

## FAQ

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### Moving of goods

Goods crossing the internal frontiers of the European Union (EU) have not been subject to controls since 1 January 1993. This means that you do not have to pay any tax or duty in the UK on goods you have bought tax paid in other EU countries, as long as these are for your own use only.

If you are bringing goods from a country that is a member of the European Economic Area (EEA) but not of the EU (i.e. Norway, Iceland and Liechtenstein), more complex regulations apply.

Certain types of goods are prohibited or restricted under any circumstances, regardless of their origin. Some examples include unlicensed drugs, firearms and certain plants and their produce.

Further information:

HM Revenue & Customs runs a National Advice Service that is able to answer general queries. They can be contacted on 0845 010 9000 (+44 208 929 0152 for international callers).

### Moving of cars

You may bring a car into the UK from another EU Member State. No charges will be made as long as it is more than six months old and has travelled more than 6000 kilometres under its own power. However, if the vehicle fails to meet one or both of these criteria, HM Revenue & Customs will classify it as a New Means of Transport and you will have to pay duty on the vehicle. In either case, you should refer to HM Revenue & Customs Notice 728.

If you wish to bring a car into the UK from outside the EU, you should consult HM Revenue & Customs Notice 3. This gives the conditions for paying duty and tax and details of how to register, license and insure your vehicle for use in the UK.

Further information:

HM Revenue & Customs National Advice Service - 0845 010 9000 (+44 208 929 0152 for international callers).

### The driving licence

The following information applies to all EU Member States.

There is no universal EU driving licence. However, since 1 July 1996 there has been a 'Community model' licence to make recognition of licences issued by individual Member States easier. Any valid driving licence issued by a Member State must be recognised by all other Member States. Certain Member States may, however, refuse to recognise licences issued to drivers under the age of 18.

If you move from one Member State to take up normal residence in another, you do not have to exchange your licence for one issued in your new country of residence. However, if for any reason you have to replace your driving licence, you must replace it in the country that is your normal residence. If you have a driving licence issued by a non-EEA Member State, you must check its validity with the authorities of each EEA country that you enter.

Your country of normal residence may wish to impose any rules and restrictions normal to its own licences. These include:

- The period of validity of the licence
- Medical checks (same frequency as for nationals)
- Tax arrangements (connected with the holding of a licence)
- Penalties (for example a penalty-points licence); and
- Restriction, suspension, withdrawal or cancellation of the licence.

The Community model licence shows the name of the issuing Member State and indicates the categories of vehicle the holder is allowed to drive. It also lists any conditions placed on the validity of the licence, for example if the holder requires glasses or contact lenses to drive. In the case of disabled drivers, the conditions under which they may drive will be noted.

Individual member states decide the period of validity of their licences. Member states are free to change or modify the conditions attached to their driving licences, so long as the licences still conform to the criteria of the Community model. These are that the applicant must:

- Be normally resident in the Member State where the application is made
- Pass a practical and theoretical test, for which requirements vary according to the Member State
- Meet fitness standards: there are minimum Community standards of physical and mental fitness, in particular regarding sight, hearing, locomotor problems, cardiovascular diseases, renal disorders, neurological diseases, diabetes mellitus, alcohol, drugs, medicinal products and mental disorders
- Be of the minimum age for the category of vehicle concerned; and
- Not hold more than one driving licence, even if a licence is suspended or withdrawn.

National rules regarding the withdrawal, suspension and cancellation of licences apply to all licences held in that country, even licences that were not issued in that country. This means that your licence is governed by the rules of the country in which you are normally resident, regardless of where your licence was issued.

The following information applies to the UK only.

If you do not already have a driving licence and would like to get one, you must pass both a theory and practical skills test. Once you have done this, you will be issued with a UK driving licence.

### **Finding accommodation**

Whether or not you are able to find accommodation easily will depend on where in the UK you are going. Accommodation in London and southeast England is scarce and highly expensive, but becomes more affordable the further north you go.

The vast majority of Britons live in houses, and owning one's own house is the norm. This is usually done with the help of large mortgages with payments spread over 20-25 years.

Properties available to buy or to let are advertised via estate agents and the local press. If you wish to start looking for properties before your arrival in the UK, many estate agents' portfolios are available online, and they may also be willing to post details of properties to you. An estate agent should also be able to tell you about the local property market and the type of property available within your price bracket. Speak to several to help you get a broader picture.

### **Registration procedures**

All EEA and Swiss nationals have a right to live and work in the United Kingdom under various EC rights of residence directives. You have this right if you are either working in the UK or are looking for work. Students and economically inactive people, for example retired people, also have this right as long as they have sufficient funds to support themselves and their families without public funds.

Most nationals of the A8 countries - Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland Slovakia and Slovenia - are required to register with the Worker Registration Scheme when they start work in the UK. The registration requirement applies to nationals of the eight Accession States who start work in the UK after 1 May 2004. The registration fee is £70 and this is the responsibility of the individual, although the employer also needs to have evidence that they have applied for registration.

Candidates searching for work from the A8 countries must have sufficient funds to support themselves whilst they look for work in the UK.

Self-employed workers must register with the HM Revenue & Customs as soon as they start work in the UK as Worker Registration Scheme does not apply to them.

EEA and Swiss nationals do not require a visa to enter the UK. On arrival in the UK, you should use the 'EEA/EU' channel where it is available. An immigration officer will check the validity of your passport or national identity card.

You do not require a work permit to work in the UK. You should not be discriminated against in terms of conditions of employment, pay or working conditions. You may be self-employed, or an employee of a company or organisation.

If your family are also EEA or Swiss nationals they have the same rights to live and work in the UK as you. This also applies to your family if they are non-EEA nationals.

