

Agency workers

Working through an agency

If you're an agency worker, your contract is with the employment agency. They place you with a 'hiring organisation' (company) for an 'assignment' (period of work).

When you're on an assignment, the hiring organisation is responsible for directing your work.

An employment agency can also be called:

- a recruitment agency
- a temporary work agency
- a staffing company
- an employment business

[Find out about rights as an entertainment or modelling agency worker on GOV.UK](#)

Checking your employment status

When you're working through an agency, it's important to know if you're classed as an 'employee' or a 'worker'.

It affects what you're entitled to and what your obligations are.

If you're self-employed and take on an assignment through an agency, this could mean you're classed as an employee or worker for the duration of the assignment.

[Check your employment status](#)

What an employment agency must do

By law, there are certain responsibilities an employment agency has.

When you register with an agency

As soon as you apply to work with an employment agency, by law they must give you a 'key information document' with basic details on the:

- type of contract you'll have
- pay you'll receive

When you enter into a contract with the agency, by law they must give you a 'written statement of employment particulars' setting out the terms under which you'll work.

Find out more about:

- [written statements](#)
- [key information documents on GOV.UK](#)

When you get work through the agency

Before offering you an assignment, the agency must:

- make sure you're suitable for the position, for example you have the relevant experience, training or qualifications
- check you have the right to work in the UK
- ask you to do a criminal record check and provide a Disclosure and Barring Service (DBS) certificate, for certain jobs

[Find out about Disclosure and Barring Service checks on GOV.UK](#)

When the agency offers you an assignment, at the same time they must give you details including:

- the name of the hiring organisation and the nature of its business
- your start date and how long the assignment is likely to be for
- details of the position and type of work
- the location
- your working hours
- any risks to health and safety and how the hiring organisation will protect you from these
- what experience and training you need
- the rate of pay and any other benefits offered by the hiring organisation
- whether you can claim any expenses

By law, these details must be given to you in writing either:

- when they offer you the assignment
- within 3 working days if they told you verbally to start with

Agency fees and charges

An employment agency must not charge you a fee to register with them or to find you assignments.

This is except for entertainment and modelling agencies, who can charge you for finding you work.

Employment agencies might offer other services for a fee, such as:

- help with your CV
- training courses
- transport
- accommodation
- Disclosure and Barring Service checks

If the agency does charge a fee for these other services, they must not:

- pressure you
- treat you unfairly if you do not agree to pay for any
- say they'll only find you work if you agree to pay for these services

If they do charge you, you should be able to cancel and get your money back, if you give the following notice:

- 10 working days for living accommodation
- 5 working days for all other services

If you think you've been charged a fee unfairly, you can [report the agency to the Employment Agency Standards Inspectorate \(EAS\) on GOV.UK](#).

Umbrella companies

Your employment agency might use an 'umbrella company' for processing your timesheets and pay.

If you're self-employed and do not have a limited company, you might use an umbrella company to process your pay when you get an assignment through an agency.

The umbrella company:

- acts as your employer and the employment agency is their 'client'
- sends an invoice to the employment agency for your pay
- uses the PAYE system to make relevant deductions and pay you the rate you agreed with the employment agency
- charges a fee for their service to you or the employment agency – whoever made the arrangement with them

If you have this arrangement, you would usually be classed as an employee of the umbrella company.