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Sunderland**

Board, Lisa (2013) The BASES Position Stand on Graduate Internships. The Sport and Exercise Scientist, 36. pp. 1-3. ISSN 1754-3452

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The BASES Position Stand on Graduate Internships

Produced on behalf of the British Association of Sport and Exercise Sciences by Michael Pye, Dr Claire Hitchings, Dr Lance Doggart, Graeme Close and Lisa Board.

Introduction

BASES recognises the value of quality internships that are of mutual benefit to the sport and exercise science graduate and employer. Graduate internships provide practical experiences to individuals with a degree looking to develop the relevant knowledge and skills required to enter into a particular career.

Graduate interns can benefit greatly from internships; including improvements in understanding a career, soft skills, marketability and work readiness. The experience can also help to build a network of contacts to enhance job prospects. Employers benefit by obtaining inexpensive, qualified and motivated labour. They may also identify potential future staff in a more effective way than 'snap-shot' interviews.

A worrying trend is that some employers see internships as unpaid labour, ignoring the concept of mutual benefit, i.e., graduate internships should assist graduates in gaining the necessary experience to enter a profession, whilst also providing employer benefits.

The aim of this position stand is to provide good practice recommendations for the provision of quality graduate internships. Key is the concept of mutual benefit to the graduate and employer. A guide for establishing the employment status and rights of graduate interns, including remuneration is also provided.

Good practice recommendations

1. Consider why you want an intern

It is important to consider why you want a graduate intern. Ethical issues regarding the provision of internships need to be addressed at the outset, as does the concept of mutual benefit to the graduate and employer. Graduate internships should not be viewed simply as inexpensive labour.

2. Identify the position and required resources including an appropriately qualified supervisor

Prior to recruitment the roles and responsibilities of the graduate intern will need to be clearly identified in a detailed job description. The roles and responsibilities should be sport and exercise science-related and appropriate to the job title. Resources need to be put in place to ensure a quality experience – for instance, equipment (e.g., computer and work station) and an appropriately qualified supervisor with sufficient time to supervise the intern and provide induction, training, mentorship, and regular review and reflective practice meetings.

3. Establish the employment rights of graduate interns including payment

There are no laws specifically directed to the payment of interns. According to GOV.UK an intern's right to payment depends on his/her employment status and whether he/she is classed as:

1. A volunteer
2. A worker
3. An employee.

Volunteer. A volunteer is under no obligation to perform work and has no contract of employment. Volunteers are not paid for their time but may get money to cover expenses. This is usually limited to covering food, drink and travel or any equipment they need to buy.

Worker. A worker is anyone who works for an employer, whether under a contract of employment, or any other contract where they undertake to perform personally any work or service. Workers are entitled to core employment rights and protection. The following groups of people are likely to be workers but not employees:

- most agency workers
- short-term casual workers
- some freelancers.

Employee. An intern may be classed as an employee if s/he works under a contract of employment. The contract will normally set out what s/he is expected to do and s/he will be expected to do the work themselves. The key difference between a worker and an employee is that an employee has additional employment rights (see Figure 1).

Figure 1 provides a flowchart that can be used to establish the basis upon which the graduate intern is to work - as a volunteer, worker or employee and to act as guidance for determining appropriate employment rights including remuneration.

For most quality sport and exercise graduate internship positions there is an obligation to perform work and a contract or formal arrangement; meaning the intern should be classed as either a worker or an employee and entitled to be paid at least the National Minimum Wage (NMW). The NMW is a minimum standard and if employers pay above the NMW and offer benefits in kind (see section 4), they are more likely to attract higher calibre candidates.

There are valid exemptions to NMW payment including those exempt from the NMW

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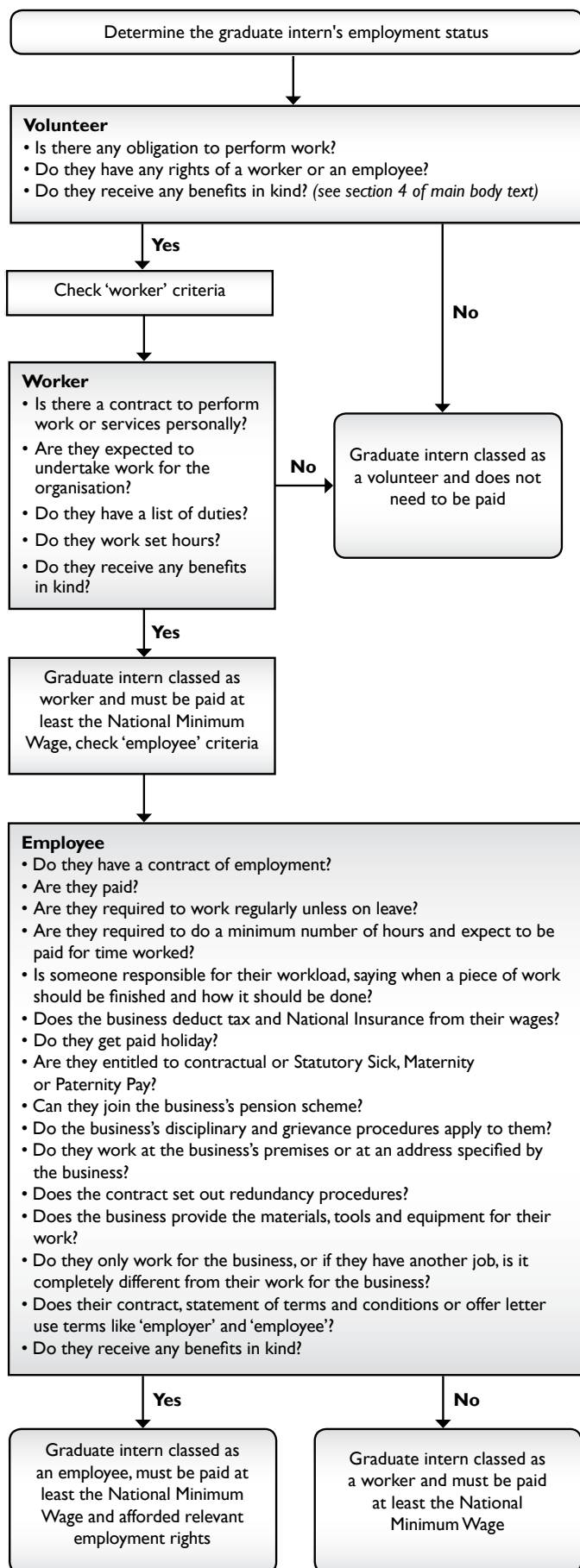