If you have the right to live and work in the UK, then so does your family. This rule applies to:

- Your husband or wife
  - Your, or your husband's or wife's, children (if they are under 21 or if they are over 21 and dependent on you); and
  - Dependent relatives, for example your or your husband's or wife's parents and grandparents.
- If you are self-employed you may also bring in family members in the descending line for example your, or your husband's or wife's grandchildren

If you are a student, only your husband or wife and your dependent children may join you.

Your other relatives (such as brothers, sisters or cousins) do not have an automatic right to live in the UK. However, their applications will be considered if you are working in the UK and they are your dependants or lived with you before you came to the UK.

If they are planning to live with you or to visit for a long period of time, non-EEA family members will need an EEA family permit before they can enter the UK. Even if they are only coming for a short visit, they will require an EEA family permit if they would normally require a visa to enter the UK. If they would not normally require a visa to visit the UK, they do not need an EEA family permit as long as they stay in the UK for less than six months. The family member should apply for the permit in their country of residence. This can be done through the nearest British Embassy or High Commission. The application should be made well in advance of their coming to the UK.

### **The residence permit**

If you have a right to live in the UK, you do not need a residence permit or need to register with the police. You may still apply for a residence permit if you wish. One case in which you may like to do this is if your family members wish to apply for a residence document.

Residence permits are usually valid for a period of five years. However, they may be issued for a shorter time if you are working or studying in the UK for less than 12 months.

You are unlikely to be given a residence permit if:

- You are in the United Kingdom for a short visit
- You are looking for work
- You will work and live in the United Kingdom for less than three months; and
- You do not work in the United Kingdom and cannot support yourself without help from public funds.

If non-EEA family members come to live with you in the UK, they may wish to apply for a residence document. If they have this document they will not have to apply for another EEA family permit each time they enter the UK. A residence document issued to a family member will be valid for the same length of time as your residence permit.

To apply for a residence document, your family member will need the following original documents:

- Your passport or national identity card;
- Your residence permit (you will need to apply for one if you do not already have one);
- Proof that you still have a right to live in the United Kingdom;
- Your family member's passport;
- Proof of the relationship between you and your family member (if your husband or wife is applying, you will need proof that you are legally married, for example your marriage certificate).

Your family member will not be given a residence document if you yourself do not have a right of residence in the UK. Furthermore, if your non-EEA husband or wife is the result of a marriage of convenience, they will not be treated as a family member.

You may apply to stay in the UK indefinitely with no time limit or conditions on your stay if:

- You have had a residence permit for five years
- You still have a right to live in the United Kingdom; and
- You have been working in the United Kingdom, or have been supporting yourself financially, for at least four years, and are still doing this.

Students will not usually be allowed to stay indefinitely.

Your family (including students) may also apply to stay indefinitely provided they have residence documents and you meet the requirements above.

## **Recognition of diplomas and qualifications**

### **Academic Qualifications**

The National Academic Recognition Information Centre for the United Kingdom (UK NARIC) deals with such qualifications. It is managed by ECCTIS Ltd under contract to the Department for Education and Skills (DfES).

They can provide you with a letter of comparability that gives a potential employer the UK equivalents of your qualifications. For this they will require:

- A photocopy of your certificate(s) together with transcript(s)
- A copy of a certified translation in English if necessary; and
- A covering letter from yourself stating the purpose of your enquiry.

There is a fee for this service.

### **Professional and Occupational Qualifications**

Each EEA Member State has professions that are restricted by law to individuals holding certain national professional qualifications. These are known as regulated professions. Except for certain specified professions (see below), a general system exists for mutual recognition of qualifications. The general system allows a professional qualified in one member state to pursue that profession in another member state without having to qualify again. However, where standards of training for a profession are much higher in the second member state, the individual may need additional training before being considered fully qualified.

The general system comprises two European Directives - Directive 89/48/EEC and Directive 92/51/EEC:

Directive 89/48/EEC covers regulated professions requiring at least three years (or an equivalent duration part-time) at a university or higher education establishment plus any professional training required to practise the profession.

Directive 92/51/EEC covers education and training for professions regulated below degree level. This directive has a number of levels of recognition ranging from post-secondary courses of less than three years to short vocational courses or an assessment of an individual's skills and abilities.

Specific directives cover some other professions. They include medical professions, architects, teachers and lawyers.

For more information on transferring your qualifications under Directive 92/51/EEC and Directive 89/48/EEC, contact:

Department for Education and Skills

QFW2, Room E3b  
Moorfoot  
Sheffield  
S1 4PQ  
UK  
Tel: 0114 259 4997  
Email: application.coe@dfes.gsi.gov.uk

## **Conclusion of employment contracts**

Only people over the age of 16 are able to enter employment, although children are allowed to have jobs such as delivering newspapers in certain areas.

It is not common practice in the UK to have a formal contractual agreement between employer and employee. However, the employer must, within two months of the date you started, supply a written statement outlining the following details of your employment:

- The names of the employer and the employee;
- The date when the employment began;
- The pay rate and the frequency of pay;
- Hours of work;
- Holiday and sick pay entitlements;
- Details of pension arrangements;
- The notice period;
- The job title or a brief job description;
- Any collective agreements that directly affect the terms and conditions of the job.

These rights are guaranteed under the Employment Rights Act 1996.

If you are being sent to work in the UK by your company or organisation, EU Directive 91/533/EEC stipulates that they must provide you with the following information:

- The duration of the employment;
- The currency in which you will be paid;
- Any benefits to which you are entitled while working abroad;
- The procedure for your return to your home country.

## **Amendments of employment contracts**

If any of the details described in your written statement change, your employer must supply you with a revised statement within one month of the changes taking effect. However, this does not apply if:

- The name of your employer, but not their identity, changes; or
- The identity of your employer changes without it affecting the continuity of your employment

## **Non-standard types of employment**

### **Part-time employment**

The UK has regulations to ensure that part-time workers are not treated less favourably than comparable full-time workers, unless the less favourable treatment can be objectively justified. This means part-timers are entitled to, for example:

- The same hourly rate of pay;
- The same access to company pension schemes;
- The same entitlements to annual leave and maternity/parental leave on a pro rata basis;
- The same entitlement to contractual sick pay;
- No less favourable treatment in access to training.

