

ID	21
What is your name?	
Which best describes you? - Response Category	Individual
Which best describes you? - If other please specify	
If you are responding as an individual, what best describes your employment status? - Employment status	Self-employed
How would you classify your organisation/the organisation you work for? - Organisation type	Other
How would you classify your organisation/the organisation you work for? - other	Independent interim consultant in HR
If you are an employee/worker or an employer, how many people work for your organisation? - Size of employer	Micro-business (0-9 employees)
If you represent employers or employees/workers, who do you represent? - Representatives	
If you represent employers or employees/workers, who do you represent? - If other please specify	
Are you happy for your response to be published?	Yes
How did you hear about this consultation?	Email from elsewhere
How did you hear about this consultation? - Other	Through completing another survey
Section 1: Improving the transparency of information provided to work seekers	
To what extent would you agree that a 'key facts' page would support work seekers in making decisions about work? - Opinion on key facts	Agree strongly
To what extent would you agree that a 'key facts' page would support work seekers in making decisions about work? - What key facts should be made prominent	<p>Umbrella companies are used as an 'employer' by those of us who apparently fall within IR35 and for one reason or another, aren't able to work through our limited companies. Whilst I understand that the government has to clamp down on 'scamming' by 'service companies' where in fact the work is employment based, the rules are being taken very literally by public bodies who treat every piece of work (even part time and intermittent consulting work based from the consultant's home) as IR35 bound. In these circumstances, we are often required to work through Umbrella companies who seem, through legitimate tax avoidance, to be able to charge the 'worker' both PAYE, Employer's NI and Apprentice levy etc. In this way, they pass the full tax burden on to the 'worker' (who is apparently being</p>

	<p>treated as an employee) as if they were both employee and employer. This is good for them but very punitive for the worker and has the disadvantage of causing a number of good interims to leave public sector interim work altogether, which will have two possible outcomes. Either public bodies will try to manage change themselves (which is frankly very hard for them to do) or they will revert to paying huge sums to and the like, as they did in the bad old days of Mr G Brown.</p>
To what extent would you agree that a 'key facts' page would support work seekers in making decisions about work? - Reasons for disagreement	
Thinking about work seekers and employers in the recruitment sector, would ensuring work seekers are provided with a key facts page have a: - Please select an option - Individual work seekers	Some negative and some positive impact
Thinking about work seekers and employers in the recruitment sector, would ensuring work seekers are provided with a key facts page have a: - Please select an option - Employers in the recruitment sector	Some negative and some positive impact
What information would be important to include in a "key facts" page? - Please type your response in the box below.	More transparency about what it means to be an employee working directly for the client, a 'worker' who is employed by an agency (often having benefits 'bought out') and working through an Umbrella company, which is the most punitive set up and should be discouraged by employers.
What conditions should be in place to ensure the 'key facts' page is provided and understood by the work seeker before any contractual engagement?	A clear understanding of the nature of the work they are taking on and why it is classed as 'employment'; the options for completing this work under the current tax regime with implications for working under different payment regimes made clear
Should an employment business be required to ensure that the work seeker understands fully the information being given to them?	Yes
Should an employment business be required to ensure that the work seeker understands fully the information being given to them? - If yes, how do you think this should be achieved?	Education and more transparency about what it actually means to be a 'worker' or a 'contractor'. A number use this latter term without really knowing what it means or how widely it can be interpreted.
Do you feel an hour is an accurate estimate of the time it would take to produce information document for a work seeker? - Time taken to produce an information document	Don't know

