

IMPERIAL

PEOPLE FUNCTION GUIDANCE CONTRACT GUIDANCE FOR MANAGERS

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1. Introduction

This guidance note sets out the various types of contractual arrangements that individuals may be appointed to within the university.

Consideration should be given to the most appropriate contractual arrangement. The factors to be taken into account when deciding on the type of contract to be used include:

- the hours, working pattern and duration of employment
- the source of funding - external or internal;
- the length of the funding and the likelihood of renewal;
- the nature of the work - specific and time-limited project or an open-ended task which is part of the core function and therefore likely to continue;
- the contracts of employment issued to other staff engaged in similar work or from the same funding source.

Please contact the Staff Hub if you require assistance with identifying the most appropriate type of contract.

2. Contract Types

The table below sets out the range of contracts that individuals may be appointed to within Imperial. Contracts may be offered on a fixed term or open ended basis. Guidance on which basis might be appropriate in particular instances is given below:

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Type of contract	Suitability for use and length of engagement
Open-ended	<ul style="list-style-type: none"> Where there is an ongoing need for the work to be carried out Indefinite period
Fixed term <i>* Further guidance is available in the fixed term working area of the Imperial website.</i>	There are different types of fixed term contracts, including for example: <ul style="list-style-type: none"> Maternity/adoption leave or short term absence cover. Apprenticeships and secondments. Temporary assignments with a specific end date, or assignments which will expire when a specific task is completed. Fixed terms issued for the duration of a visa permitting the right to work in the UK. Roles contingent on fixed funding with no guarantee that such funding will continue. If the fixed funding does continue, the fixed term contract may then be renewed.
Zero hours **	<ul style="list-style-type: none"> No set hours. Open ended, or fixed term.
Variable hours **	<ul style="list-style-type: none"> May be appropriate in circumstances where there is an ongoing requirement for the work, but the hours of work fluctuate due to operational requirements/demand, e.g. if hours of teaching are dependent on student enrolment to a course. The contract will set out a fixed hourly rate but will not usually guarantee a fixed number of hours per week/month/year. The number of hours available will be confirmed as far as possible in advance, usually on an annual basis and normally at the start of the academic year. May be open-ended, or fixed-term.
Senior Research Investigator (SRI)	<ul style="list-style-type: none"> Where the individual is fully retired; <u>and</u> Imperial wishes to retain research collaboration with the individual. Fixed term, usually for one year.
Annualised hours	<ul style="list-style-type: none"> Set pattern e.g. term time only; <u>or</u> Specific number of hours. May be open-ended or fixed term.

Please note that individuals appointed to the above contracts are Imperial employees and are therefore subject to Imperial's core terms and conditions, policies and procedures.

** For information on irregular work patterns with no fixed hours, please refer to the [Hiring Casual Workers](#) page of the Imperial website. For information on engaging agency workers, see the relevant [Guidance for managers](#) page on the Imperial website.*

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*** Managers who are considering recruiting a member of staff onto a zero hours or variable contract should first discuss with their People Partner to determine the most appropriate option.*

3. Open-ended contracts

Open-ended contracts should be used where:

- the post is funded from general university funds; and
- the work is essential to the future plans of the department and therefore such that the department will wish to continue to support it; or
- where the post is externally funded and there is a reasonable prospect that external funding will continue from whatever source for the foreseeable future; and
- the work is central to the future plans of the department and therefore such that the department will wish to continue to support it for at least as long as external funding is available.

4. Fixed term contracts

Fixed term contracts should only be used when an open-ended appointment is not appropriate and where there are transparent and objective reasons for doing so, for example:

- The appointment is to develop research on a time-limited externally funded project for which there is no expectation that the work will continue beyond the availability of that external funding.
- The appointment is to provide specialist expertise not available within Imperial's existing resources which is required for a specific time or for a specific project.
- The appointment is to develop a course or service for which the outcome and future need is uncertain.
- The appointment is specifically intended to provide a time-limited period of training or development.
- The appointment is to cover the absence of a permanent postholder, e.g. during maternity leave or secondment etc.