### **Fixed-term employment**

A 'fixed-term employee' is defined as a person with a contract of employment that ends when a specified date is reached, a specified event does or does not happen or a specified task has been completed. As with part-timers, fixed-term workers are protected by legislation guaranteeing that they will be treated no less favourably than comparable permanent workers, unless the less favourable treatment can be objectively justified.

### **Working at home**

Some employers may allow you to work from home. This is at the employer's discretion. There are obvious benefits to working from home: no commuting to work, a more personal environment, fewer distractions of the type often found in offices. However, home working is not for everyone. It is easy to become sidetracked by tasks to be done at home, children may distract you, and you may miss the social aspect of working in an office. Employers are also often reluctant for you to work somewhere they cannot keep an eye on you.

Some organisations advertise specifically for people to work from home. These jobs are often in fields such as telesales and marketing, and employers are

able to reduce overheads by not having offices. However, you should be aware of disreputable operators who demand registration fees in advance. Frequently the job advertised does not even exist. As a general rule, never send money in advance to people or companies offering work.

#### Apprenticeships

Traditional apprenticeships have declined in popularity in recent years, largely as a result of the decline of manufacturing industry and the accompanying growth of the service sector. In response to this, the government introduced the Modern Apprenticeship scheme, which encourages employers to take on young people so that they can work and train at the same time. They are open to people aged 16-24 who live in England and are not in full-time education. Modern Apprenticeships are available in many areas including construction, hospitality, engineering and travel.

#### Remuneration

All workers receive an itemised pay statement that shows both gross and net earnings, with amounts and reasons for all of the various deductions. These may include tax, social security contributions, pension contributions etc. Some employers also offer a variety of fringe benefits, usually to more senior employees. Such benefits may include a company car, share options, private medical insurance and contributions towards the cost of public transport.

Most workers are paid on a monthly basis, although some may be paid weekly. Weekly payment is more common low skilled jobs.

Workers in the UK must be paid at least the statutory National Minimum Wage. The rates applicable (from October 2006) are:

Main rate for workers aged 22 and over: £5.35 per hour  
Development rate for workers aged 18-21 inclusive: £4.45 per hour  
Young workers rate (for 16 – 17 year-olds): £3.30 per hour

The development rate can also apply to workers aged 22 and over who are receiving accredited training during their first six months in a new job with a new employer.

The following do not qualify for the National Minimum Wage:

the self-employed, anyone under 18, volunteers, apprentices under 19, apprentices under 26 who are in the first 12 months of their apprenticeship, students doing work as part of their undergraduate or post-graduate course, workers on certain training schemes, residents of certain religious communities, prisoners, the armed forces and share fishermen.

#### Working time

The Working Time Regulations, which implement the European Working Time Directive, give workers the following rights:

- A limit of an average of 48 hours per week on the hours a worker can be required to work, though individuals may choose to work longer
- Four weeks of paid leave per year
- 11 consecutive hours of rest in any 24-hour period
- An in-work rest break if the working day is longer than six hours
- One day off each week; and
- A limit on the normal working hours of night workers to an average of eight hours in any 24-hour period, and an entitlement for night workers to receive regular health assessments.

These regulations do not apply to workers in air, rail, road, sea, inland waterway and lake transport, sea fishing, other work at sea - mainly the offshore oil and gas industry - and doctors in training.

There are no regulations regarding overtime or the amount of overtime an employee can do. Individual employment contracts specify how much overtime employees work, with the rate of pay for overtime work to be decided between employer and employee.

There is no legislation governing Sunday working, provisions for this will usually be made in employment contracts. However, shop and betting workers have the right not be dismissed or suffer other detrimental action for refusing to work on Sundays in England and Wales.

Flexible working patterns are a popular choice these days as employees try to maintain a healthy work-life balance. Employers are only obliged to consider applications for flexible working from employees with children under six or disabled children under eighteen. If an employer rejects a request, they must provide a written explanation of their reasoning, and the employee can appeal against the decision.

If an employee does not meet the criteria above, they can still make an application, but the employer is under no obligation to consider it.

Examples of flexible working patterns include:

- Annualised hours – working time is organised on the basis of the number of hours to be worked over a period of a year rather than a week. Pay depends on the number of hours worked during each pay period
- Compressed hours – individuals work their total number of agreed hours but over a shorter period. For example, an employee might work his or her full number of hours over a period of four days instead of five
- Flexitime – this system gives employees choice about the hours they work, usually outside agreed core hours
- Home working – an employee may divide their time between home and office or even do all work from home. Employers must carry out a risk assessment to ensure the employee's safety while working at home; and
- Job-sharing – this involves two part-time workers combining to do the job of one full-time worker.

## Vocational training

There are many opportunities for vocational training in the UK. You may also need help with basic skills before you begin any job-related training, for example if English is not your first language.

Modern Apprenticeships are available to 16-24 year olds living in England and not in full-time education. You can find out about these in section 2.6.

People under 18 years of age can join a scheme called Work Based Training for Young People. It gives you training leading to a recognised vocational qualification.

National Traineeships are similar to Modern Apprenticeships but are aimed at a slightly lower level. People doing National Traineeships often go on to do a Modern Apprenticeship afterwards.

Work Based Learning for Adults is available to people over 25 who have been out of work for more than six months. It allows you to gain skills and training relevant to the job you want to do.

## Annual leave

All full and part-time workers are entitled to four weeks' paid leave per year. A week's leave should allow a worker to be away from work for a period of one week. So if a worker works five days a week, he or she is entitled to 20 days leave per year. If a worker only does three days a week, he or she is entitled to 12 days leave.

