



Department for
Business, Energy
& Industrial Strategy

PROVIDING A 'KEY INFORMATION DOCUMENT' FOR AGENCY WORKERS

Guidance for employment businesses



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Introduction

Aim of guidance

The aim of this guidance is to help employment businesses understand what is required in order to comply with regulation 13A of the Conduct of Employment Agencies and Employment Businesses Regulations 2003 (the 'Conduct Regulations'), which introduces a requirement to provide a key information document for agency workers. It may also prove useful for hirers, intermediary or umbrella companies in the recruitment supply chain and agency workers themselves.

Where relevant, the guidance refers to the specific paragraph of regulation 13A that underpins the section in question. The guidance does not correspond to the format of the regulation chronologically.

This is general guidance designed to assist employment businesses in understanding the new regulation, and may also be helpful to others as referred to above. However, it does not, and cannot, provide definitive answers to individual queries or issues. It is not intended to be relied upon in any specific context or as a substitute for seeking advice on specific circumstances, as each case may be different.

When the new regulation comes in

This new regulation will take effect from 6 April 2020. From this date, all agency workers must be given a key information document before agreeing terms with an employment business. In practice this will mean that the key information document will be one of the first things they receive. The regulation does not apply to agency workers with existing terms with an employment business, but they will be entitled to a key information document when they sign up with a new employment business.

Changes to regulations around written statements also come into force on 6 April 2020. From this date, all agency workers classed as employees or workers will be entitled to both a written statement and a key information document. Separate guidance will be available on written statements.

Purpose of the new regulation

The key information document is intended to improve transparency of information for agency workers, particularly around pay. It will give agency workers more immediate access to key pay related information before agreeing terms with an employment business and a clear idea of how any fees and deductions will affect their pay.

Businesses are not expected to include all relevant contractual information within the key information document. It is rather designed to present key information in order to give agency workers a brief overview of how their prospective terms of engagement affect their pay over the course of an assignment or other specified period of time. The figures in the key information document will not need to be completely reflective of what an agency worker may

actually go on to earn in an assignment, but rather will demonstrate how a proposed rate of pay is affected by fees and deductions made throughout the supply chain.

Core points

- Key information documents are intended to give agency workers a number of pay related facts, along with some other details about their engagement, prior to agreeing terms with an employment business. This is so they have more information about their pay at an earlier stage, particularly so that they can see how deductions and fees affect their pay through the supply chain.
- As key information documents must be given to agency workers before agreeing terms, the figures given within them do not have to fully reflect the precise figure that workers will make on an assignment-by-assignment basis. They must, though, clearly reflect the minimum amount an employment business expects to achieve for an agency worker (for example, not less than national minimum wage). They must also include a description of all deductions to be made to a worker's pay. For statutory deductions (e.g. income tax), this can just be an explanation that the deduction will be made. For non-statutory deduction and fees (e.g. an umbrella company's margin), the key information document must EITHER state the amounts to be deducted OR explain how they are calculated.
- Key facts pages must also include representative example statements to demonstrate how the listed deductions will be made to a rate of pay. Real numbers must be used in the example statement: actual figures must be given as opposed to simply listing the types of deductions made and their method of calculation, as is acceptable in the rest of the key information document. These figures may be estimated and do not need to exactly reflect the specific rate of pay subsequently received by the agency worker, but they should demonstrate in a realistic way the deductions made to a proposed rate of pay and how these affect a worker's take home pay.
- Where employment businesses have multiple ways of paying an agency worker (eg. subject to PAYE or through different umbrella companies) it is expected that the business will have a standard key facts page corresponding to each payment method. It may be helpful to show each new worker the different key facts pages corresponding to those payment methods, so they can understand the different deductions they lead to and help them choose which method to use. However, this is not required by the regulation. Ultimately, an individual worker must at least receive a key information document that reflects the payment method that they are to be contracted under.
- Because the figures in a key information document do not need to be precise final figures, they do not necessarily need to be revised for every assignment. They only need to be updated as and when the information contained within them changes. This might for example be when a new deduction is made, such as student loan repayments or contributions to a private healthcare scheme, or when a worker's right to equal treatment under the Agency Workers Regulations 2010 takes effect.

Section 1: Format, timing and frequency of key information documents

This section covers when the key information document must be given to agency workers and how it should be presented.

Format

Paragraph 3(b)

The key information document must be clearly labelled and should include a brief explanation about its purpose at the top. The contact details of the Employment Agency Standards (EAS) inspectorate must also be included at the top of the document, and employment businesses may also want to include the details of ACAS who can also put agency workers in contact with EAS.