Fixed term contracts should not be used in lieu of probation, a training period or to monitor performance when the position would otherwise be open-ended.

There is no limit to the number of fixed term contracts that may be offered to a member of staff (within the above mentioned four year period) but, in order to provide security to staff for as long as possible, fixed term contracts should be issued for the maximum length of time possible based on the funding available and the duties required. This does not apply where it is known that the role will only exist for a certain period of time, as with maternity cover roles for example.

For more information about fixed term contracts, including the ending of various different types of fixed term contracts, managers should refer to the [Fixed Term Workers](#) guidance.

5. Senior Research Investigator (SRI) contracts

Senior Research Investigator (SRI) contracts may be used for senior academic staff who:

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- have taken full retirement from Imperial or another Higher Education Institution
- Imperial wishes to retain a collaborative relationship with
- are research active and whose research is of sufficient quality and quantity to be returned in the Research Excellence Framework (REF).

SRI contracts should ideally be issued on an annual basis, as 0.2 FTE, one year fixed term appointments but may be offered for longer in exceptional circumstances.

Further information can be obtained from the [Senior Research Investigator](#) guidance.

6. Annualised Hours Contracts

An annualised hours contract provides a flexible alternative for part-time working. The basic principle is that, instead of defining a regular working pattern in relation to Imperial's standard working week, the total number of hours for which work is required is contractually defined, and payment is averaged over the year (or some other defined period). Thus annualised hours contracts are appropriate for use where either the set working pattern or specified number of hours to be worked for the duration of the contract is known from the outset.

Annualised hours contracts are likely to be particularly suitable for roles that can be delivered flexibly such as research, teaching, library, training and other similar roles.

Annualised hours contracts should not be used where the work requirement is fundamentally uncertain.

Annualised Hours Contracts where specific work pattern is determined:

Where there is a regular working pattern and the hours of work have been set, the contract will state an annual salary, which will be spread evenly across a twelve month period, or the period of the contract where this is less than twelve months.

Annualised Hours Contracts where hours and fte identified but not pattern:

Where the total hours of work and the fte have been established but the working pattern has not been set or is irregular (e.g. for part-time retired staff), the contract will state the total hours, fte and an annual salary, which will be spread evenly across a twelve month period, or the period of the contract where this is less than twelve months.

Whichever form of annualised hours contract is chosen, individuals appointed to these contracts will receive a regular monthly payment, spread evenly and paid over a twelve month period (or the period of the contract, if this is less than twelve months).

Staff on annualised hours contracts may be offered additional overtime hours but are under no obligation to accept any additional hours offered. Payment for any additional hours worked in excess of their contractual hours will be paid at normal unenhanced rates, unless they exceed the full time contractual hours for that job family, in which case the appropriate overtime rate (if applicable) for their job family level will be applied.

Payment of additional hours worked will be made in the next available pay period after they have been worked.

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Departments should agree locally with employees how they wish this information to be recorded. Where the total hours worked over the year (or contract period) exceeds those contracted, the departmental manager should submit a claim to the People Group, who will arrange a supplementary payment in the next available payroll period.

7. Contract requests

A New Contract Request form should be completed in line with normal university procedures.

Advertised vacancies may state, where applicable, the appropriate flexible contract managers wish to appoint a member of staff to, for example 'Annualised Hours Admin Assistant'.

8. Links to Useful Resources

- [Job families and grades](#)
- [A list of core terms and conditions for all job families](#)
- [A list of Imperial's salary scales and associated grade costs](#)
- [Information on Imperial's procedure for managing probationary staff](#)
- [Information on Imperial's academic probationary procedure](#)
- [Fixed Term Worker Guidance](#)
- [Information on the rules relating to student visas](#)
- [Change Management Policy and Procedure](#)
- [Guidance on Senior Research Investigators](#)
- [Information on Hiring Casual Workers](#)
- [Information on Engaging Agency Workers](#)
- [Information on contract changes for current staff](#)