The worker must give the employer notice that he or she wishes to take leave. The notice period should be agreed between employer and worker, but if no agreement is made then the notice period should be twice the period of leave requested. For example, for one week of leave, two weeks notice would be required. Employers may also set the times that workers take their leave, for example for a Christmas shutdown.

Leave (Sickness, maternity, ...)

### Maternity

Employees must not suffer unfair treatment at work on grounds of pregnancy or maternity.

All pregnant employees must be allowed time off work, with pay, to attend antenatal appointments made on the recommendation of a doctor, midwife or health visitor.

As a pregnant employee, you are entitled to 26 weeks of maternity leave, regardless of the length of time you have been with your employer. To qualify, you must tell your employer no later than the end of the 15th week before the expected week of childbirth:

- that you are pregnant;
- the expected week of childbirth, by means of a medical certificate if requested;
- the date you intend to start maternity leave; this can normally be any date which is no earlier than the beginning of the 11th week before the expected week of childbirth up to the birth.

At the end of your maternity leave, you have the right to return to your original job or a suitable alternative. A woman who qualifies for ordinary maternity leave and who wishes to return to work before the date it is due to end must give at least 28 days' notice, unless her employer didn't notify her of when her leave should end.

Employees with 26 weeks continuous service for an employer by the beginning of the 14th week before the expected week of childbirth are entitled to an additional 26-week period of maternity leave. Again, after your period of leave, you are entitled to return to your original job or a suitable alternative.

Although employees do not receive their normal pay while on maternity leave, they are entitled to claim one of two benefits. If you are employed by your present employer in the 15th week before the baby is due, were employed by that employer for 26 continuous weeks until the 15th week before the baby is due, and earn at least £84 per week gross [enough on average for National Insurance purposes (see your Social Security office)], you are entitled to statutory maternity pay (SMP).

SMP is paid for up to 26 weeks and you must inform your employer four weeks before you intend to stop work. The latest you can start getting SMP is from the day after the day the baby is born. SMP is paid at the following rate:

- For the first six weeks, you receive 90% of your weekly earnings; or
- For the remaining 20 weeks, you receive either 90% of your weekly earnings or £108.85 per week, whichever is less.

If you have recently come to this country, your employer may still pay you SMP.

If you do not qualify for SMP you may be able to claim maternity allowance (MA), as long as you have been either employed or self-employed for at least 26 weeks in the 66 weeks up to and including the week before your baby is due (known as the Test Period), and earn more than £30 per week in any 13 weeks in the test period. If you have recently arrived in this country, you will only be entitled to MA if you have made the necessary National Insurance (NI) contributions. You may be treated as having made the necessary contributions if you:

- Have been working abroad for an employer based in the UK and paid NI contributions for the first 52 weeks of that employment; or
- Have paid enough UK NI contributions and the equivalent of NI contributions in certain other countries

MA is paid for up to 26 weeks. The latest you can start receiving it is the day after the day your baby is born. You will receive up to the standard weekly rate, depending on your earnings. The standard weekly rate is £108.85.

### Paternity

You will be eligible for paternity leave if you:

- Have responsibility for the child's upbringing
- Are the biological father or the mother's husband or partner; or
- Have worked continuously for your employer for 26 weeks ending with the 15th week before the baby is due.

You must inform your employer that you wish to take paternity leave, and how much leave you want to take, by the end of the 15th week before the baby is expected to be born.

Eligible employees can take either one or two consecutive weeks' paternity leave. During the period of leave, most employees are entitled to statutory paternity pay. This is paid at £108.85 per week or 90% of average weekly earnings if this is less than £108.85.

### Adoption

Adoption leave and pay are available to individuals who adopt and to one member of a couple who adopt jointly. The couple must decide which partner will take adoption leave. The partner of an individual who adopts, or the other member of a couple who adopt jointly, may be entitled to paternity leave and pay.

To be eligible for adoption leave you must:

- Be newly matched with a child for adoption by an adoption agency (adoption leave is not available when a child is not newly matched, for example when a step-parent adopts a partner's child); and
- Have worked continuously for your employer for 26 weeks ending with the week in which you are notified of being matched with a child for adoption.

Adopters may take up to 26 weeks ordinary adoption leave. This can be followed by a further 26 weeks additional adoption leave, which is usually unpaid. Adopters must inform their employer of their intention to take adoption leave within seven days of being told they have been matched with a child for adoption.

Adopters are usually entitled to up to 26 weeks' statutory adoption pay. This is paid at £108.85 per week or 90% of average weekly earnings if this is less than £108.85.

### Time off for dependants

You are entitled to a reasonable amount of time off work to deal with an emergency involving a dependant. For example, someone may fall ill, be involved in an accident or go into labour. It is up to your employer whether you are paid for this time off. However, these provisions only apply to emergencies. If you know in advance that a problem is going to arise, you must make alternative arrangements, perhaps by taking some annual leave.

## End of employment

Both employers and employees have the right to a minimum period of notice. The period of notice that an employer is required to give depends on the employee's length of service.

- If an employee has been continuously employed for longer than one month, the employer must give at least one week's notice.
- If an employee has been continuously employed for longer than two years, the employer must give at least two weeks' notice.
- For each additional year of continuous employment, an extra week's notice must be given, up to a maximum of twelve weeks.

An employee must give a minimum of one week's notice if his employer has employed him continuously for more than one month. This minimum period does not increase, regardless of the employee's length of service.

These minimum notice periods do not apply if longer periods have been agreed in an employment contract between the employer and employee.

If an employee is on a fixed-term contract, no notice of the expiry of the contract needs to be given. However, if the contract is terminated early the minimum notice regulations apply. If an employee was initially employed for a fixed term of one month or less but is then subsequently employed continuously for a total period of three months or more, they are treated as a permanent employee and so benefit from the minimum notice period regulations.