Paragraphs 10, 11

It should be straightforward to understand and not exceed two pages of A4 in length. If it is not possible to include all the necessary information required by the regulation within the specified format (such as when an accessible version is required in a larger font), the key information document can include a summary of the relevant information and a reference to where more complete details can be found.

Timing and Recipients

Paragraph 1

From 6 April 2020, employment businesses must give all new agency workers a key information document before agreeing contractual terms. In practice, this means a key information document will need to be one of the first things an employment business gives agency workers.

As it will be given before agency workers agree terms, the key information document is not intended to be fully representative of contractual terms that agency workers may subsequently agree to. Rather, it should give agency workers a clear overview of some important aspects of their proposed contractual arrangements, including how a proposed rate of pay is affected by fees and deductions made through the supply chain.

Where there is an intermediary or umbrella company involved, the key information document must be given both to that organisation and to the individual agency worker. For more information about the requirements for intermediary or umbrella companies, please refer to section 4.

Frequency

Paragraph 15

It is not necessary for employment businesses to issue a revised key information document every time an agency worker begins a new assignment if there are no changes in the information recorded in the key information document as a result. However, revised key information documents must be issued when there is such a change.

More information about the requirements for revised key information documents can be found at section 6.

Multiple key information documents

Paragraphs 12, 13, 14

In some cases, employment businesses may offer multiple engagement methods for agency workers. For example, an employment business may offer agency workers the option of being engaged directly by the employment business, alongside the option of being engaged through an intermediary or umbrella company.

There is no obligation for employment businesses to offer multiple key information documents to each individual agency worker if they offer multiple engagement methods. However, it would be considered best practice for employment businesses to have standard key facts pages reflecting each payment method and to show these to prospective workers in order to demonstrate the difference in pay rates between the different engagement methods they offer.

Employment businesses must be able to show, ultimately, that agency workers have received the key information document corresponding to the final choice made. For example, if the agency worker chooses to be engaged directly by the employment business, the employment business must ensure that the agency worker receives a key information document reflecting the details of this arrangement.

Existing agency workers

Agency workers who are already signed up to an employment business, and have agreed terms with that employment business, will not need to receive a key facts page from that employment business after 6 April 2020. The regulation only applies to agency workers who sign up to an employment business after 6 April 2020.

Employment businesses may find it useful to provide existing agency workers who agreed terms before 6 April 2020, but who have not undertaken any assignments for a long time (and have not, for example, received a P45), with a key information document if they begin taking on assignments after 6 April 2020 – but there is no obligation to do this.

The following example shows when a new key information document would be required:

Worker	Before 6 April 2020	After 6 April 2020	Key information document required?
Worker x	Employment Business A	Employment Business A	No, as they have not signed up to a new employment business
Worker Y	Employment Business A	Employment Business B	Yes, as they have signed up to a new employment business

Responsibility

Paragraphs 1, 7, 8

In all cases it is the responsibility of employment businesses to provide agency workers with a key information document, including when the agency worker is engaged through an intermediary or umbrella company.

When an intermediary or umbrella company is involved, this will mean that employment businesses will have to gather information from the intermediary or umbrella company for the purposes of the key information document. More information about this can be found at sections 3 and 4.

Employment businesses are free to rely upon any information given to them by third parties, such as umbrellas, where they do not have that information themselves. They will not be held responsible for any inaccuracies in information provided in writing by a person such as an intermediary or umbrella company if it relates to the intermediary or umbrella company directly.

Employment businesses may consider asking intermediary or umbrella companies to notify them of any changes to information referenced in key information documents so that it remains up to date.

An agency worker can request any information that the employment business relies upon from an intermediary or umbrella company, and the employment business must supply a copy of this within five business days. If the intermediary or umbrella company engaging the worker changes, then a new key information document must be issued.

Examples

Three examples of what key information documents may look like can be found at Annexes A, B and C. These are for illustrative purposes and are not to be taken as mandatory templates – employment businesses are free to lay out key information documents according to the processes that suit them, provided that the requirements of the regulation are met.

