Decision Tree to establish whether an individual is a Worker, Self Employed or an Employee

Please note: This decision tree does NOT apply if the individual is an existing employee. Payment for such individuals should be made using the appropriate CHRIS claim form.

1) Do you want a permanent employee?
   Yes → Employee
   No

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2) Will the individual’s continued involvement be critical to a core activity?
   Yes → Employee
   No

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3) Do you want the individual to be obliged to accept work from you in the future or are they asking you to commit to giving them further work?
   Yes → Employee
   No

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Footnote: Does not include limited companies, partnerships, clubs, associations or societies.
4) Will the individual be a lower degree examiner?
   Yes → Worker
   No

5) Is the individual lecturing, teaching or supervising for not more than 5 sessions per term and not exceeding 14 sessions in a year or examining a higher degree?
   Yes → Self-employment.
   No

6) Does the individual claim to be self-employed and/or do they meet the conditions in chapter 5a of the financial procedures manual?
   Yes → Possible Self Employed. Fill in an FD3 form
   → If approved for self-employment, individual to submit invoice and paid through CUFS.
   → If rejected for self-employment then re-enter decision tree here with answer 'No'.
   No
7) Will/Has the individual work(ed) less than 6 hours per week?

Yes  →  Worker

No

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8) Will/has the individual worked for more than 2 terms/8 months?

Yes  →  Possible employee. Review to assess.

No

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Worker. Monitor duration and review if 2 term / 8 month limit is breached.

If someone works under 6 hours per week and the answer to the above questions above has been "No", then they can be appointed as a worker on an indefinite basis.

If someone works more than 6 hours a week, they can only be a worker for 2 terms or 8 months unless there is a break of at least one term or 4 months (university vacations do not count as a break in service for this purpose).