Apprentices are treated in the same way as fixed-term employees for the purposes of notice periods. No notice of the completion of the apprenticeship needs to be given, but notice must be given if the apprenticeship is ended early. If the apprentice stays with the employer after completing his apprenticeship, time spent with the employer during the apprenticeship is counted when calculating minimum notice periods.

Any employee who is dismissed after more than one year's continuous employment is entitled to request a written statement giving the reasons for their dismissal. The request may be oral or written, and the statement must be provided within 14 days. An employee dismissed while pregnant or on maternity

leave must be given a written statement, whether she asks for it or not.

The following do not have the right to request a written statement:

- People who are not actually employees, for example freelance workers or contractors
- People who have been continuously employed by the employer for less than one year
- Masters and crew members involved in share fishing; and
- Members of the police and armed forces.

Employees who have completed more than one year of continuous service with an employer have the right not to be unfairly dismissed. However, all employees have the right not to be dismissed on grounds that are classified as 'automatically unfair'. These include pregnancy, taking parental leave, reasons relating to the Working Time Regulations and trade union membership.

Employees must make a complaint of unfair dismissal to an employment tribunal within three months of their leaving employment.

Dismissal will be judged as fair if it is for one of the following reasons:

- A reason related to the employee's conduct;
- A reason related to the employee's capability or qualifications for the job;
- Because the employee was redundant;
- Because a statutory duty or restriction prohibited the employment being continued;
- Some other substantial reason of a kind that justifies the dismissal.

Text last edited on: 05/2005

## Regulations governing employment of women

Under the Sex Discrimination Act 1975 (as amended), employers should not discriminate on grounds of sex. In this case, discrimination means treating someone less favourably, including through conditions or requirements which, even if they are applied equally to everyone, have a worse effect on one sex than the other. Discrimination also includes victimising someone who makes a complaint under the Act.

There are some exceptions to the provisions, for example where a job has to be done by a person of a certain sex for reasons of dramatic authenticity. In other words, females get preference over males for female acting parts and vice versa.

The Equal Pay Act 1970 stipulates that men and women must be treated equally in terms and conditions if they employed on 'like work'. This means work of a broadly similar nature, where any differences do not affect the value of the work done.

Equal Pay does not apply only to remuneration, but to most terms in an employment contract. Of course, this does not apply to the special treatment of women covering pregnancy or childbirth.

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Special categories

## Young workers

A young worker is someone aged between 16 and 18. Only people over the age of 16 can enter employment, although children are allowed to have jobs such as delivering newspapers in certain areas.

Young workers benefit from special working time limits, shorter than those for older workers. They must not work more than eight hours a day and 40 hours a week. They are entitled to 12 uninterrupted hours of rest in each 24-hour period and two days off each week. If they have to work for more than four and a half hours in a row, they are entitled to a 30-minute rest break. These time limits can only be extended in exceptional circumstances.

Young workers are not normally allowed to work at night. However, in certain sectors and under specific circumstances, exceptions can be made. A young worker can work at night if it is necessary to maintain continuity of service or production, or to respond to a surge in demand for a service or product. However, this applies only if there is no adult available to work, the worker is supervised, receives compensatory rest, and the training needs of the worker are not affected.

A young worker may work throughout the night, under the conditions above, in hospitals or in cultural, artistic, sporting or advertising activities. Young workers may work between 10 or 11pm and midnight and between 4am and 6 or 7am in the following sectors:

- Agriculture
- Retail
- Postal or newspaper deliveries
- Catering
- Hotels, public houses, restaurants, bars or similar
- Bakeries

Disabled workers

The rights of disabled workers are protected by the Disability Discrimination Act 1995. The Act says that employers with 15 or more employees may not discriminate against disabled workers. Discrimination cannot be justified if the reason for discrimination could be removed by making a 'reasonable adjustment'. This is any action an employer could take to prevent arrangements made by him or physical features of the employer's premises having a

negative effect on disabled workers.

An independent organisation called the Disability Rights Commission works to eliminate discrimination against disabled people. It provides advice, information and support to disabled people.

### **Rehabilitation of offenders**

As a general rule, anyone convicted of a criminal offence who does not commit another offence during a specified period (the rehabilitation period) becomes a 'rehabilitated person' and his or her conviction becomes spent. This means that they do not have to DECLARE the conviction in most circumstances, such as when applying for a job. However, a conviction that results in a prison sentence of more than 30 months can never become spent.

The Rehabilitation of Offenders Act 1974 says that a spent conviction does not justify dismissal or exclusion of a person from an office, profession, occupation or employment or prejudice against a person in any occupation or employment. However, there are some exceptions to the Act relating to work in justice and with children, the sick and disabled people. Under these exceptions an individual must DECLARE all convictions, including spent ones, if asked to do so.

### **Occupational risks**

Both employers and employees have specific responsibilities for managing health and safety in the workplace. As an employee, your legal duties include:

- Taking reasonable care of your own health and safety and that of others who may be affected by you;
- Co-operating with your employer on health and safety;
- Correctly using equipment provided by your employer, including personal protective equipment, in accordance with training or instructions;
- Not interfering with or misusing anything provided for your health and safety or welfare.

Your employer also has certain responsibilities. It is their duty to protect the health, safety and welfare of their employees, and other people who might be affected by what they do. Your employer must do whatever is realistically possible to achieve this.

This means they must protect you from anything that might cause you harm by controlling the risks you face in the workplace. If you are unsure about the risks in your workplace and how you are protected, your employer must give you this information. If necessary, they must also instruct and train you on how to deal with the risks.

Further information:

The Health and Safety Executive (HSE) is online at [www.hse.gov.uk](http://www.hse.gov.uk). Their Infoline Tel: +44 (0) 8701 545500 should also be able to answer any questions you have.