Section 2: Information to include for a standard employment business – agency worker relationship (i.e. PAYE)

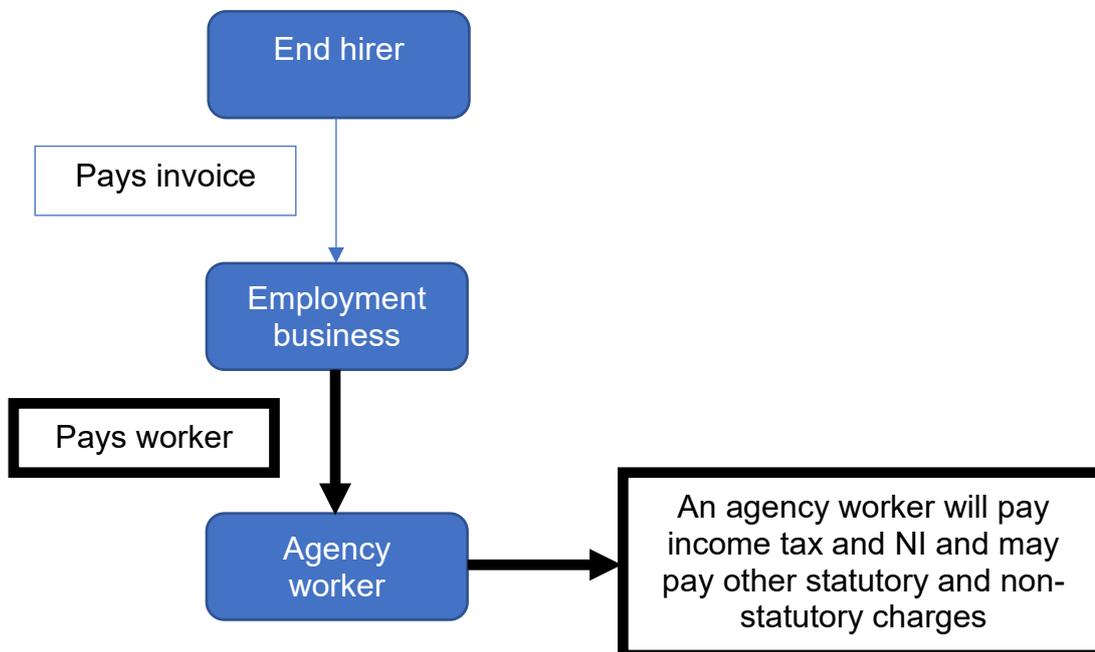
This section covers the information that the key information document must include when the agency worker is in a 'standard' relationship with an employment business, where the employment business will be engaging or employing the agency worker, and paying them. There should be no intermediary or umbrella company involved in paying the agency worker.

If this is not the case and there is an intermediary or umbrella company handling payment and employing the worker, then please refer to sections 3 and 4 of this guidance.

Path of income

This diagram may help illustrate the information required for the key information document in a standard employment business – agency worker relationship, i.e. where pay is subject to PAYE.

The bold arrows represent where details must be included in the key information document.



Facts to include

Paragraph 3(c)

The following facts must be included in the key information document when there is a standard employment business – agency worker relationship:

Fact	What this means
Name of worker	The name of the worker should be clearly marked (this is not strictly required by the regulation, but employment businesses may find it useful to include).
Contract type	The type of contract the worker will be engaged under. This will typically be a contract of service or apprenticeship, or a contract for services.
Identity of the employment business	The employment business will normally be the person engaging or employing the worker.
Who will pay the worker	In a standard employment business – agency worker relationship, i.e. subject to PAYE, this will be the employment business.
Rate of pay	This can either be the exact rate of pay that the worker will be given, or the minimum rate of pay that the employment business can expect to achieve for the worker (this is often expressed as at least the prevailing or current National Minimum Wage or National Living Wage).
Pay intervals	How often the worker can expect to be paid by the employment business.
Statutory deductions	A clear list and description of any deductions from the worker's pay required by law, such as Income Tax, National Insurance, student loan, etc. Exact amounts are not required here and a simple list of statutory deductions would suffice.
Non-statutory deductions	Any non-statutory deductions that are made to the worker's pay and how these are calculated, such as private healthcare. This must include either the amount that will be deducted or a description of the method of calculation.
Any fees for goods or services	Any fees for goods or services charged to the work-seeker, such as the cost of a DBS check. This must include either the amount that will be deducted or a description of the method of calculation. It might be useful to state whether these are one-off payments or ongoing.
Any other benefits	Any non-monetary benefits that the worker might be entitled to, such as gym membership. These do not need to be quantified in monetary terms.