Figure 1. Guide for establishing the employment status and rights of graduate interns, including remuneration

legislation and those not classified as employees or workers. Students undertaking work placements of up to one year as part of a higher education course of study are exempt, as are volunteers - those who are under no obligation to perform work or carry out instructions, who have no contract or formal arrangement and can come and go as they please.

4. Understand benefits in kind

If a graduate intern is classed as a volunteer, s/he will not be paid for work but should be reimbursed for legitimate expenses (against receipts) incurred to carry out work – for example, travel, meals taken during the course of volunteering (one per day) and childcare expenses. If a volunteer receives any other payment, reward or benefit in kind, s/he will be classed as a worker or employee by HM Revenue and Customs. The following benefits/ payments in kind would infer worker/employee status on the graduate intern, which means s/he must be paid at least the NMW (this list is not exhaustive):

- Complimentary match tickets
- Fee payments for training courses/postgraduate study
- Professional body registration fees.

5. Decide the format of the graduate internship

The length of the internship will vary based on the identified nature of the graduate intern's work. The internship needs to allow sufficient time for the graduate intern to 'bed-in' and be able to bring value to the employer. Informal intern and employer feedback suggests graduate internships between 4 to 12 months allow this to happen. In terms of hours per week, workers and employees are subject to the provisions of the Working Time Directive, which includes the right to work no more than 48 hours per week unless they choose to do so.

A part-time graduate internship would allow the intern added opportunity for income generation and/or job seeking (a minimum of 3 days per week is recommended to be a useful experience). Such part-time positions are more accessible to those on low incomes and/or with carer responsibilities. Given one concept of a graduate internship is to assist the individual in gaining the necessary skills and experience to enter a profession, it is important, where possible, to allow time for academic study, training and/or job interviews.

6. Follow good practice recruitment, selection and administration policies

Employers should adopt a fair, rigorous and transparent recruitment and selection process, which complies with legislative requirements. This should include detailing key duties associated with the role and the key skills, experience and qualifications required to perform the role successfully. The experience and qualifications requested should be appropriate and realistic to a graduate internship position. Graduate interns classed as workers should as a minimum be issued with a letter confirming terms and conditions, including hours of work, rate of pay and required duties. Those classed as employees should be issued with an offer letter, written contract of employment and comprehensive job description. The appropriate liability insurances and Disclosure and Barring Service (DBS) checks must be in place, arranged and paid for by the employer. The value of a comprehensive induction programme should not be underestimated as it should help to ensure the graduate intern settles in quickly.

7. Deal with issues such as confidentiality, data protection and intellectual property rights

In the course of the internship it is likely that the graduate intern will have access to, or generate, much confidential information. There should be clarity about confidentiality, data protection and

intellectual property rights both during and after the internship. Hence it is good practice to deal specifically with these issues where relevant in the contract of employment. Training in these areas may also be of benefit.

8. Provide an employer reference and debrief

On completion an intern will welcome an employer reference and feedback on overall performance. It is recommended the organisation invite constructive feedback from the intern. Recording the securement of any work by the intern within the organisation and/or the sector may be useful in informing future interns.

What to do if internships do not comply with this position stand

BASES recommends that organisations should refer to this position stand to review all current graduate internships they have in place and where necessary update the arrangements accordingly. They should also review this position stand when considering all future graduate internships.

As a graduate intern if, after consulting this position stand, you believe that your employment status with the organisation you are working with is incorrect, you should raise and discuss this with your supervisor and refer them to this paper.

If you are an individual who believes that the terms of a graduate internship being advertised by an organisation do not comply with the advice given in this position stand, you should contact the organisation concerned referring them to it and asking them to review as a matter of good practice. A template letter is available: www.bases.org.uk/BASES-Position-Stands

Summary

The aim of this position stand is to provide good practice recommendations to guide organisations towards the development of quality graduate internships that will be of mutual benefit to the graduate and employer. BASES advises that any employer wishing to provide a quality graduate internship programme should always refer to the recommendations above. They should also determine whether the intern is a volunteer, employee or worker and provide appropriate employment rights and pay them accordingly. For most quality sport and exercise graduate internship positions there is an obligation to perform work and a contract or formal arrangement; meaning the intern should be classed as a worker or an employee and is entitled to be paid at least the NMW. ■

Useful resources

Common Best Practice Code for High-Quality Internships (2011).

Available: www.bis.gov.uk/assets/BISCore/higher-education/docs/C/11-1068-common-best-practice-code-for-quality-internships.pdf

www.gov.uk/employment-rights-for-interns

www.internaware.org

Notes

Please note that this position stand is for guidance only and further legal guidance should always be sought if necessary. Download a PDF of this Position Stand www.bases.org.uk/BASES-Position-Stands.



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