### **Protection against sexual harassment**

Sexual harassment is unwelcome physical, verbal or non-verbal conduct of a sexual nature. Examples of sexual harassment at work include:

- Comments about the way you look which you find demeaning;
- Indecent remarks
- Questions about your sex life
- Sexual demands by a member of your own or the opposite sex; and
- Any conduct of a sexual nature that creates an intimidating, hostile or humiliating working environment for you.

Incidents involving touching and other physical threats are criminal offences and should be reported to the police.

Sexual harassment may also include less favourable treatment owing to your sex, often relating to not being recruited, criticism of work, lack of promotion, enforced transfer and dismissal.

If you think you are being sexually harassed, you may be able to complain to an employment tribunal. The employment tribunal will decide your case on the facts you provide. They will look at these for evidence of sex discrimination balanced against your employer's defence. You will need to name your employer as well as the alleged harassers if you decide to take your claim to the employment tribunal.

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### **Representation of workers**

In autumn 2003 an estimated 7.38 million people in employment in the United Kingdom were members of a trade union. Trade union membership has been falling steadily for many years; membership decreased by 1.5 million between 1990 and 2000, a fall of 17.1%. Those most likely to be trade union members are older employees, those who have worked for the same employer for many years, and those in the public sector.

Employees may choose whether or not they wish to join a trade union. Their employer may not dismiss them, select them for redundancy or otherwise discriminate against them for being a trade union member. The employee is also entitled to take part in official union activities. These rights apply equally if an employee chooses not to join a trade union.

If an employee is discriminated against for trade union membership or non-membership, they may take the matter to an employment tribunal regardless of the length of time they have been with the employer.

An employee who is also an official of a trade union recognised by the employer is entitled to paid time off from work to:

- Perform activities recognised as union activities by the employer;
- Give or receive information from the employer regarding mass redundancies or business transfers; and
- Receive approved training relevant to the duties of a trade union official.

Employees who are members of a trade union recognised by the employer are entitled to reasonable time off, without pay, for certain union activities.

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## **Work disputes - Strikes**

### Work disputes

If an employee has a complaint, it is preferable for the employee to resolve the matter with the employer directly. Many organisations have a grievance procedure for these occasions. If this does not work or is unavailable, the employer and employee can ask for help from a conciliator from the Advisory, Conciliation and Arbitration Service (ACAS).

If the matter is still unresolved, an employment tribunal will hear the case. There are employment tribunals in most major towns and cities. A matter must be brought to the tribunal within three months of the event being disputed.

If the tribunal decides that a right has been infringed, they may award compensation. In cases of unfair dismissal, they may order the employee's reinstatement. Costs may also be awarded in some cases.

If the complaint is one of unfair dismissal, both parties may agree to use the ACAS arbitration scheme. An ACAS hearing is more informal and usually quicker than going to an employment tribunal. The ACAS arbitrator may make the same awards as an employment tribunal.

### Strikes

Industrial action, for example a strike, is usually called by a trade union when negotiations with an employer break down and the union and its members see no other way of making the employer consider their demands. Such industrial action is sometimes effective. However, employees must be aware of the possible consequences.

The employer is very unlikely to continue paying workers who are taking industrial action. An employer may take certain measures against employees taking industrial action, including dismissal. An employee who is dismissed while taking industrial action may be unable to claim unfair dismissal.

Except under specific circumstances, an employment tribunal cannot declare a dismissal unfair if it occurred while the employee was taking industrial action. One exception to this rule is if the employee was taking 'protected' industrial action. This is legal action instigated by the employee's trade union. Protected industrial action can last no longer than eight weeks.

The second exception is if the employer discriminates between employees taking part in industrial action by:

- Dismissing some of those taking action but not others; or
- Re-engaging some employees dismissed for taking action but not others. This rule applies for three months after the employees' dismissal.

## **Living conditions**

### The political, administrative and legal system

#### The political system

The United Kingdom is made up of four countries: England, Scotland, Wales and Northern Ireland. Its full name is the United Kingdom of Great Britain and Northern Ireland. London is the seat of government, although some powers have been devolved to national assemblies in Scotland (Scottish Parliament), Wales (Welsh Assembly) and Northern Ireland (Northern Ireland Assembly).

The United Kingdom is a constitutional monarchy. The government rules in the name of the current monarch, Queen Elizabeth II. The UK does not have a written constitution; instead it is formed partly by statute, partly by common law and partly by convention. The Department for Constitutional Affairs oversees the administration of justice in England and Wales. The legal systems in Scotland and Northern Ireland are different, meaning that there are three separate legal systems in the UK.

Elections are won according to the first-past-the-post system, rather than the proportional representation that is common in the rest of Europe. The three biggest political parties are Labour, the Conservatives and the Liberal Democrats.

#### The administrative system

Parliament is the legislature and has two chambers: the House of Commons and the House of Lords. The members of the House of Commons are directly elected in a general election, which takes place at least every five years. The House of Lords includes some peers, either hereditary or life, and some elected members.

The government presents bills to the House of Commons. They are debated by Members of Parliament (MPs) and after revision they are voted on. If the vote is passed, the bill is sent to the House of Lords. It is then further debated, and the Lords may then approve the bill or send it back to the Commons with amendments. A bill can go back and forth between the Houses several times. In this way, the Lords can delay the passage of a bill, but cannot block it indefinitely or insist on amendments.

British or Commonwealth citizens over the age of 18 can vote in elections. Citizens of the Irish Republic can also register to vote. Citizens of other EU countries cannot vote in UK parliamentary elections, but may register to vote in European parliamentary elections. Citizens of all other countries cannot vote in the UK.

#### The legal system

Everyone in the UK is subject to its laws, whether they are a UK citizen or not. There are three different legal systems in use in the UK; Scotland and Northern Ireland have legal systems distinct from that of England and Wales.

