



Department for
Business, Energy
& Industrial Strategy

1 Victoria Street
London SW1H 0ET

T +44 (0) 20 7215 5000
E EAS@BEIS.gov.uk

www.beis.gov.uk

A message from the Head of Employment Agency Standards (EAS) Inspectorate regarding COVID-19

Dear Colleagues,

As your regulator, we are critically aware of the difficult times that the recruitment sector is currently going through.

I am in regular contact with the sectors' trade bodies and other stakeholders. Together we have been considering how we may best help the recruitment sector through these challenging times. I recognise that these exceptional circumstances require an exceptional response from the Government, which we have seen over the last week or so.

It is appropriate that in these circumstances EAS adjusts how it works with the recruitment sector, to help Employment Businesses and Agencies through this challenging period. As a result, EAS is adjusting its enforcement approach to give the recruitment sector the space it needs to deliver its business, whilst still ensuring that agency workers' rights are respected.

Initially, where EAS has already been working with a business to achieve compliance on process or paper-based compliance issues, I plan to extend time limits for these businesses to make the required changes to their business practices, while offering space to enable them to focus on the job of supplying workers and supporting hirers. If you are dealing with an EAS inspector currently, please contact them to agree an extension, should you require it.

We will adopt a compliance-based approach to the implementation of Key Information Document that will need to be provided to every new work-seeker signing on to an Employment Business from the 6th April 2020. Should you need support with this, please contact us using details above.

The link to the Key Information Document guidance is here:

<https://www.gov.uk/government/publications/providing-a-key-information-document-for-agency-workers-guidance-for-employment-businesses>

As a state regulator, EAS still has a statutory obligation to investigate every valid complaint made and we will continue to do so. Where EAS receives a complaint, we will continue to investigate but we will do it in a way which recognises the unique situation we are currently in. We will be providing the Employment Business/Agency with sufficient time to put steps in place to comply, before considering any potential enforcement action.

We will not extend our normal timeframes for compliance issues, which cause a detriment to a worker, in particular:

- where a work seeker had not been paid for all hours worked,
- where a work-seeker had been charged a work finding fee,
- where work-finding services were conditional upon a work-seeker paying a fee for goods or services before an Employment Business agreed to look for work on that work-seeker's behalf,
- where a work-seeker was at risk, for example, the Health or Safety information had not been passed on to the hirer or obtained from the hirer,
- where a worker had been placed to work with the vulnerable without the necessary checks being made.

I am confident you will understand why we need to maintain a robust compliance approach on these matters.

Should your Recruitment Business/Agency wish any help with anything compliance related, please feel free to contact EAS, who are willing to support and assist.

To reiterate, we are working closely with all the trade bodies and other stakeholders in the recruitment sector and I am keen to ensure we help in any way we can.

During challenging times some recruitment businesses/agencies may feel compelled to compromise on compliance matters. EAS would strongly recommend against doing so and request that if you spot those seeking a competitive advantage by distorting the market to bring it to our attention either through your trade body or directly to eas@beis.gov.uk.

May I also remind recruiters of the importance of following the Government's guidelines on social distancing: <https://www.gov.uk/government/publications/full-guidance-on-staying-at-home-and-away-from-others>. This should be part of your regular conversations with hirers to ensure compliance with the health and/or safety within our legislation.

I strongly believe the recruitment sector has a crucial role to play in rebuilding the UK economy, once this crisis will have passed. By working together, we can get through this challenging period. It is critically important that we continue to work together proactively in supporting innovation, creativity and ensuring we are all ready for the future challenge of rebuilding the country.

I would also like to highlight to you that the Government is supporting businesses and their employees through a package of measures during this period of unprecedented disruption. The business support webpage <https://www.businesssupport.gov.uk/> helps you find the right support, advice and information to assist with the impact of coronavirus (Covid-19) on your business. The email address to receive business support from the government is consultancy.support@beis.gov.uk.

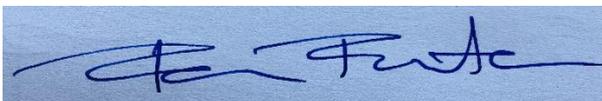
Further I would like to highlight the Governments Job Retention Scheme, which covers Agency Workers. The links to the guidance are here for reference:

<https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme> (for employers)

<https://www.gov.uk/guidance/check-if-you-could-be-covered-by-the-coronavirus-job-retention-scheme> (for workers)

Should you need support, EAS are happy to signpost you to the relevant guidance and support mechanisms, please do not hesitate to get in contact with us.

Kind Regards



Ben Bruten
Head of Employment Agency Standards Inspectorate