



# Off-payroll working rules (IR35) Contractor Flowchart

## Am I affected by off-payroll working rules (IR35)?

### Q1: Do you work through an intermediary?

This could be your own limited company, a partnership or another individual.

Yes

No

You are not affected – **take no further action**

### Q2: Do you work as a contractor for a medium or large business, or third sector organisation, or for the public sector?

Check the **criteria** for definitions, and check with your client.

You have the legal right to ask your client about its size.

Yes

No

You need to follow the **existing rules**.

It will remain the responsibility of your intermediary to determine whether the off-payroll rules apply.

### Q3: Is your client a public authority impacted by the 2017 reform?

No

Yes

**Go to next section**

**You should continue to follow the rules that came into effect in April 2017. In addition, from 6 April 2020:**

1. You should receive a 'Status Determination Statement (SDS)' from your client informing you of your employment status for tax purposes.
2. If you disagree with the status determination, you can dispute the decision with them.

## What happens next?

**Q4: Will you be providing services through an intermediary on or after 6 April 2020?**

Yes

No

You are not affected – **take no further action**

**You may be affected by the changes from 6 April 2020.**

The off-payroll working rules are changing so it's now for your client to determine your employment status.

**Find out from your client what your employment status for tax purposes will be.**

They will provide you with a 'Status Determination Statement (SDS)'. Depending on your contract and the working arrangements, you will either be determined as an **employee** or as **self-employed for tax purposes**.

**Employee (for tax purposes)**

**Self-employed (for tax purposes)**

The party paying your intermediary (usually the fee-payer) **will** deduct tax and National Insurance Contributions (NICs) before they pay for your services.

The party paying your intermediary (usually the fee-payer) **will not** deduct tax and National Insurance Contributions (NICs) before they pay for your services.

The responsibility to pay tax remains with your intermediary.

If you disagree with the status determination by your client, you can dispute the decision with them. If you want to check your status determination, you can use the **Check Employment Status for Tax (CEST)** tool to help you.

Know the facts at [www.gov.uk/hmrc/ir35](http://www.gov.uk/hmrc/ir35)