*Delete this page from the form given to the   
Agency Worker/ Employee and the Hirer/ Client*

Additional document A1 – assignment details form and written statement for employed agency workers

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| V1 March 2020  Guidance notes pages 1 to 3  Assignment Details form and written statement pages 4 to 9 |

Why we have updated this document

We’ve updated this form to reflect legal changes which come into effect on 6 April 2020. From that date the entitlement to a written statement of particulars under the Employment Rights Act 1996 (the ERA) is amended in two ways:

1. **the right to a written statement is extended to all workers**, who must receive it no later than day one of their employment or engagement. Note that you do not have to give a written statement of particulars to temporary workers working through intermediaries, such as umbrella companies or personal service companies;
2. **the written statement must include additional information** including, sick pay, maternity/paternity leave and pay, training requirements, probation, collective agreements and disciplinary and grievance procedures (some of these are not relevant to agency workers so you can simply mark them as not applicable when completing the form).

The written statement sets out the terms the worker will be engaged under by the employment business. The written statement must be in a single document and must include all the information required under the ERA.

Interaction between the ERA and the Conduct Regulations

The obligation to provide a written statement under the ERA is separate from the employment business’s obligations under the Conduct of Employment Agencies and Employment Businesses Regulations 2003 (the Conduct Regulations).

The Conduct Regulations require you to agree terms with the worker before providing work finding services and then to provide the worker with specific information when offering them an assignment.

There is some overlap with the information required in the Conduct Regulations and the ERA which you will see on the form but you must complete both parts of the form. To reduce the number of documents you need to give the worker, we have amended this form as follows:

1. Part A includes the information required under the Conduct Regulations; and
2. Part B includes the updated and additional requirements under the ERA 1996 (again just mark N/A in sections where information is not applicable to agency workers).

We now call this an Assignment Details and Written Statement Form (though in the contract we still use the defined term “Assignment Details” for ease). If you do the following you can comply with both the Conduct Regulations and the ERA at the same time:

* Give the worker contract 4 (PAYE terms of engagement) before providing work finding services. This includes all of the written statement requirements and meets the “day one” obligation under the ERA
* When you find an assignment for the worker, give them the completed Assignment Details and Written Statement Form. By this time you should have all the details to complete both sections of the form~~s.~~
* If any of the information on the Assignment Details and Written Statement Form change, you must update the form and give it to the worker as soon as possible. You must make sure that the updated information in the Written Statement section Part B is given no later than one month from when you give the worker contract 4 because under the ERA any amendments to the initial written statement (which is contract 4) must be given to the worker no later than one month after any changes have been made.

Pages 3-6 list the information you must give to the Agency Worker/ Employee. Pages 7 and 8 list the information you must give to the Hirer/ Client.

## Northern Ireland

Employment issues are devolved in Northern Ireland. The Conduct of Employment Agencies and Employment Businesses (Northern Ireland) Regulations 2005 apply in Northern Ireland, not the 2003 Conduct Regulations. At the time of writing, the legal changes relating to the written statements apply only in Great Britain (England, Scotland and Wales). So, if using this form in Northern Ireland, you only need to use Part A.

Timing – when to give which documents

We have also prepared a timeline document that sets out the chronology of the documents that must be issued and when. All of these documents mentioned here are available in the [REC’s template document library](https://www.rec.uk.com/legal-resources/model-document-library).

## Use this form with the following documents

|  |  |
| --- | --- |
| Contract 15: | Terms of business with client for the supply of temporary workers |
| Contract: | Terms of engagement with an employed agency worker (zero hours)  Terms of engagement with an employed agency worker (annualised hours) |
| Document G: | AWR Information request form |

## All of these documents mentioned here are available in the [REC’s template document library](https://www.rec.uk.com/legal-resources/model-document-library).

## How to use this form

* Complete the information required in the grey highlighted square brackets.
* Remove the highlighting from the completed form given to the Agency Worker/ Employee and the Hirer/ Client (use whichever terminology you use in your contract).

