

ID	28
What is your name?	
Which best describes you? - Response Category	Charity or social enterprise
Which best describes you? - If other please specify	
If you are responding as an individual, what best describes your employment status? - Employment status	
How would you classify your organisation/the organisation you work for? - Organisation type	Charity/voluntary sector
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	
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?	GOV.UK alert
How did you hear about this consultation? - Other	
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	The most important areas are (1) Who will be responsible for paying the work seeker, (2) How they are being engaged (ie their status), (3) How much they will be paid, (4) What deductions, fees or charges apply, (5) The timing of payments being made
To what extent would you agree that a 'key facts' page would support work seekers in making decisions about work? - Reasons for disagreement	n/a
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	Some negative and some 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.	The most important areas are (1) Who will be responsible for paying the work seeker, (2) How they are being engaged (ie their status), (3) How much they will be paid, (4) What deductions, fees or charges apply, (5) The timing of payments being made
What conditions should be in place to ensure the 'key facts' page is provided and understood by the work seeker before any contractual engagement?	There should be a statutory requirement, enforced and backed by effective penalties, which imposes an obligation on the employment business to provide the 'key facts' page before work commences
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?	Sign-off by the work seeker before work commences. Some consideration should be given to language barriers and whether standard format documents could be produced centrally in a variety of languages (using drop-down menus), which could then be populated by the employment business
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	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	
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?	No
Have you or are you currently using an umbrella/intermediary? - If so, for what reason?	

<p>Do you know of any examples of the benefits and/or problems for agency workers of using an umbrella company or intermediary?</p>	<p>In our experience umbrellas and intermediaries are generally imposed on the agency worker and are not for their benefit. A number of problems arise: (1) Individuals are unclear on the contractual arrangements and rights – they may not know who they are engaged by, and who to go to when there are pay problems; (2) We have seen cases where individuals have been told that they must use a certain form of intermediary, or are forced into using a limited company, with consequent costs and compliance responsibilities; in at least one case, individuals decided not to pursue employment-related rights due to the complexity involved; (3) Some intermediary arrangements appear to seek to avoid tax/NIC responsibilities leaving the individual vulnerable to underpaying and not getting social security benefits; (4) We have seen cases where agency workers have been unclear on what entries on payslips mean, particularly in relation to deductions and charges</p>
<p>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?</p>	<p>No</p>
<p>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?</p>	<p>Yes</p>
<p>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</p>	<p>These areas require enforcement. Individuals are often in a poor bargaining position when seeking to uphold their rights, as there is a fear of losing work and of not being offered work in future. Therefore an independent body is needed to enforce obligations on the intermediaries who have much greater power in the relationship. Many of the rules are confusing for work seekers,</p>

	and it would be better if one agency was responsible across the board for enforcing rights, rather than this being split across HMRC, the EAS, Employment Tribunals, the Gangmasters & Labour Abuse Authority, etc
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	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: Please provide reasons for your answers below	There are benefits for both parties in providing clarity in the relationship. There will be some additional administration for employers
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	Some negative and some 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	There are benefits for both parties in providing clarity in the relationship. There will be some additional administration for employers
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?	n/a
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?	
Do you believe that that the above issues would justify wider state enforcement?	Don't know
Do you believe that that the above issues would justify wider state enforcement? - reasons	
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	These areas require enforcement. Individuals are often in a poor bargaining position when seeking to uphold their rights, as there is a fear of losing work and of not being offered work in future. Therefore an independent agency is needed to enforce oblig
Any further comments? - Please provide any further comments in the box below.	

