

Manage Jobs and Opportunities Vacancy Policy Standards

Contents

Policy Standards
UK Employment law
The National Minimum Wage
Self-employed jobs
Job titles and job descriptions
Criminal convictions
Apprenticeship job descriptions
There must be a genuine job
Jobs with upfront costs
Disability Confident Employers
Jobs with screen requirements
Direct links to external sites
Personal auction / marketplace listing accounts
Trails and probationary periods without pay
Cover for official trade disputes
Jobs relating to sexual services
Fundraising opportunities
Jobs offering allowances or expenses only
Premium rate or income generating phone numbers

The policy Standards

The following policy standard must be applied to all vacancies added to Manage jobs and opportunities.

UK employment law

All vacancies must adhere to all relevant UK employment laws.

It is the employer's responsibility to make sure they adhere to all the laws and regulations they need to.

Agents are not expected to know every single law, must be mindful of the following:

- the [maximum weekly working hours](#) or working time directive, this cannot be above 48 hours per week without a disclaimer,
- it must include at least 28 days paid annual leave, including the 8 statutory bank holidays
- it must not pay below [National Minimum Wage](#), unless there is a legal exemption
- the right to ask for [flexible working](#)

This list is not exhaustive. The above links are on GOV.UK

For further information see the following on: [Contracts of employment and working hours](#) and [Equality Act 2010: how it might affect you](#), on GOV.UK.

The National Minimum Wage

The rate of pay the job advert quotes must be equal to, or more than the [National Minimum Wage](#) (NMW) even though the employer might employ someone qualifying for the lower NMW rates.

This applies unless there is a lawful exemption.

The NMW rate is different depending on age. Employers must guarantee to meet the wage rate based on the suitability of the person and not their age.

Commission only vacancies, must state the available job pays commission only and can achieve a wage equivalent to or more than the National Minimum Wage and / or the National Living Wage (NLW).

The wage rate for commission only or zero hour contract vacancies must be entered as the NMW, with details in the job description to clarify that the job seeker can achieve a wage equivalent to or more than NMW.

Self-employed jobs

We do not include self-employed vacancies within this service.

Job titles and job descriptions

The job title and description must be accurate, written in plain English and not use discriminatory language.

Job adverts, must:

- be accurate and clearly understandable to Jobseeker
- have a job title that reflects the position offered, not use generic terms such as 'various'
- clearly state what experience / qualifications are required
- clearly state where the vacancy offers a zero hour contract
- not mislead Jobseekers when quoting the jobs rates of pay or the salary
- only ask successful applicants to provide their right to work in the UK documentation
- not ask for personal information such as address, date of birth or bank details
- ensure the application process is clear

A jobseekers should only ever provide personal information when they have a job offer with a confirmed start date. Unless a legal exemption applies, for example, a person must be 21 years or over to drive a heavy goods 7.5 tonne vehicle.

We cannot accept discriminatory vacancies from employers. Some employers may not mean to discriminate but may use the wrong language to describe what's needed, such as "healthy young man required to lift heavy goods".

We must explain why this language must not be used and provide alternative suggestions such as, "The job requires a lot of physical heavy lifting".

There are some genuine exemptions where an employer can specifically request someone of a certain age, race or sex.

For example:

- a same sex person may be required for personal care
- the requirement to be 21 years old to hold an HGV licence
- certain actors may be required to play a particular character in a play / film

For further information see the following:

GOV.UK, [Equality Act 2010: how it might affect you.](#)

GOV.UK, [Right to work checks: an employer's guide.](#)

GOV.UK, [Employers: preventing discrimination: Discrimination in recruitment.](#)

ACAS, [How employers should recruit: Recruitment: hiring someone.](#)

Our intranet Way to Work Resources.

Criminal convictions

Applicants do not have to tell employers about past criminal convictions
Employers cannot refuse to employ someone because of their conviction.

If an employer wants to recruit a person with no criminal convictions, we must try to establish why. Employers are encouraged to only request people with no criminal convictions if there is a legitimate and legal reason to do so (particularly where convictions are spent).

There are some areas of employment that are exempt from this rule, for example schools.