*This page is for the Agency Worker / Employee*

## Additional document A: assignment details form – agency workers

### Part A: Information required under the Conduct of Employment Agencies and Employment Business Regulations 2003 (or The Conduct of Employment Agencies and Employment Businesses (Northern Ireland) Regulations 2005)

|  |  |
| --- | --- |
| Details of the [Agency Worker/ Employee] and [Hirer/ Client]: | |
| Name and address of the **[Agency Worker/ Employee]**: |  |
| **[Hirer’s/ Client’s] details:** | |
| Name of the [Hirer/ Client]: |  |
| Nature of the [Hirer’s/ Client’s] business: |  |
| Name of [Hirer’s/ Client’s] contact to report to on arrival: |  |
| **Assignment details:** | |
| Start date of the Assignment: |  |
| Likely duration of the Assignment: |  |
| Job title: |  |
| Description of duties: |  |
| Location of work: |  |
| Hours of work: |  |
| The experience, training (see also Part B), qualifications and any authorisation necessary or required by law or a professional body: |  |
| Any known health and safety risks and the steps the [Hirer/ Client] has taken to reduce the risks: |  |
| **Pay:** | |
| Any expenses payable: |  |
| Actual Rate of Pay: |  |
| Intervals of payment:  (N.B Under the Conduct Regulations the intervals of payment should be set out in the [Agency Worker’s/ Employee’s] contract) |  |
| Number of [paid/unpaid] annual leave days |  |
| **Period of extended hire:** | |
| Notice period required where [Hirer/ Client] wishes to engage the [Agency Worker/ Employee] for a Period of Extended Hire: | [insert period agreed with Hirer/ Client] |
| Period of Extended Hire if the [Hirer/ Client] wishes to engage the [Agency Worker/ Employee] and avoid paying a Transfer Fee: | [insert the period set out in your terms of business with the Hirer/ Client] |
| **[Agency Worker’s/ Employee’s] recruitment consultant’s contact details:** |  |

### Part B: Additional Information required under Section 1 Employment rights Act 1996 (not applicable in Northern Ireland)

|  |  |
| --- | --- |
| Particulars for worker | |
| Name of employment business: |  |
| Start date of employment/assignment: |  |
| Day and hours of work confirm:   * Whether or not the Agency Worker/ Employee has normal working hours * whether they are variable i.e. shift or rota patterns * how they vary. |  |
| Duration of the contract: |  |
| Length of notice the Agency Worker/ Employee must give and should receive to terminate the contract or assignment | insert clause 9.1 in contract 4 |
| Any other remuneration (apart from pay) |  |
| Entitlement to sick leave and pay  (see clause X in your contract) | insert clause from the agency worker’s contract of employment |
| Maternity/paternity leave and other paid leave |  |
| Any other benefits |  |
| Any other paid leave |  |
| Any training:   * entitlements provided by employment business * requirements for the role * requirements at worker’s own cost. |  |
| Any probation period including conditions and duration: |  |
| Pensions and pensions schemes such as automatic enrolment or contractual pensions schemes: | insert automatic enrolment pension statement:  " *If you are eligible, you will be enrolled automatically into the occupational****pension****scheme in accordance with the****Pensions****Act 2008. Details of the scheme will be provided when you join the scheme."* |
| Any collective agreements that apply to the Agency Worker/ Employee: |  |
| Any information on disciplinary rules and grievance procedures: |  |
| If the Agency Worker/ Employee works outside the U.K for more than a month confirm:   * duration, * currency of pay, * any additional remuneration, * benefits, and * terms and conditions to return to the UK. |  |

*This page is for the Hirer / Client*

|  |  |
| --- | --- |
| Details of Hirer/ Client and Agency Worker/ Employee: | |
| Name of the Hirer/ Client: |  |
| Name of Hirer’s/ Client’s contact to report to on arrival: |  |
| Name of Agency Worker/ Employee: |  |
| The Agency Worker/ Employee is engaged under a contract of employment with [insert name of Employment Business] | |
| **Assignment details:** | |
| Start date of assignment: |  |
| Likely duration of the assignment: |  |
| The type of work: |  |
| Location of work: |  |
| Hours of work: |  |
| The experience, training, qualifications and any authorisation necessary or required by law or a professional body: |  |
| Any known health and safety risks and the steps the Hirer/ Client has taken to reduce the risks: |  |
| **Charges:** | |
| Any expenses payable to the Agency Worker/ Employee: |  |
| Charge rate: | [You can breakdown the Charges into different elements if you wish] |
| Intervals of invoice: |  |
| **Period of Extended Hire:** | |
| * Notice period required where Hirer/ Client wishes to engage the Agency Worker/ Employee for the Period of Extended Hire in accordance with clause 8.2 of Contract 3: | [Insert notice period] |
| * Period of Extended Hire if the Hirer/ Client wishes to engage the Agency Worker/ Employee and avoid paying a Transfer Fee: | [insert the period set out in your terms of business with the Hirer/ Client] |
| **[Insert name of the employment business] confirms that [insert name of the Agency Worker/ Employee] is willing to work in the assignment offered.** [Note: this is a requirement of Conduct Regulation 19] | |
| **Hirer's/ Client’s recruitment consultant’s contact details:** |  |