

# JobOnline policies and statements

## Advertising Guidelines

Through JobOnline you can advertise vacancies, recruitment schemes and internships to the current students and recent graduates of the universities in [The Careers Group, University of London](#). This is free of charge if you are hiring on behalf of your own organisation. If you are a third party advertising on behalf of a client then you will be charged £159 + VAT per month per advert.

Adverts must adhere to the following guidelines to be promoted on JobOnline:

- All adverts, including those for internships, placements, work experience, freelancing and paid per project opportunities, must comply with our Work Experience and National Minimum Wage Policy. The Careers Group, University of London will not advertise unpaid work experience or internships other than where they meet relevant criteria for exemption.
- Adverts with a commission-based salary will only be permitted where there is also a base salary equivalent to national minimum wage.
- Project-based work where candidates are paid per piece of work (e.g. being paid per article written) are permitted only if the pro rata salary for the expected time meets national minimum wage.
- Adverts for positions with an unpaid trial period as part of the assessment will not be accepted.
- Although adverts with a salary listed as “Competitive” or “Negotiable” are still accepted, we prefer that employers either list a specific salary or salary range if this is known. This can also encourage a more diverse range of applications, as when a salary figure isn’t shown it can dissuade students from lower income backgrounds who want to know the wage to budget accordingly.
- Adverts for opportunities that require payment from students will not be accepted.
- Adverts should not request a photograph of the candidate to be included with their application except where their appearance is strictly related to the opportunity, e.g. looking for actors for filming.
- Adverts for positions which involve students sharing or undertaking academic-related material for use by other students will not be accepted.
- Adverts should not specify a number of years of experience required for a vacancy as this can fall under indirect discrimination on age. More general statements to the same effect are fine however, e.g. Some experience in sales required. This reflects that it should be the quality rather than quantity of experience being assessed.
- All adverts from third parties must be for a specific vacancy or recruitment scheme and should not be used to generally promote your third party site or service. If advertising on behalf of client, you don’t need to include the client’s identity in the advert but it must be disclosed to our Vacancies Team.
- Adverts for private employers, e.g. looking for a tutor or child care in your home, can’t be advertised through the central JobOnline portal but can instead be uploaded via the relevant college portal/s where they will be

assessed by our campus-based teams against the rules and guidelines of their respective institutions. See above for link to contact details.

- Advertises for opportunities based on campus, e.g. a brand ambassador, must also be uploaded via the relevant college portal/s to be assessed by our campus-based teams against the rules and guidelines of their respective institutions.
- Advertises specifying an applicant's right to work in the UK must comply with our policy in this area (see Right to Work in the UK Requirement below).
- We are only able to accept adverts and profiles with a private or personal email if you can demonstrate that the email address is the only one used by the organisation and there isn't a company one that could be used instead.
- The Careers Group, University of London will not advertise opportunities which contravene the [Equality Act 2010](#) and which may prevent applications on the basis of protected characteristics.

The Careers Group, University of London also reserves the right not to advertise:

- Vacancies that the nature of which it deems might be liable to bring the University into disrepute.
- Vacancies that it considers unsuitable for students,
- Further vacancies from any company which breaches this code.

The Careers Group, University of London will endeavour to assist employers in advertising to suitable students, but reserves the right not to advertise an employer's vacancy.

The Careers Group, University of London additionally reserves the right to edit a submitted vacancy for the purposes of brevity, clarity or equality legislation, where we have a legal responsibility to not promote opportunities which may be construed as discriminatory. The Careers Group, University of London may contact advertising organisations, where appropriate, to clarify wording and details of postings, or to obtain reassurance of exemptions from UK equal opportunities legislation.

Adverts which are placed online will be actioned within two working days.

## Employer Code of Practice

This code of good practice is intended to establish and maintain recognised standards for students, graduates and employers using The Careers Group, University of London's jobs board network - JobOnline.

The employer must make clear the nature of the work offered and specify any necessary skills required, the proposed wages and other terms.

It is the responsibility of the employer to let all candidates know the result of an application as soon as possible or to state that only successful candidates will be contacted.

The employer should be aware of students' study obligations and as a guide should not ask full time students to work in excess of 20 hours per week, except during vacations or other periods when a student does not have the usual pressure of study.