As well as its own laws, European law is also applicable in the UK. Over 90% of criminal cases are heard in magistrates' courts, where evidence is presented to a bench of magistrates who then reach a verdict. In more serious criminal cases, the matter is heard in the Crown Court. Evidence is presented to the jury while a judge oversees the proceedings and guides the jury on the application of the law. The jury then goes away and reaches its verdict.

If you encounter any legal problems, the first person you speak to will be a solicitor. They usually represent people in magistrates' courts and county courts. However, this is only a small part of what they do. Most of their work is for businesses and private clients. They usually do conveyancing, so you will probably need one if you buy a house. They can also help you to make a will and can advise you on tax matters. If you need to go to any higher courts, your solicitor will find you a barrister. They help you to decide on a strategy for your case and then present it in court.

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#### Taxes and charges on labour

Tax rates are not the same in different EU and EEA member countries. When living and working in the UK, you will pay tax at the same rate as a UK national.

You will be treated as a UK resident for tax purposes if:

- You are in the United Kingdom for 183 days or more in the tax year, or
- You visit the United Kingdom regularly and your visits average 91 days or more a tax year over a period not exceeding 4 years, or
- You come to the UK for a purpose that will mean you are in the UK for at least two years.

The tax year runs from 6 April to 5 April. When you arrive in the UK you should ask at your nearest tax office for form P86 and leaflet IR139. All EU countries have arrangements so that you are not taxed twice on the same income.

Income tax is deducted directly from your salary through the Pay As You Earn (PAYE) scheme. Income is taxed at the following rates:

Starting rate 10% £0 - £2150  
Basic rate 22% £2151 - £33000  
Higher rate 40% over £33001

You can earn a certain amount of income in a tax year without paying income tax. This is your tax allowance. If your income does not exceed the amount of your allowance, you will not pay income tax. There are many different allowances for different people, but everyone receives a personal allowance. For 2006-2007 these are:

Personal allowance £5035  
Personal allowance for people aged 65-74 £7280  
Personal allowance for people aged 75 and over £7420

All taxable income must be declared to the HM Revenue & Customs. Tax returns are completed using a self-assessment system whereby you provide all the necessary information and calculate your earnings etc. The HM Revenue & Customs will then check this information and tell you how much tax you owe.

Social security contributions, or National Insurance (NI) as it is called, are also deducted directly from your salary. There are six different categories of contributions, for example employed people pay class 1 contributions.

You are not required to make contributions if you earn less than £97 per week. If you earn more than £84 per week but less than £97, you will be treated as if contributions have been paid and so be eligible for benefits etc., but you will not actually have to make any contributions.

Both you and your employer make contributions. On income above £97 per week (or equivalent monthly or annual figures) up to £645 per week, category 1 NI contributions payable by the employee stand at 11%. Any earnings above £645 per week require contributions of 1%.

Inheritance tax is payable on estates with a value of £275000 or more. The inheritance tax rate for 2005-2006 is 40%.

Stamp duty is payable whenever you buy a property, except properties in certain designated disadvantaged areas. The rates are as follows:

Value of property:

Up to and including £125000 nil

Over £125000 but not more than £250000 1%

Over £250000 but not more than £500000 3%

Over £500000 4%

Local authorities charge Council Tax on properties within their area of control. Rates are set by individual local authorities and vary according to the value of the property. Households with only one adult receive a 25% reduction.

Value Added Tax (VAT) is charged at 17.5% on most items.

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### Incomes and cost of living

The average weekly wage of full-time employees was £431 in April 2005. However, this figure hides large regional differences. Incomes in London are considerably higher than the national average, while in Wales, Northern Ireland and northeast England they are much lower.

These disparities are partially compensated for by differences in the cost of living. Prices are highest in London, southeast and eastern England. The cheapest regions are northeast England and Wales. Generally speaking, price disparities are much greater for services than for goods.

In comparison with the rest of the EU, price levels in the UK are quite high. In 2001, prices were around 15% higher than the EU average. Sweden, Finland and Denmark had higher prices than the UK, while France and Germany were both close to the EU average.

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### Shopping

Most shops are open Monday to Saturday from 9am until 5.30pm. Many department stores stay open until 6pm and have late night shopping until 8pm one evening a week, usually Thursday. Larger shops may open for up to six hours on Sunday between 10am and 4pm, or 11am and 5pm.

Shops in small towns and villages often close one afternoon a week, usually on Wednesday. They sometimes also close for an hour at lunchtime. Some larger supermarkets are open 24 hours a day from Monday to Friday.

Shopping in the UK is much more than just a means to an end. Whether you enjoy bustling markets, modern superstores or the local high street shops, you will find whatever you are looking for. Most towns boast all three, and often several of each. Out of town shopping centres are often huge, with a wide variety of shops selling clothes, electrical goods, gifts, books and much more besides.

London has some of the most famous markets in the world, including Portobello Road, Covent Garden and Carnaby Street, selling basic items and exotic goods from around the world.

Most major supermarkets now offer online shopping and will deliver to your home. The charge for this is around £5.

London has many world famous stores including Harrods, Selfridges and Fortnum & Mason, which attract many tourists.

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### Accommodation

Accommodation in the UK is expensive. This is particularly true in large towns and cities. The most expensive areas are London and southeast England. Generally speaking, the further north you go, the more affordable it becomes.

The vast majority of Britons live in houses rather than flats, and in a country with a high population density this can cause problems. Young people hoping to buy their first home can be priced out of the market. Yet property prices are often cyclical, and so the situation is unlikely to remain like this forever.

When buying a house, estate agents provide general information on buying a house and will also show you suitable properties. If necessary, you can also

talk to a bank or building society about arranging a mortgage. It is worth shopping around as interest rates and terms and conditions can vary quite a bit. Mortgages can be taken out for up to 100% of the value of the property, sometimes even more. Repayments are normally made over 20-25 years.