Leave entitlement	Any leave entitlement that the worker would be entitled to and the details of holiday pay.
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Supplementary information

Paragraph 9

It is possible that employment businesses will want to include additional information not specified in the regulation. This is possible if this consists of details relevant to regulation 15 of the Conduct Regulations, which includes information around contract and pay, such as the details of any notice period that may exist and a commitment to pay the worker even if the employment business is not paid by the hirer. There may be some duplication of information if employment businesses choose to include this information, but this is permissible. No other additional information can be included in the key information document aside from this.

Employment businesses can present any other additional information in a separate document to the key information document if they so wish, but the key information document must be clearly distinct from any other paperwork given to the worker, for example by giving it a clear title.

Representative example statement

Paragraph 3(d)

The key information document must also include a representative example statement that lays out how all deductions and fees will affect a proposed rate of pay over a single prospective pay period. This is so the worker has a clear, worked through example of how any deductions listed in the key information document will affect the pay they go on to receive from an assignment.

Real numbers must be used in the example statement: actual figures must be given as opposed to simply listing the types of deductions made and their method of calculation, as is acceptable in the rest of the key information document.

These figures may be estimated and do not need to exactly reflect the specific rate of pay subsequently received by the agency worker, but they should demonstrate in a realistic way the deductions made to a proposed rate of pay and how these affect a worker's take home pay.

The example statement must include the following information:

The gross amount payable to the worker over the chosen period

Any statutory deductions to pay

Any non-statutory deductions to pay

Any fees to be charged to the worker for goods or services. It might be useful to state whether they are one-off payments or ongoing

The net remuneration payable to the worker after all deductions and fees

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An example statement for a standard employment business – agency worker relationship, i.e. subject to PAYE, may look like this:

Representative example statement	
Example gross rate of pay:	£250.40 weekly
Deductions from your pay required by law: (Tax, NI, etc.)	£2 Income Tax £10 NI
Any other deductions or costs from your pay: (Private healthcare, etc.)	£6.60 employee pension contribution
Any fees for goods or services deducted from your pay: (DBS check, training, etc.)	£26 DBS check (one-off)
Example net take home pay: (Following all estimated deductions, costs and fees)	£205.80 weekly

Section 3: When additional information is required for the key information document

This section covers situations where the additional information laid out in section 4 is required in the key information document compared to that needed for the standard employment business – agency worker relationship, i.e. where pay is subject to PAYE.

Broadly speaking, this information is required when an intermediary or umbrella company, and not the employment business, typically employs and pays the worker. If this is not the case and there is no intermediary or umbrella company handling payment, then in most cases the employment business will be paying the worker. Please refer back to section 2 of this guidance for more information.

Additional information

Paragraphs 4 and 5

The precise tests of when the additional information is needed are contained in paragraphs 4 and 5 of the new regulation 13A. However, the information in section 4 is most commonly required when:

An employment business engages an intermediary or umbrella company to process and handle payment to the worker, and therefore does not pay the worker directly.

This intermediary or umbrella company is not controlled by the worker or their spouse or civil partner.

Personal service companies

Where an intermediary or umbrella company is controlled by the worker or their spouse or civil partner, this normally means that the agency worker is engaged as a personal service company (PSC) and that the additional information is not required. For information about key information documents for agency workers signing on as PSCs, please refer to section 5.

The 'work-seeker'

For the purposes of this section of the regulation, intermediary or umbrella companies are referred to as the 'work-seeker' and the agency worker is 'the person supplied to carry out the work'. This is because, technically, the umbrella is contracted to the employment business, so they are the 'work-seeker' and then they subsequently engage the 'person supplied to carry out the work' to materially do the work.

Section 4: Information to include when an intermediary or umbrella company is involved