It is the duty of the employer to meet all statutory legal requirements, in particular the employer is reminded of the following:

- Adherence to the [National Minimum Wage Act 1998](#)
- [Working time directive legislation](#) including holiday entitlement
- Payment of National Insurance contributions, tax, or where appropriate, submission of Declaration of Income forms [P38(s)] to the Inland Revenue and adherence to health and safety regulations and provision of adequate insurance
- Adherence to [The Children's Act 2004](#)
- Compliance with legislation against discrimination in employment in accordance to the [Equality Act 2010](#)
- The employer shall satisfy themselves as to the suitability of any employee and shall be responsible for taking up any references provided by the employee before engaging the student.

Where any charge is to be levied on an employer using The Careers Group, University of London's advertising services, the amount, its purpose and the method of payment will be stated clearly.

## Work Experience and National Minimum Wage Policy

### What vacancies can be advertised on JobOnline?

The Careers Group, University of London is happy to advertise all genuine job or work experience opportunities that are fully compliant with UK employment legislation, including the [National Minimum Wage Act \(1998\)](#). We require all employers advertising job or work experience opportunities of any kind on JobOnline to pay the National Minimum Wage unless covered by one of the exemptions allowed by the Act (see What does the law say? below).

### Can unpaid placements and work experience schemes be advertised on JobOnline?

We're afraid not. This is because the law requires employers to pay the National Minimum Wage (a sum set each year by the Government to ensure a fair minimum wage) for any kind of work, including work experience places, internships or placement schemes. We are therefore obliged under law to refuse any vacancies which are in contravention of the [National Minimum Wage Act \(1998\)](#) in the same way as we cannot accept advertisements which contravene equal opportunities law (see below for more information about permitted exceptions and what the NMW act says).

### What about unpaid internships?

The term 'intern' has no legal status under minimum wage law. Entitlement to the minimum wage does not depend on what someone is called, the type of work they do, how the work is described or the sector they work in. What matters is whether the agreement or arrangement they have with you makes them a worker for minimum wage purposes. Unpaid internships will also therefore not be accepted on JobOnline.

## **I can't afford to offer the National Minimum Wage. Doesn't this prevent students from gaining valuable work experience?**

We appreciate how frustrating this is for both employers and any students who are in a position to accept work on an unpaid basis. However, many students who would welcome the opportunity to gain valuable work experience are unable to do so. This makes it an equal opportunities issue. To advertise such vacancies, therefore, could get both The Careers Group and the employers themselves into considerable legal difficulties.

## **Are there any exceptions to the National Minimum Wage Act?**

The law provides for the following exceptions:

- Students on work placements that are endorsed by their university or college as being useful to their coursework.

These placements may last up to one year. The DTI's Guide to the NMW states:

"Students who are studying on higher education courses or undertaking a course of initial training for teachers at UK universities or colleges are sometimes placed with an employer as part of their course. As long as the placement is for a maximum period of a year such students need not be paid the minimum wage for the work that they do while with the employer."

However The Careers Group is unable to advertise these placements due to JobOnline being open to students from all The Careers Group institutions and courses.

We are however able to advertise the following exceptions as stated in the National Minimum Wage Act (1998):

- Voluntary work for a charity - a body of persons, or the trustees of a trust, established for charitable purposes
- Voluntary work for a voluntary organisation - a body of persons, or the trustees of a trust, which is established only for charitable purposes but may not be a charity by definition, for example a local community group
- Voluntary work for an associated fundraising body - a body of persons, the profits of which are applied wholly for the purposes of a charity or voluntary organisation, for example, a charity shop
- Voluntary work for a statutory body - a body set up by an Act of Parliament to carry out given functions, such as local authorities, many schools and hospitals, and bodies such as English Heritage
- Voluntary work for a Community Amateur Sports Clubs registered with HM Revenue Customs under the Finance Act 2002, schedule 18 are treated as being charities for the purposes of NMW enforcement.
- Work-shadowing. Note that work-shadowing opportunities cannot involve any kind of structured work or attendance requirements that could be construed as a contract. Employers should also be aware that the law will regard a phone call or a conversation as a contract if certain days, hours of work or tasks to be undertaken are agreed, as this is considered a verbal contract.

Please do contact us directly [vacancies@careers.lon.ac.uk](mailto:vacancies@careers.lon.ac.uk) if you still believe that the position you need to advertise is exempt but is not detailed in the above information.