For further information see, [Employing prisoners and ex-offenders](#) on GOV.UK.

Apprenticeship job descriptions

All apprenticeship job descriptions must contain the:

- word 'Apprenticeship' in the job title
- qualification the apprentice will work towards,
- length of the apprenticeship and
- name of the employer.

Only government funded apprenticeships attract the national minimum wage, apprenticeship rate. Which is confirmed by viewing the relevant nation's apprenticeship service.

Any that are not government funded cannot be treated as apprenticeships and must pay the equivalent National Minimum Wage and / or the National Living Wage for the age of the candidate.

For further information see: [Become an apprentice: How apprenticeships work on GOV.UK.](#)

There must be a genuine job

Vacancies from an employment agency are checked to ensure they are for a genuine job and not for example: to build a database of information.

There must be a genuine vacancy for the claimant to apply for. The employer is recorded as the agency and not the end employer as claimants must not apply direct to the end employer.

Jobs with upfront costs

We cannot accept vacancies that include the payment of costs as part of the application process or role by the jobseeker.

Some vacancies require successful candidates provide their own Disclosure Barring Service (DBS) check. Where a job is offered in these cases, financial support using the Flexible Support Fund can be considered.

It is an employer's responsibility to buy Personal Protective Equipment (PPE).

Disability Confident Employers

Disability confident employers must include this in the Job description.

For further information refer to [Employers that have signed up to the Disability Confident scheme](#) on GOV.UK.

Jobs with screening requirements

Jobs that include screening requirements cannot be accepted unless there is a legal requirement for the vacancy.

Some jobs may require standard or enhanced Disclosure Barring Service (DBS) checks to be completed, for example, where the post holder is working unsupervised with a vulnerable person.

In cases where there is no legal requirement for a standard or enhanced DBS check, employers can still request a basic DBS check.

Not many professions require drug or alcohol screening but if they do, this must only apply to actual employees and not be part of the recruitment process.

For further information see, [Being monitored at work: workers' rights: Overview](#) and [Find out which DBS check is right for your employee](#) both on GOV.UK.

Direct links to external sites

For security purposes we cannot include direct links to external websites in the Universal Credit service.

Any jobs being advertised which request that applications to go direct to the employer's website must have the website address written out in full.

For example: NHS Jobs would be written as <https://www.jobs.nhs.uk> with no hyperlink.

If we include references to an employer's website, these links are provided for information only. In these cases, we make the claimant aware that these sites are not approved by DWP and we have no control over the content on the sites or its resources.

Personal auction / marketplace listing accounts

We do not accept jobs that ask the jobseeker to use their own personal auction / marketplace listing account(s).

Any auction listing jobs must be from reputable on-line shops, that already have their own business accounts on reputable auction listing sites, such as eBay or Amazon.

Trials or probationary periods without pay

We do not accept jobs that involve a trial or probationary period without pay.

In some circumstances it may be appropriate to discuss use of Work Trials with the employer.

Cover for official trade disputes

We do not advertise jobs specifically intended to provide cover for workers involved in official trade disputes.

Workers taking part in an official trade union dispute are still employed by the employer. DWP must remain impartial to any official industrial action organised by the trade union.

Jobs relating to sexual services

We do not accept jobs relating to sexual services or those seeking employees for jobs of a sexual nature.

Any jobs for the adult entertainment industry must only be for:

- selling, manufacturing, and distributing of adult entertainment products
- ancillary staff for example, cleaners and bar staff
- jobs must display an age requirement of 18 or over

No other adult entertainment jobs can be accepted.

Fundraising opportunities

We do not accept fundraising opportunities without the express permission of the charity involved.

Jobs offering allowances or expenses only

We do not accept jobs offering allowances or expenses only, for example, voluntary, community or fostering opportunities. They can however be advertised as local opportunities outside of the service.

Premium rate or income generating phone numbers

We do not accept jobs where claimants are asked to apply using premium rate or income generating phone numbers.

Jobs where claimants are asked to apply using 0871, 0872, 0873 numbers may be accepted if the call duration does not exceed 5 minutes.