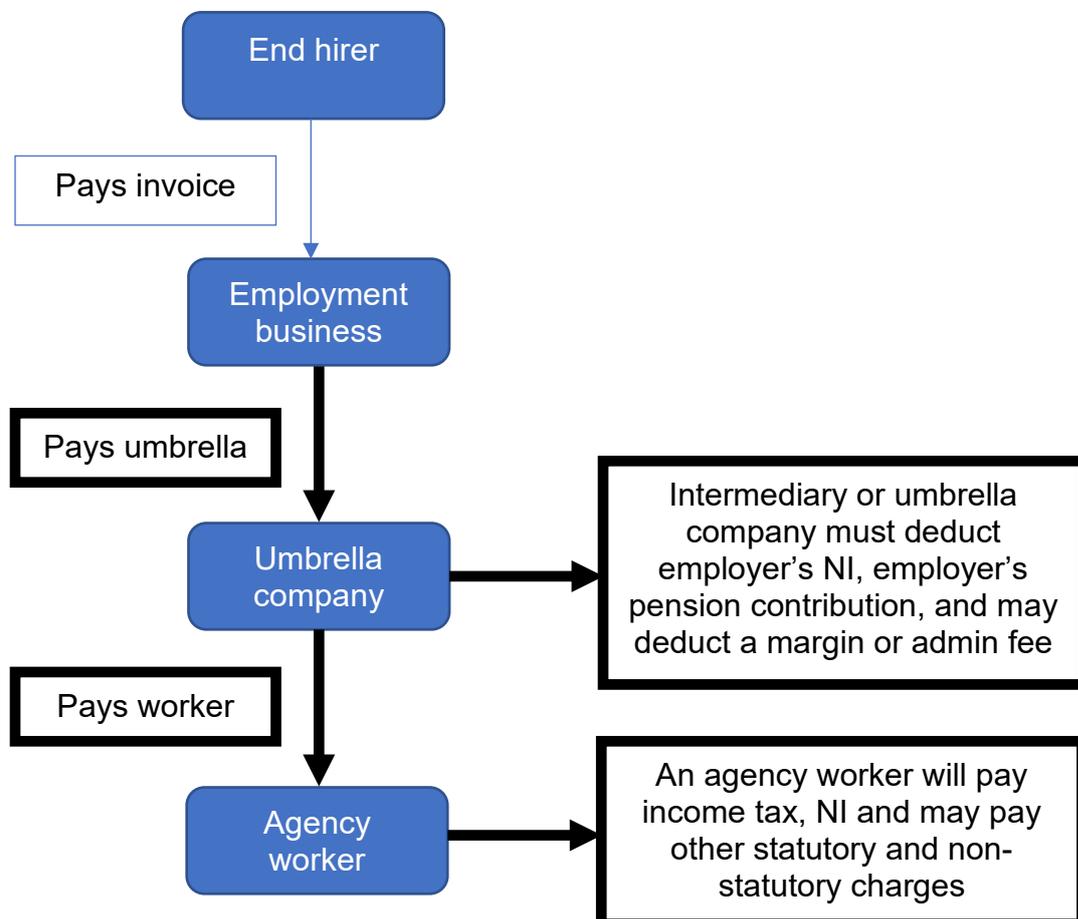
This section covers what details are required for a key information document when an intermediary or umbrella company is used to employ and pay the worker.

Path of income

This section of the regulation is drafted so that workers can see the passage of their income from the employment business and through the intermediary or umbrella company before they receive the net amount. This is to ensure that workers are aware of the deductions made throughout the supply chain, and to avoid common confusion about when deductions are made and why.

This diagram may help explain which parts of the recruitment supply chain are covered by the key information document when an umbrella company is involved.

The bold arrows represent where details must be included in the key information document.



All deductions to both the intermediary or umbrella company's income and the worker's income should be clear to the worker within the key information document. The worker should be able to fully track the difference between the gross amount paid by the employment business to the intermediary or umbrella company and the net sum that the worker receives.

Gathering information

Paragraph 7

Employment businesses will usually have to obtain some of the relevant information from intermediary or umbrella companies for the purposes of the key information document. Guidance on responsibility for such information is contained in Section 1 of this document.

If an intermediary or umbrella company has existing arrangements with an agency worker but not with the relevant employment business, an intermediary or umbrella company may find it useful to have the relevant information to hand in a prepared format that can easily be passed to the employment business.

If the intermediary or umbrella company engaging the worker changes, then a new key information document must be issued.

Facts to include

Paragraph 6

Fact	What this means
Name of worker	The name of the worker should be clearly marked (this is not strictly required by the regulation, but employment businesses may find it useful to include)
Contract type	The type of contract the worker will be engaged under. This will typically be a contract of service or apprenticeship, or a contract for services.
Name of employment business	The name of the employment business should be clearly marked
Name of intermediary or umbrella company (the 'work-seeker')	The name of the intermediary or umbrella company (the 'work-seeker') should be clearly marked
Who will employ the worker	This will normally be the intermediary or umbrella company
Who will pay the worker	This will normally be the intermediary or umbrella company
Any business connection between the intermediary or umbrella company and the employment business (and, if different, the employer of the worker)	Any links between the employment business and the intermediary or umbrella company should be clearly detailed, such as where there are shared directors or one company controls another.