## What about positions outside the UK?

If you advertise a work experience position outside the UK, we will expect you to have checked that it complies with the host country's relevant National Minimum Wage legislation. If it is an unpaid position, we will require it to constitute a genuine training/learning opportunity with no stated or implied contract of employment.

## What does the law say?

[National Minimum Wage Act \(1998\)](#) is an important piece of legislation aimed at providing employees with "decent minimum standards and fairness in the workplace. It applies to nearly all workers and sets hourly rates below which pay must not be allowed to fall." (DTI Website) From 1 April 2024, the minimum wage is set at:

- £11.44 an hour for workers aged 21 and over.
- £8.60 an hour for workers aged 18-20.
- £6.40 an hour for workers aged 16-17.
- £6.40 an hour for apprentices under 19 or 19 or over who are in the first year of apprenticeship.

These are set entirely by age. Government legislation sets out that all UK work experience placements are covered by the National Minimum Wage regulations. Workers are not required to have a written contract of employment to be entitled to the NMW - a contract of employment need not be written down, but may be implied via a telephone conversation or face to face.

## Where can I get further information?

- UK Government - [What is the Minimum Wage?](#)
- UK Government - [National Minimum Wage Rates](#)
- Employers Code of Practice

The information provided on this page is intended to provide general guidance only and can not be taken as an accurate statement of the law at present. For that, we refer the employer to the sites listed above.

Lastly, please do not hesitate to contact us directly if you have any more questions or if there is any further way we can be of assistance.

For any comments about JobOnline please contact [vacancies@careers.lon.ac.uk](mailto:vacancies@careers.lon.ac.uk)

## Opportunities Requiring Student Payment

The Careers Group, University of London will not publish any opportunities that require student / graduate payment. This could include (but not exclusively):

- Voluntary opportunities with a fee attached
- Overseas internship opportunities with a fee attached

- Masters courses or PhDs not covered by a bursary or a stipend
- Professional Development or Skills training courses with a fee attached
- Conferences or events with a fee attached

## Right to Work in the UK Requirement

### **“Applicants must have the right / permanent right to work in the UK”**

This is a very common statement in job adverts.

Companies have a legal responsibility to ensure that all employees have the right to work in the UK. To meet this requirement, some companies refuse to accept applications from anyone who does not already have this permission in place. However, because this requirement has a disproportionate impact on non-EEA citizens, it has the potential to be indirect race discrimination. This has been confirmed by case law (*Osborne Clarke vs Purohit*). As a result, these sorts of statements should now be avoided.

Insisting applicants have the **permanent** right to work in the UK has been explicitly rejected in government guidance: *“Job applicants should not be treated less favourably if they produce acceptable documents showing a time-limited right to work in the UK”* (Avoiding Unlawful Discrimination While Preventing Illegal Working, May 2014).

Some employers also insist that candidates provide evidence of their right to work at application stage. This point is addressed in section 16.67 of the Statutory Code of Practice accompanying the Equality Act 2010: *“Eligibility to work in the UK should be verified in the final stages of the selection process rather than at the application stage, to make sure the appointment is based on merit alone, and is not influenced by other factors ... Employers can, in some circumstances, apply for work permits and should not exclude potentially suitable candidates from the selection process.”*

For some roles, gaining sponsorship may not be possible as the role might not meet the minimum criteria required. If this is the case, you may state this on the advert but you must give specific details. For example, if the vacancy doesn't meet the minimum salary requirement, you must state this and confirm what salary you are offering.

Not all employers will have registered as a potential sponsor and thus are unable to sponsor non-EEA applicants. However, a potential candidate could argue that securing such registration is not an unreasonable burden when balanced against their right not to suffer undue impact due to their nationality and that a company should be prepared to secure one if necessary. Stating that you do not have a sponsorship licence as a means to discourage non-EEA applicants could potentially expose you to claims of indirect racial discrimination.

Because of the complexities of this issue, any statements placed on adverts should be very carefully considered. If you feel that a statement on this subject is still necessary, our standard recommendation is something along the lines of *“the successful candidate must have permission to work in the UK by the start of their employment”*. This has the merit of being factually true (as anyone working must have permission) without risking discrimination by refusing



to accept applications from those who may need sponsorship as well as covering all the potential complexities arising from individual circumstances.