Do you feel an hour is an accurate estimate of the time it would take to produce information document for a work seeker? - If too high or too low, please provide reasons for your answer:	
Other than the time taken by personnel to produce a "key facts" document, are there other business costs we should be aware of? - Other business costs	Yes
Other than the time taken by personnel to produce a "key facts" document, are there other business costs we should be aware of? - If you answered yes please provide details	The indirect costs of interims leaving the public sector market due to poor practice by Umbrellas (although within the law) and ignorance of recruitment agencies
Section 2: Extending the Remit of the Employment Agency Standards inspectorate to cover umbrella companies and intermediaries in the supply chain	
Have you or are you currently using an umbrella/intermediary?	Yes
Have you or are you currently using an umbrella/intermediary? - If so, for what reason?	The Umbrella co I use gave meno information about the kinds of tax levies they would be taking. Employer's NI was a shock as they claim to be my Employer! They all do it and it is a cartel. The recruitment agency were completely ignorant of the difference between an employer, a worker and a true contractor (ie service provider) and I had to do a lot of research myself to understand what was really going on. I will never work through an Umbrella company again.
Do you know of any examples of the benefits and/or problems for agency workers of using an umbrella company or intermediary?	As above
Should the extension of the remit of the Employment Agency Standards inspectorate to cover the regulation of certain activities of umbrella companies and intermediaries in the supply of work seekers to a hirer - Be limited to the regulation of the key facts page and provision of information relevant to those facts as part of a work offer by the hirer or employer?	
Should the extension of the remit of the Employment Agency Standards inspectorate to cover the regulation of certain activities of umbrella companies and intermediaries in the supply of work seekers to a hirer - Be aligned to the regulation of the types of employment rights already regulated by EAS under the current legislative framework such as non-payment of wages, deductions from wages which the work seeker has not agreed too, and failure to provide written	Yes

terms and conditions before the assignment starts?	
Should the extension of the remit of the Employment Agency Standards inspectorate to cover the regulation of certain activities of umbrella companies and intermediaries in the supply of work seekers to a hirer - Please provide reasons for your answer below	As already stated
Thinking about work seekers and employers in the recruitment sector, what impact would ensuring umbrella companies provide work seekers with a key facts page have on: Individual work seekers	Some negative and some positive impact
Thinking about work seekers and employers in the recruitment sector, what impact would ensuring umbrella companies provide work seekers with a key facts page have on: Employers in the recruitment sector	Small positive impact
Thinking about work seekers and employers in the recruitment sector, what impact would ensuring umbrella companies provide work seekers with a key facts page have: Please provide reasons for your answers below	This rests on whether or not: A) the client is willing to actually use the IR35 tool provided by HMRC or whether they are so risk averse they place all kinds of contingent work into IR35 bound B) they are willing to employ the contingent worker directly
Thinking about work seekers and employers in the recruitment sector, what impact would extending the regulations of the Employment Agency Standards inspectorate to cover umbrella companies have on: Individual work seekers	Small positive impact
Thinking about work seekers and employers in the recruitment sector, what impact would extending the regulations of the Employment Agency Standards inspectorate to cover umbrella companies have on: Employers in the recruitment sector	Significantly positive impact
Thinking about work seekers and employers in the recruitment sector, what impact would extending the regulations of the Employment Agency Standards inspectorate to cover umbrella companies have on: Please provide reasons for your answer below	But only if the conditions I've set out above are realised
Section 3: Ensuring the Swedish Derogation is used appropriately	
Have you used or are you currently using a pay between assignments contract (PBA)?	No
In your experience what are the benefits and any problems associated with working on a PBA contract basis?	

In your experience, how effective do you think pay between assignments contracts are in supporting workers and work seekers when they are not working?	Don't know
Do you have evidence that there are wider issues (beyond equal pay) with PBA contracts, for example agency workers not being able to access to facilities, rest break, annual leave or job vacancies?	I'm not familiar with this regime but it seems to me that it is overcomplicating the issue. Those that choose to work within the 'gig' economy do so for reasons of independence and freedom of choices and movement largely. They should be paid fairly when working and 'downtime' recognise through rates of pay on assignment.
Do you believe that that the above issues would justify wider state enforcement?	Yes
Do you believe that that the above issues would justify wider state enforcement? - reasons	As already stated
To what extent do you agree that enforcement of the Agency Worker Regulations 2010 should come within the remit of the Employment Agency Standards Inspectorate?	Agree strongly
To what extent do you agree that enforcement of the Agency Worker Regulations 2010 should come within the remit of the Employment Agency Standards Inspectorate? - Please provide reasons for your answer below	
Any further comments? - Please provide any further comments in the box below.	