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and the person who will pay the worker)	
Pay intervals	How often the intermediary or umbrella company can expect to be paid by the employment business, and how often the worker can expect to be paid by the intermediary or umbrella company

Intermediary or umbrella company pay information

Fact	What this means
Rate of pay to the intermediary or umbrella company (the 'work-seeker')	This can either be the exact rate of pay that the intermediary or umbrella company will receive from the employment business, or the minimum rate of pay that the employment business will transfer to the umbrella.
Statutory deductions from intermediary or umbrella company income	The nature of any deductions from the intermediary or umbrella company's income required by law. Exact amounts are not required here and a simple list of statutory deductions would suffice.
Non-statutory deductions from intermediary or umbrella company income	Any non-statutory deductions that are made to the intermediary or umbrella company's income and how these are calculated, such as a margin or administration fee. This must include either the amount that will be deducted or a description of the method of calculation.

Worker pay information

Fact	What this means
Expected or minimum rate of pay to the individual	This can either be the exact rate of pay that the individual will receive or the minimum amount they can expect after all deductions made from the intermediary or umbrella company's income. This will often be the prevailing National Minimum Wage or National Living Wage.
Statutory deductions from the worker's pay	The nature of any deductions from the individual's pay required by law, such as Income Tax, National Insurance, student loan, etc. Exact amounts are not required here and a simple list of statutory deductions would suffice.
Non-statutory deductions from the individual's pay	Any non-statutory deductions that are made to the individual's pay such as private healthcare. This must include either the amount that will be deducted or a description of the method of calculation.

Any fees for goods and services	Any fees for goods or services charged to the work-seeker, such as the cost of a DBS check. This must include either the amount that will be deducted or a description of the method of calculation. It might be useful to state whether they are one-off payments or ongoing.
Any other difference between the umbrella company's income and the worker's net pay	This should include any other deduction or fee made to the worker's income that is not included in other sections. The worker should be able to track any difference between the intermediary or umbrella company's income and their own.
Any other benefits	Any non-monetary benefits that the worker might be entitled to, such as gym membership or private healthcare. These do not need to be quantified in monetary terms.
Leave entitlement	Any leave entitlement that the worker would be entitled to and the details of holiday pay.
Any opt out agreement under Regulation 32	<p>It is possible for an intermediary or umbrella company (or other work-seeker which is a company) to agree to opt out of the protections of the existing regulations, but this also needs the agreement of the worker themselves. Agency workers placed in roles working with, or caring for, vulnerable persons cannot opt out of the Conduct Regulations.</p> <p>More information about the opt out can be found in Regulation 32 of the Conduct Regulations.</p> <p>Where such an agreement is entered, it should be referred to here. In any event however, it is not possible to opt out of the requirements to provide a key information document under the new regulation 13A. This is so all agency workers, regardless of how they may end up being engaged, are given key information about their engagement before agreeing terms.</p>

Supplementary information

Paragraph 9(a)

It is possible that employment businesses will want to include additional information not specified in the regulation. This is possible if this consists of details relevant to regulation 15 of the Conduct Regulations, which includes information around contract and pay, such as the details of any notice period that may exist and a commitment to pay the worker even if the employment business is not paid by the hirer. There may be some duplication of information if employment businesses choose to include this information, but this is permissible. No other information can be included in the key information document aside from this.

Employment businesses can present additional information in a separate document to the key information document if they so wish, but the key information document must be clearly distinct from any other paperwork given to the worker.

Representative example statement

Paragraph 6(b)

The key information document must also include an example statement that lays out how all deductions and fees will affect a proposed rate of pay over a single prospective pay period. This is so the worker has a clear, worked through example of how any deductions listed in the key information document will affect the pay they go on to receive from an assignment.

Real numbers must be used in the example statement: actual figures must be given as opposed to simply listing the types of deductions made and their method of calculation, as is acceptable in the rest of the key information document.

These figures may be estimated and do not need to exactly reflect the actual rate of pay subsequently received by the agency worker, but they should demonstrate in a realistic way, the deductions made to a proposed rate of pay and how these this might affect a worker's corresponding take home pay.