Estate agents and letting agents can help you when looking for rented property. They will show you any suitable properties they have and guide you through the whole process. Rented properties are available either furnished or unfurnished. Rent is usually paid on a monthly basis.

You can find local estate agents and letting agents in a business directory such as Yellow Pages. It is a good idea to speak to as many as possible, as they all have different properties available.

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## **The cultural and social life**

The UK has a rich and historic cultural heritage. Many of the finest attractions are to be found in the larger towns and cities, however evidence of historical events and buildings of special interest can be seen in every part of the country.

The UK offers a mixture of the old and the new: innovative modern art and classical art exhibitions are regularly shown in the major cities. Income from the national lottery has helped to fund many new artistic and cultural projects in Britain, sparked in particular by efforts to mark the advent of the new millennium in the year 2000.

London is the focus for major theatre and opera productions, many of which tour throughout the country. The UK music industry is one of the country's biggest exporters and major rock and pop concerts and festivals are held across the country every year.

One of the main cultural pillars of British life is sport. Football is the most popular spectator sport, and the English Premier League attracts sell-out crowds and vast worldwide television audiences. Sunday league football matches are played across the country and in summer, cricket is also widely played and watched. Rugby and tennis are also very popular spectator sports whilst fishing remains the most popular participation sport.

Social life in the UK has been influenced by Continental Europe in recent years and eating and drinking on cafe terraces is very popular. Eating out is also more common and the choice and standard of restaurants in Britain has increased dramatically.

You can eat in restaurants serving cuisine from all over the world, watch the latest cinema releases, go to a nightclub or visit a museum with friends. But one aspect of social life in the UK is very special: the Public House or pub. Traditional pubs are in older buildings with low ceilings, open fireplaces and comfortable seating. There are many hundreds of real British ales produced by the smaller breweries and sold mainly in independently run pubs. The pub is where the British go to relax and talk to friends over a drink. Many pubs also serve food at lunchtimes including traditional British dishes such as steak and kidney pudding, battered cod or shepherd's pie.

Pubs are usually open from 11am until 11pm Monday to Friday, and until 10.30pm on Sundays. You must be 18 or over to buy alcohol in the UK, whether in a pub, bar or shop.

### **Currency**

The unit of currency is the pound sterling (£). There are one hundred pence (p) in one pound.

Notes: £50, £20, £10, £5, (£1 printed by Scottish banks).

Coins: £2, £1, 50p, 20p, 10p, 5p, 2p, 1p.

### **Weights and measures**

All goods must now be sold according to the metric system used in the rest of the EU. However, many people still use the imperial system.

1 inch 2.54cm

1 foot 30.48cm

1 yard 91.44cm

1 mile 1.6km

1 pint 0.57 litres

1 gallon 4.55 litres

1 ounce (oz) 28.35 grams

1 pound (lb) 0.45kg

1 ton 1016kg

### **Electrical**

The voltage used is 240 volts AC (alternating current). This means most appliances from EU countries should work. Three pin plugs are standard, so you will need adaptors for any appliances with two pin plugs.

### **Driving**

In the UK, vehicles drive on the left. All distances and speed limits are given in miles.

### **Emergencies**

Dial 999 to contact the emergency services: police, fire brigade, ambulance or coast guard. These calls can be made for free from any telephone.

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## The health system

Health care is provided through the National Health Service (NHS). Most NHS care is free, although items such as prescriptions and dental treatment must be paid for. EEA nationals may use NHS facilities in the same way as UK citizens, provided they have the correct E forms (see section 4.2).

On arrival in the UK, you should register at a local health centre. They will assign you to a doctor. They can treat most illnesses and refer you to a hospital if your condition is more serious.

NHS hospitals provide free care. If you are involved in an accident or suddenly taken ill, you must go to Accident and Emergency. If you call an ambulance, this is where they will take you. For other hospital treatment, a referral from your doctor is usually needed.

Private medical care is also available, usually paid for with private medical insurance. If you can afford it, this is a good way to avoid NHS waiting lists.

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## Transport

The UK has a comprehensive transport network. Most places can be reached by road and rail, and many cities have an airport.

The road system in the UK is extensive, although it is prone to congestion. There is a large network of motorways, all but one of which are currently free. The first toll-paying motorway opened in Birmingham (West Midlands) in December 2003. Motorways usually have three lanes in each direction, with four lanes common on busier stretches. Motorways are identifiable by the letter M followed by a number. For example, the busiest motorway in the UK is the M25, which circles London. 'A' roads are smaller than motorways. They usually have a single lane in each direction, although sometimes they can be dual carriageways (two lanes in each direction). As with motorways, 'A' roads are identified by the letter 'A' followed by a number. B roads are small roads that often do not go very far. These are mainly used by local traffic. Unclassified roads have no number and are normally very small.

The rail network in the UK is privatised. Different companies operate trains on different routes around the UK, so you do not usually have the choice of which company you travel with. Larger cities normally also have an underground system, the most famous of these being the 'Tube' in London.

Air travel within the UK is not as necessary as in bigger countries as the distances are not usually very large. However, the UK is a major hub for international flights. London's Heathrow is the busiest international airport in the world. The rise of budget airlines has introduced cheap flights to many destinations, mainly within Europe. Competition is fierce.

The UK is linked to the rest of Europe via the Channel Tunnel rail link. Journeys from London to Paris now take 2 hours 40 minutes by train. The ferry companies offer cheaper but slower crossings, taking around one and a half hours at the main crossing point between Dover in England and Calais in France, although there are several other routes. Ferries also run across the Irish Sea to Northern Ireland and the Irish Republic, to the islands in the north and west of Scotland, and to the Channel Islands, the Scilly Isles, the Isle of Wight and the Isle of Man.

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