

ID	31
What is your name?	
Which best describes you? - Response Category	Business representative organisation/trade body
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	Other
How would you classify your organisation/the organisation you work for? - other	Not for profit trade association
If you are an employee/worker or an employer, how many people work for your organisation? - Size of employer	Small business (10-49 employees)
If you represent employers or employees/workers, who do you represent? - Representatives	Other
If you represent employers or employees/workers, who do you represent? - If other please specify	Independent professionals and the self-employed
Are you happy for your response to be published?	Yes
How did you hear about this consultation?	Twitter
How did you hear about this consultation? - Other	IPSE follows this area of policy making
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	All of the above. They are probably listed in order of importance at the moment (a - f)
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	Small positive impact
Thinking about work seekers and employers in the recruitment sector, would ensuring work seekers are provided with a key facts	Don't know

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 employment status of the individual (are they employed, self-employed or a 'worker'. If they are employed, who is their employer? List their employment rights - who is obliged to provide them those rights. Their tax obligations (particularly if there is a requirement for the individual to do something e.g. file a tax return). How much will the individual be paid? When will the individual be paid? Who will pay the individual? What taxes will be deducted from payments to the individual, and how much? Are there any other deductions from the gross pay received by the individual e.g. Employers NI; Apprenticeship levy. There should be a named person and their contact details of someone at the hiring organisations where questions can be directed.
What conditions should be in place to ensure the 'key facts' page is provided and understood by the work seeker before any contractual engagement?	The key facts page should be sent to the individual by email and, where individual works on the client's site, it should be handed to them on their first day of work.
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?	A meeting should be arranged within the first week of the engagement. At the meeting the hiring organisation should explain the contents of the key facts page and invite the individual to ask questions. Where the individual works remotely, the meeting should be done by phone or internet connect e.g. Skype.
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	Too high
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:	It will take some time to produce key facts pages, but they can be replicated where the engagement is the same for different individuals. It will not take 1hr each time. If the hirer is obliged to meet with the individual to ensure they understand the ke
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?	IPSE is aware that the use of umbrella companies has increased directly as a result of the 'off-payroll working rules in the public sector'. This was legislation introduced in April 2017. The legislation requires individuals who's engagements are deemed to be caught by IR35 rules, to be placed on a payroll. Because many recruitment agencies and public sector bodies are unable or unwilling to place individuals on their own payroll, they have insisted on the use of umbrellas.
Do you know of any examples of the benefits and/or problems for agency workers of using an umbrella company or intermediary?	Many umbrella companies are compliant with tax and regulatory requirements, however there are reports of rogue umbrellas. Several IPSE members have complained about umbrellas. The main complaints are: 1. The umbrella company is making unlawful deductions for Employers' NI and apprenticeship levy 2. The umbrella company may be making use of off-shore tax avoidance vehicles which could leave unwitting individuals liable. 3. The insertion of the umbrella company in the chain distorts the employment relationship. Is the umbrella company the employer of the individual?
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?	No
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	The EASI should be a more visible entity with an online presence and contact details. The EASI should regulate the behaviour of umbrella companies. It should ensure unlawful deductions from wages are not being made. In particular it must ensure employers NI and apprenticeship levy is not being deducted from individuals wages. The umbrella company should not provide the key facts pages. This should be done by either the end client or the recruitment agency.
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	Small negative 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	Don't know
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	As above, umbrella companies should not provide the key facts page. It should be provided by either the end client or the recruitment agency.
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	Don't know
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	Umbrella companies must be more closely regulated. In particular there must be rules around what they do with the money they receive from end clients and agencies, before they pass it on to individuals. There must also be rules around what deductions th
Section 3: Ensuring the Swedish Derogation is used appropriately	
Have you used or are you currently using a pay between assignments contract (PBA)?	Not Answered

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?	Not Answered
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?	Not Answered
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	EASI should take a more active role in enforcing legislation and regulations which are designed to protect individuals.
Any further comments? - Please provide any further comments in the box below.	<p>IPSE believes that in the vast majority of cases, self-employed engagements work well for both individuals and hirers. However, poor behavior from unscrupulous employers, agencies and umbrellas does appear to be on the rise (at least that it is how it feels but its possible more frequent reporting is distorting the true picture). The challenge for government is ensuring that individuals are empowered to challenge bad behavior where it occurs, without putting undue burden on honest businesses which make up the majority.</p> <p>IPSE supports the 'key facts' page as positive step in the right direction.</p>