The example statement must include the following information:

- The gross amount payable to the intermediary or umbrella company from the employment business over the chosen period
- Statutory deductions to the intermediary or umbrella company's income
- Non-statutory deductions the intermediary or umbrella company's income
- The gross amount payable to the worker from the intermediary or umbrella company
- Any statutory deductions to the worker's income
- Any non-statutory deductions to the worker's income
- Any fees for goods and services. It might be useful to state whether they are one-off payments or ongoing
- Any other difference between the intermediary or umbrella company's income and the worker's net pay
- The net amount payable to the worker

An example statement for a multi-party relationship may look like this:

Representative example statement	Umbrella income	Worker income
Example gross rate of pay to intermediary or umbrella company from us:	£328.40 weekly	x
Deductions from intermediary or umbrella income required by law: (Employer's NI, apprenticeship levy, etc.)	£17 tax £22 employer's NI	x
Any other deductions from intermediary or umbrella's income: (Administration fee, margin, etc.)	£15 margin weekly	x
Example rate of pay to you:	x	£289.40 weekly
Deductions from your pay required by law: (Tax, NI, etc.)	x	£10 Income tax £15 NI
Any other deductions or costs from your wage: (Private healthcare, etc.)	x	£13 pension contribution
Any fees for goods or services and their frequency: (Training, DBS check etc.)	x	£26 DBS check (one-off)
Example net take home pay: (Following all estimated deductions, costs and fees)	x	£225.40 weekly

Section 5: Key information documents for workers signing on as personal service companies

This section covers situations where prospective agency workers wish to sign on with an employment business through a personal service company (PSC).

Provision of key information document

Paragraph 18

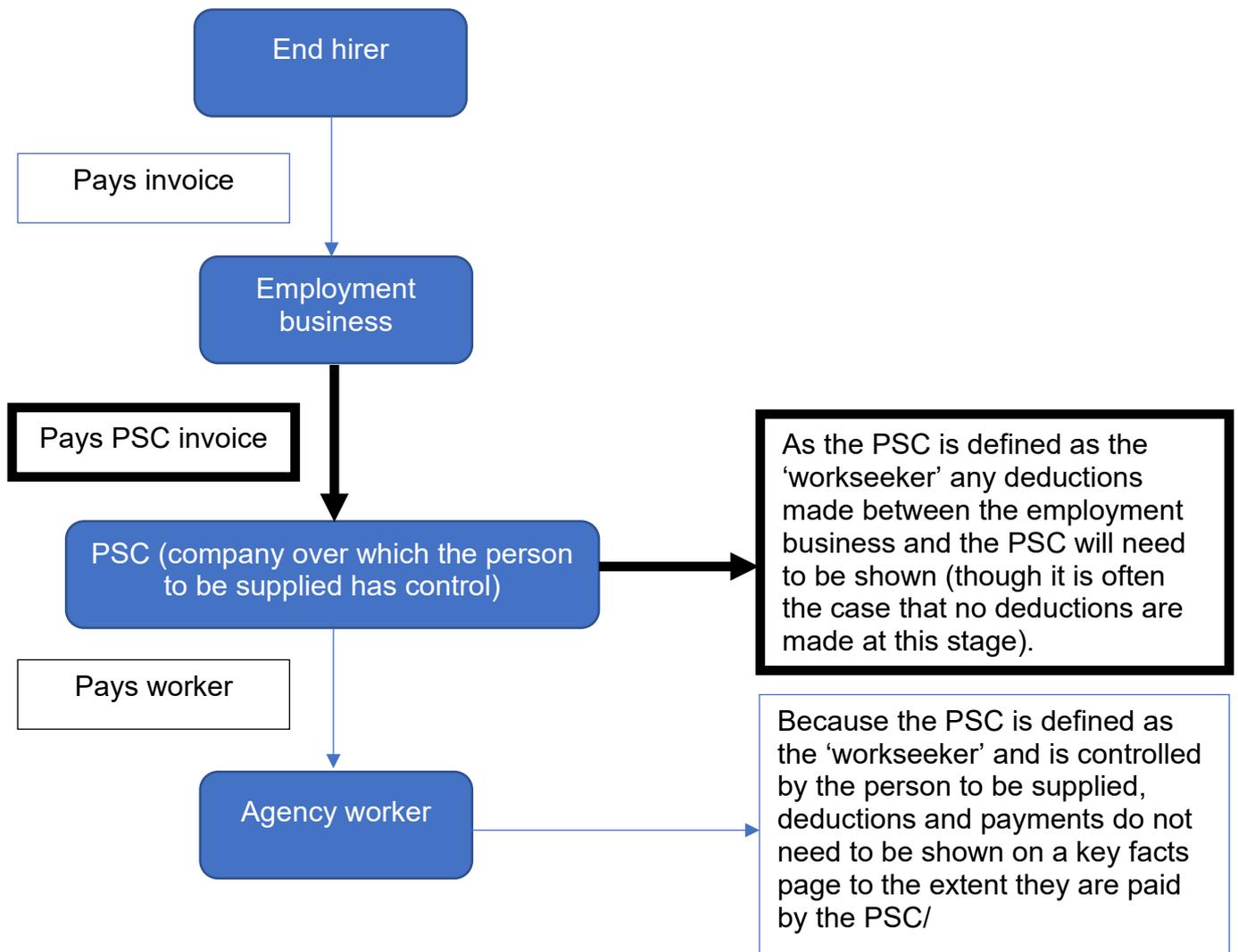
Prospective agency workers wishing to engage with an employment business through a PSC must be provided with a key information document before agreeing terms. This is to ensure they have a full idea of what this decision means for their pay.

