



## Conduct Regulations 2003

### A Guide for Work Seekers

This leaflet is produced by the Recruitment and Employment Confederation (REC), and sets out some of your individual rights if you use a recruiter to find you permanent or temporary work.

Recruiters, whether permanent recruiters known as employment agencies, or temping agencies known as employment businesses, are regulated by the Conduct of Employment Agencies and Employment Businesses Regulations 2003.

We set out in this leaflet some of your rights contained within these Regulations:

#### General Obligations

- It is unlawful for any agency or employment business to charge you a fee for providing work finding services. There are some limited exceptions to this rule, for example, within the entertainment and modelling sectors. In addition, it is possible for a recruiter to charge a fee if you are a self-employed work-seeker providing your services through a limited company.
- If a recruiter offers you an incentive or gift to use their services, you should be given information as to the terms of such an offer.
- You should be informed of any charges the recruiter may make for any additional services or goods they provide.
- A recruiter cannot offer work-finding services on the condition you use a chargeable service such as a CV writing service.
- A recruiter must confirm whether you are looking for temporary or permanent work, the type of work they are looking for, for you and the terms which apply between you. For example, if you are to be supplied to a hirer as a temporary worker you should be given a contract setting out the terms of your engagement with the employment business.
- If you carry out work on an assignment as a temporary worker but are unable to obtain a signed timesheet, you are entitled to be paid for the hours you worked. However the employment business is permitted to delay payment for a reasonable period to check whether you have worked the hours claimed.
- Before you start work on an assignment or a position you must be given information about the proposed position including:
  - The identity of the hirer,
  - Start date,
  - Likely duration of the work,

- Type of work,
  - Location,
  - Hours,
  - Any risks to health and safety and steps the hirer has taken to prevent or control such risks,
  - The experience, training and qualifications required for the role,
  - Any expenses applicable, and
  - The actual rate of remuneration to be paid. In the case of permanent recruitment the minimum rate of remuneration and length of notice should be confirmed to you. Such information should be confirmed verbally and in writing.
- As a temporary worker on a contract for services you may not be penalised for ending an assignment.
  - Recruiters owe you a duty of confidentiality and may not disclose information about you without your consent, except for particular circumstances. For example, information may be disclosed for the purposes of providing work finding services and for the purposes of complying with obligations towards the hirer regarding your suitability.

#### For more information

This note is not a definitive guide to your individual rights and further information can be obtained from the DTI. See the DTI's website: <http://www.dti.gov.uk/er/agency/newregs.htm>. You may also contact the DTI's Employment Agency Standards hotline to obtain further information on 0845 955 5105.

#### The REC

The REC is the association for the recruitment and staffing industry in the UK, representing 6000 Individual Members and over 8000 Corporate Members. Corporate Members range from small independent businesses to multi-national organisations. Seeking to promote high professional standards and good practice within the industry, all REC Corporate Members are required to adhere to the REC Code of Professional Practice. This has been created in consultation with industry stakeholders to ensure that all Corporate Members of the REC conduct their business ethically and to the highest standards. All REC Individual Members are required to adhere to the Code of Ethics. Both Codes are available to view on the REC website [www.rec.uk.com](http://www.rec.uk.com).



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