### Policy on Unpaid Opportunities (UK Only)

#### Introduction

The University of Northampton (UON) has observed an increase in organisations offering unpaid opportunities to our students and graduates in recent years. This trend has prompted various legal and ethical questions from students, graduates, and government bodies across UK Higher Education providers. Consequently, this policy has been developed to provide clear guidance to stakeholders, including university staff, employers, students, and graduates, regarding UON's stance on these matters.

#### The National Minimum Wage

Eligibility for the National Minimum Wage (NMW) is determined by two primary criteria:

1. **Worker Status**: This involves assessing whether an individual is a “worker,” based on having a contract of employment or any arrangement that can be interpreted as such. A contract can be written, verbal, formal, informal, explicit, or implied, with each case judged on its individual merits.
2. **Entitlement**: If the individual is classified as a worker, they are generally entitled to the NMW, subject to specific legislative exemptions.

Terms like “internship” or “work experience” hold no legal significance; what matters is the nature of the relationship between the employer and the worker. In most cases, commercial organisations must pay the NMW to comply with the law. Organisations intending to engage individuals on an unpaid basis are strongly advised to seek professional legal advice to ensure compliance, as they may risk legal action.

For further details on NMW legislation, please visit: [National Minimum Wage](https://www.gov.uk/national-minimum-wage).

#### Exemptions

The NMW framework allows for certain exemptions, detailed below as they pertain to UON.

Each opportunity will be considered on a case-by-case basis. UON reserves the right to reject any opportunity, even where an exemption appears valid. The typical exemptions we accept include:

1. **Work Experience in the Curriculum**: Work experience required as part of UK-based higher education courses is exempt from the NMW if the arrangement does not exceed one year.
2. **Volunteering with Charities or Similar Bodies**: Charities and certain other organisations (usually voluntary organisations or specific statutory bodies like schools or hospitals) benefit from the “Voluntary Worker Exemption.” This allows them to engage workers without paying the NMW, provided benefits beyond what is necessary for the volunteer's duties are not offered.
3. **Work Shadowing**: This involves a student observing work without being required or tasked to undertake any work themselves.

#### Implementation at the University of Northampton

The following guidelines outline the types of unpaid opportunities accepted by UON. Each opportunity is considered on its individual merits, and we reserve the right to decline positions not deemed beneficial to our students.

* **Accepted**: Unpaid opportunities advertised specifically for our Futures Award work experience component, which requires students to complete xx hours of work experience.
* **Accepted**: Work shadowing opportunities. These should not exceed one week in duration but can be spread over a couple of days per week for 2-3 weeks.
* **Accepted**: Volunteering positions from registered charities, voluntary organisations, or statutory bodies. We will decline positions from individuals who are not registered charities and those that are full-time. Part-time volunteering positions will be considered individually, with students’ needs as the primary consideration.
* **Accepted**: Unpaid opportunities related to a work placement module. Details of UON modules can be found [here](https://www.northampton.ac.uk/about-us/governance-and-management/management/quality-and-standards/award-maps/). Only opportunities directly linked to modules will be advertised.
* **Declined**: All unpaid opportunities that do not meet the above requirements and any lasting over 12 months.

#### International Vacancies

The above information applies to UK-based positions. International positions are evaluated on a case-by-case basis, considering the merits of the opportunity and relevant legislation, customs, and practices of the host country.

#### Disclaimer

The information provided here aims to clarify UON's policies on advertising unpaid opportunities. These guidelines do not constitute an authoritative statement of the law. Acceptance or rejection of any opportunity based on these guidelines should not be interpreted as a comment on the legitimacy of any organisation or opportunity.

**Links**

[**University of Northampton Student Futures Privacy Notice and Terms and Conditions For Employers, Charities, Third Parties, and External Stakeholders**](https://www.northampton.ac.uk/wp-content/uploads/2024/07/student-futures-privacy-notice-and-terms-and-conditions.docx)