

ID	27
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	Employed
How would you classify your organisation/the organisation you work for? - Organisation type	Private sector organisation
How would you classify your organisation/the organisation you work for? - other	
If you are an employee/worker or an employer, how many people work for your organisation? - Size of employer	Large-sized business (250+ 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, but without identifying information
How did you hear about this consultation?	
How did you hear about this consultation? - Other	
<b>Section 1: Improving the transparency of information provided to work seekers</b>	
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	Whether or not the employment contract the worker is being asked to sign complies with the AWR, in particular, if the contract contains the Swedish Derogation loophole, the key fact that the worker is given no option than to forgo their right to equal pay.
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	Significantly positive impact
Thinking about work seekers and employers in the recruitment sector, would ensuring	Significantly positive impact

work seekers are provided with a key facts page have a: - Please select an option - Employers in the recruitment sector	
What information would be important to include in a "key facts" page? - Please type your response in the box below.	Any information relating to what effect committing to an employment contract would have on the individual, such as if you agree to the terms of this contract you will not be entitled to equal pay for example.
What conditions should be in place to ensure the 'key facts' page is provided and understood by the work seeker before any contractual engagement?	Just as proof of eligibility to work in the UK is required to be obtained and available for scrutiny so should a signed copy (by all parties concerned) be also obtained and available for any interested party to refer to should it be necessary.
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?	An employment business should hold on record, available for scrutiny, a signed declaration by the representative of the employment business to confirm that each and every key fact has been explained fully to the work seeker and that a degree of testing of understanding has taken place between the employment business representative and the work seeker. Employment business's need to be more accountable for their actions and not be allowed to get away with the "sign here, here and here" approach which is all too common at present.
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	About right
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	Don't know
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	
<b>Section 2: Extending the Remit of the Employment Agency Standards inspectorate to cover umbrella companies and intermediaries in the supply chain</b>	
Have you or are you currently using an umbrella/intermediary?	No

Have you or are you currently using an umbrella/intermediary? - If so, for what reason?	
Do you know of any examples of the benefits and/or problems for agency workers of using an umbrella company or intermediary?	The Swedish Derogation loophole for one.
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 terms and conditions before the assignment starts?	Yes
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	Because it needs to happen. Work seekers are commonly not aware of the impact of what they are being asked to agree to until weeks/months after they have started an assignment. It is commonly known that the industry, being largely un-regulated, needs to have far tighter controls imposed on it as there are far too many bad operators at the moment taking unfair advantage of unsuspecting work seekers.
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	Significantly 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:	As mentioned previously.

Please provide reasons for your answers below	
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	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: Employers in the recruitment sector	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: Please provide reasons for your answer below	Again, for the same reasons as before
<b>Section 3: Ensuring the Swedish Derogation is used appropriately</b>	
Have you used or are you currently using a pay between assignments contract (PBA)?	Yes
In your experience what are the benefits and any problems associated with working on a PBA contract basis?	Giving up the right to equal pay. There are no benefits to a PBA contracts to the workers, only the employment business and the end client. I currently work alongside colleagues who have been working on PBA contracts for over 2 years but have no protection whatsoever should the contract be terminated. These people are, under all of the Governments own criteria, are 'employees' of the end client, they take direct supervision from the end client, they cannot "replace themselves" etc however because they have a PBA contract they are caught in this immoral loophole that is the Swedish Derogation.
In your experience, how effective do you think pay between assignments contracts are in supporting workers and work seekers when they are not working?	Not at all effective
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?	Not in my own particular circumstance however many, many workers do not even know that they have signed a contract with the employment agency that is a PBA contract. In my own case, when I queried my contract wording, the employment business admitted that they did not know what the clause in the contract meant and that they had never even read the contract themselves. Proof that key facts regarding the contract were withheld. It is difficult to answer this question regarding wider issues as you would

	<p>need a direct comparison to an end clients employment contract to make a comparison. It would not surprise me however to learn that access to job vacancies for PBA contract holders would be the number one issue in such a survey as this.</p>
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	Simply, equality for all. Equal rights for an individual working alongside a compatible worker should be the number one priority for the state, and bring to an end the use of a loophole that shields unscrupulous operators and employers from having to do the right thing.
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	This move would be long overdue as there are currently a huge number of workers currently in a disadvantaged situation with no means of escalating their situation to any regulatory body. This move would indeed be a welcome one.
Any further comments? - Please provide any further comments in the box below.	

