

## Agency Worker Regulations Data Capture Form

### What are the Agency Worker Regulations?

- The Agency Workers Regulations entitle agency workers to equal treatment once they have completed a 12 week qualifying period with the same hirer in the same role.
- Equal treatment refers to the same **basic working and employment conditions** the agency worker would have received had they been directly recruited by the hirer to do the same job.
- Agency workers will also be entitled to access collective facilities at the workplace from day 1 of the assignment.
- Agency workers will also have the right to be notified of any relevant vacancies within the hiring company also from Day 1 of the assignment.
- The regulations come into force on 1<sup>st</sup> October 2011.

### What does this mean to you?

- You need to complete the attached form to ensure that we have all the information available to provide the agency worker with equal treatment after the 12 week qualifying period.
- If the agency worker is currently on assignment with you then we may need to review the rates of pay to ensure that the agency worker can be paid the correct amount.
- You need to ensure that you give agency workers access to collective facilities and notify them of relevant vacancies as from 1<sup>st</sup> October 2011.

### Why should you complete the Data Capture Form?

- If you complete this form correctly in full and in a timely manner then it will help to protect your company from breaching the Agency Worker Regulations.
- You must also keep us informed of any changes to terms and conditions that would affect the agency worker.
- If you fail to provide the information and we have taken reasonable steps to obtain it from you then the liability for any breach will more than likely fall to yourself (the hirer).

Please therefore complete the form in full with correct and current information as at 1<sup>st</sup> October 2011 (or day one of the Assignment if the assignment commences after 1<sup>st</sup> October 2011).

### How to complete the form

- The form can be completed electronically using Word or can be printed off and completed by hand.
- From the answers you provide we should be able to determine the terms and conditions you would have offered the agency worker had you recruited them directly or the terms and conditions of a comparable employee.
- A comparable employee is an existing employee doing the same or broadly similar work, working in the same location, or different location.
- Please ensure that you indicate whether the information you are providing is that which the agency worker would have received had they been recruited directly or whether it relates to a comparable employee.
- If you wish to complete the form electronically you should press the tab button to move to the next field then enter your response and then tab again to the next field until the form is complete.
- For yes / no answers please click on the relevant box. To deselect a box left click on the box again.

Should you need help with any of the questions or on how to complete the form please do not hesitate to contact your recruitment consultant.