Where workers wish to sign on through a PSC, it is likely that the requirements of paragraph 3 (c) of the Regulation will apply rather than paragraph 6. Please refer to Sections 2 and 3 of this guidance for more information.

Path of income

This diagram overleaf may help illustrate the information required for the key information document where an agency worker is engaged through a PSC.

The bold arrows represent where details must be included in the key information document.



The 'opt out'

Agency workers engaged as a PSC can, like other work-seekers which are companies, opt out of the rest of the Conduct Regulations, provided both the company and the worker agree, unless they are being supplied to work with, or care for, vulnerable persons. They cannot, though, opt out of regulation 13A: all prospective agency workers, regardless of how they are paid, must receive a key information document from employment businesses to ensure they know key details about their pay before agreeing terms. Please refer to regulation 32 of the Conduct Regulations for full details about the 'opt out'.

Section 6: Changes to key information documents

This section covers what employment businesses must do when the contents of a key information document change after it has been presented to the agency worker.

Changes to terms and conditions

Paragraph 15

It is important that agency workers have the most up-to-date information about the terms of their engagement and therefore revised key information documents must be issued as and when the information contained within them changes.

Key information documents do not have to be revised every time an agency worker begins a new assignment. Revised key information documents only have to be issued when the facts that are reflected in the document change: this could be the introduction of a new deduction, a change in pay intervals or frequency, or a change of the intermediary or umbrella company paying the agency worker. A change in assignment pay in itself may not necessitate a new key information document, but it would be considered best practice for employment businesses to ensure that key information documents are kept as up to date and as accurate as possible.

If the intermediary or umbrella company engaging the worker changes, then a new key information document must be issued.

Changes before terms are agreed

Paragraph 12(b)

If the contents of the key information document change before formal terms are agreed between an employment business and an agency worker, then a revised key information document must be issued. Formal terms can only subsequently be agreed after the agency worker has received this revised key information document. For more information, please see section 1 of this guidance.

Changes after terms are agreed

Paragraph 15

If an employment business and an agency worker mutually agree to a change in terms and conditions, as set out in Regulation 14 of the Conduct Regulations which results in the key information document becoming out of date, or there are other changes in the facts reflected in the key information document, then a revised key information document must be issued within five working days of the change occurring.

Section 7: Enforcement of the new regulation

This section covers how the new regulation will be enforced and what employment businesses must do to ensure compliance.

Employment Agency Standards inspectorate

The Employment Agency Standards inspectorate (EAS) will enforce compliance with this new regulation, as they currently do with the rest of the Conduct Regulations.

EAS can be contacted at eas@beis.gov.uk, 0207 215 5000, or

Employment Agency Standards Inspectorate
Department for Business, Energy and Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Record-keeping

Employment businesses already have to demonstrate compliance with the wider Conduct Regulations by keeping records relating to the agency workers they engage.

From 6 April 2020, employment businesses will therefore have to keep records demonstrating that finalised and any revised key information documents have been given to agency workers. Neither workers nor the employment business have to physically sign the key facts page: a saved email demonstrating they have sent the final key facts page to the worker would suffice. As with other records required to be maintained by EAS, this evidence would have to be retained for a minimum of 12 months since work-finding services last occurred.

They will also have to demonstrate that the details contained with key information documents are as correct as possible and, where relevant, up to date. This might mean, for example, saving any communication with the relevant intermediary or umbrella company about their deductions and margins.

From an enforcement perspective, EAS will look to ensure that agency workers have received a correct and accurate key information document.

This publication is available from: www.gov.uk/government/publications/providing-a-key-information-document-for-agency-workers-guidance-for-employment-businesses

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