

## **u3a NORTHALLERTON**

### **POLICY FOR GROUP LEADERS/INSTRUCTORS**

This Policy is intended to govern the leadership and payment of any person leading or instructing a u3a Northallerton Group.

1. All u3a Northallerton groups have an identified person as leader who is a member of u3a Northallerton.
2. Groups may invite/employ persons who are not members of u3a Northallerton to instruct groups where (i) it is required for safety reasons or (ii) specific expertise is required.
3. No u3a member (whether a member of u3a Northallerton or otherwise) will be paid for leading or instructing a group. Any expenses incurred by such a member for which refunds are required must be agreed in advance with the Treasurer of u3a Northallerton and will be met by the group concerned.
4. When a person who is not a u3a member is invited/employed to instruct a group and is to be paid and/or receive expenses, the full cost of this will be met by the group concerned.
5. When a person who is not a u3a member is invited/employed to instruct a group and is to be paid and/or receive expenses, there must be full compliance with KMS – DOC 033 of guidance from the Third Age Trust concerning “paid u3a Tutors” (below).

### **TAT – U3A-KMS-DOC-033**

#### **SECTION 8 – PAID U3A TUTORS**

The aim of the U3A movement is for members of interest groups to contribute, in many different ways, to the success of the group without the assistance of non-U3A members. This ‘self-help learning model’ is as appropriate today as it was when the U3A movement was founded in 1982. Much of the fun is provided by the mutual help within a group. The lack of internal expertise is not a valid reason for paying a tutor. It is surprising how rapidly a group of people can develop, without any significant initial knowledge, into a group which engages in serious study and even research.

Being 'all in it together' enhances self-confidence and groups without an expert are some of the most satisfying in a U3A. Having an expert paid tutor can easily stifle these highly desirable outcomes. Our peer-to-peer learning model is now widely promoted amongst educational establishments, including universities themselves, as providing very successful learning outcomes.

#### **8.1. Mitigating risks to U3As who deviate from the ethos**

Paying a tutor involves risks. In addition to the serious dilution of the U3A ethos, there are legal and financial risks which must be mitigated by taking the following practical steps:

- The U3A committee must authorise the existence of the group to ensure that legal and financial arrangements do not put that U3A at risk.
- Neither central funds nor contributions from other interest groups in the U3A may be used to pay any costs of groups using paid tutors.

- Every U3A committee currently supporting a paid tutor group, or contemplating one, must continually monitor the status of such a tutor under employment and tax law.

This may not be the same (see following paragraph).

## **8.2. Establishing the employment status of a paid tutor**

If a U3A is considering a paid tutor it must make an informed judgement on the employment status of that individual. The recommended way of doing this is to use HMRC's employment status indicator ([hmrc.gov.uk/calcs/esi.htm](https://hmrc.gov.uk/calcs/esi.htm)) which, on the basis of the information supplied, will provide the answer to the individual's employment status. If the result is:

- 'Employed' - the U3A must not continue with that person as no U3A has the necessary employer's liability insurance and their U3A insurance will be invalidated.
- 'Self-employed' - the U3A must print or save copies of the enquiry details screen and the employment status indicator result screen which will include a 10 digit reference number.

Note: This is very important because if the worker's employment status is ever questioned by HMRC, the U3A will be required to produce these copies.

## **8.3. Written agreements when using a paid tutor**

A U3A should draw up a written agreement which should state that:

- It is a contract for services, the tutor is self-employed and responsible for his/her own tax and national insurance
- If a session does not take place, the tutor is not entitled to payment
- The content of the session is the responsibility of the tutor
- All equipment must be supplied by the tutor
- The tutor is responsible for his/her own insurance and must provide a current insurance cover note

## **8.4. Monitoring a paid tutor's public liability insurance**

The U3A committee must continually monitor the paid tutor's public liability insurance policy as the U3A insurance policy covers risks created by U3A members only. The tutor's NI number, Unique Tax Reference number in respect of self-employment and copies of professional qualifications need to be held on file.

The fact that a tutor says he/she has a self-employment status is not sufficient evidence of self-employment as regards a U3A because an individual tutor can be classed simultaneously as self-employed for one source of income and employed for another.