Checks prior to direct procurement by a teacher consultant

A procured legal person (contractor/supplier) may not perform the same tasks as an employee of the university (worker). According to the Higher Education Act and the Higher Education Ordinance, teaching, examination and grading are to be carried out by employees of the university, only in exceptional cases where there is no competence, a legal person may be engaged as a contractor to carry out teaching. However, in the assignment, the legal person may never examine or grade as this is seen as an exercise of public authority.

Before the contract template *"Agreement template direct procurement of teaching consultants below SEK 100 000"* is filled in and signed, the following parts must be checked:

* **Do you need an employee or a contractor?**
* **Is it an employee or contractor?**

The assignment may be carried out by a contractor if the following criteria are met:

* The assignment is of a temporary nature, occasional
* Specific and limited mission
* The Executor is responsible for his/her own work equipment and costs for carrying out the assignment, e.g. travel.
* The Executor may perform the same task for others as well.

employer/university during the same period

* The Executor does not have to undertake to perform the task in person
* Examination is not included in the assignment

If, instead, the following criteria are met, it is a worker to be engaged. No procurement should be made, contact the HR department for more information.

* The mission is of a more lasting nature
* The assignment involves making your workforce available for successive assignments.
* The university provides work equipment and bears the costs of carrying out the assignment, e.g. travel.
* The Executor is prevented from carrying out the same assignment on behalf of other clients/universities during the same period.
* The assignment shall be carried out in person without the possibility of handing it over to another person.
* Examination is included in the assignment