (with reg. 15)

F17 Word in s. 1(4)(j) omitted (6.4.2020) by virtue of The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018 (S.I. 2018/1378), regs. 1, **3(b)(vi)** (with reg. 8)

F18 Word in s. 1(4)(k) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(e)** (with reg. 15)

F19 S. 1(4)(l)-(n) inserted (6.4.2020) by The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018 (S.I. 2018/1378), regs. 1, **3(b)(vii)** (with reg. 8)

F20 Words in s. 1(5) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(g)** (with reg. 15)

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F21 Word in s. 1(5)(a) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(h)** (with reg. 15)

F22 Word in s. 1(5)(b) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(i)** (with reg. 15)

F23 Word in s. 1(5)(b) substituted (6.4.2020) by The Employment Rights (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/731), regs. 1(2), **5(h)** (with reg. 15)

F24 S. 1(6) inserted (6.4.2020) by The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018 (S.I. 2018/1378), regs. 1, **3(b)(viii)** (with reg. 8)

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