



The Freelancer & Contractor Services Association Code of Compliance

UMBRELLA EMPLOYMENT QUESTIONS

Please ensure that you answer all questions fully and accurately and provide supporting information where requested. Failure to do so will result in your application being rejected.

For existing members, who are then not assessed as operating in accordance with the Code on or before their renewal date, this will mean automatic suspension from the FCSA.

Please ensure that you read and understand 'General Information for Applicants' located at the start of the 'Mandatory Code' before submitting this document to your chosen reviewer.

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
A1.	Do you supply potential new employees with an introduction letter or email which contains the following?				
	a. An explanation as to the basis on which your business operates, i.e., as an employer providing its employees with work.	No			
	b. That the worker is an employee of the umbrella employer and is aware of their statutory rights;	No			
	c. That the worker will be subject to a proof of identity check;	No			
	d. The worker will be required to enter into employment related agreements such as an overarching employment contract;	No			
	e. The basis upon which the employee can claim expenses is explained.	No			
	f. Where the worker is not subject to, (or to the right of) supervision, direction or control and salary and expenses are re-negotiated for each assignment, a clear explanation of this process and a statement that once the contract is agreed, salary and expenses cannot be amended before or during the course of an assignment.	No			
	Documentation required: Copy of introduction letter or email. Please also provide cross referencing to where the above are included within the introduction letter or email.	Not Provided			
A2.	Confirm a financial illustration is provided, or made available, to all prospective employees. All illustrations must comply with A3 a-k.	No			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
A3.	Confirm that your financial illustration provided to every potential employee:				
	a. Clearly states that it is only an estimate;	No			
	b. Is based upon 52 weeks;	No			
	c. If it includes expenses in the calculation they are representative of the usual level of expenses claimed and reflect the individual's actual circumstances;	No			
	d. Clearly shows an explanation of how the gross pay is calculated;	No			
	e. Clearly states deductions including but not limited to: Employer's NI, Apprenticeship Levy, Employee's NI, Income Tax (If there is reference to Company deductions or Employment costs, the illustration must clearly state what these are);	No			
	f. Clearly states the default holiday position as either advanced or accrued;	No			
	g. Clearly lists the assumptions used including if pension contributions have been excluded from the illustration;	No			
	h. Clearly shows your company margin;	No			
	i. Does not use unquantifiable savings (such as potential P87 claims, employee discount schemes or similar) to increase the worker's pay; (Any unquantifiable savings should not be included on the illustration)	No			
	j. Clearly shows the tax code used, with a specific explanation when: <ul style="list-style-type: none"> ➤ A Week 1/Month 1 tax code is used - this should only be used where YTD figures are unavailable 	No			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	➤ A personal allowance is reduced for high rate earners				
	k. Where the worker is not subject to, (or to the right of) supervision, direction or control a statement is included confirming that once the salary and expenses are agreed they cannot be amended before or during the course of the assignment, which may result in financial loss for the employee;	No			
	Documentation required: Provide a copy of a template financial illustration based on the following examples: £487.50 a week, £975 a week, £9,750 a month Please also provide cross referencing to where the above are included within the financial illustration. FCSA note, please be aware that if financial illustrations are inaccurate, misleading or are deemed to be used for competitive advantage, it may jeopardise future FCSA membership	Not Provided			
A4.	Do you supply/have a process to supply the agency with a Key Information Document (KID)?	No			
	Documentation required: Provide your policy or an overview of the process you follow to support with the above including a sample KID document	Not Provided			
A5.	Optional Remuneration Arrangements rules:				
	a. Do you operate any salary sacrifice arrangements?	No			

Applicant fields for completion					
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	b. If so, have these been considered in line with the Optional Remuneration Arrangements rules introduced post 6 April 2017?	No			
	c. If so, how do you ensure NMW regulations are complied with?	No			
	d. If so, are they compliant with relevant pension salary sacrifice arrangements?	No			
	Documentation required: Please list and describe how the above have been considered and also list any other arrangements you have in place and provide details	Not Provided			
	e. Do you check that the worker is subject to SDC via a questionnaire with the worker and clarification from the end client?	No			
	f. If yes to e.) do you also confirm that the assignment will not exceed 24 months, it does not exceed the '40%' rule, it is for a temporary purpose and the employee has an intention to continue contracting?	No			
	g. Do you sacrifice salary to reimburse expenses to employees?	No			
	h. If yes to g.) are these limited only to authorised mileage claims?	No			
	i. Does your contract split income into NMW + discretionary bonus / additional pay or equivalent?	No			
	j. Do you offset mileage/AMAPs via any method other than a Fixed Expenses model? E.g. a discretionary bonus that varies according to the level of AMAPs paid.	No			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	<p>Documentation required: If yes to i-j.) above, please evidence how you communicate a discretionary bonus/additional pay element to employees. Please provide supporting narrative of your process and evidence.</p> <p>AMAPS: https://www.gov.uk/guidance/how-to-tax-mileage-payments-for-employees-480-chapter-16</p>	Not Provided			
	k. Do you offer different employment packages that vary the margin you retain?	No			
	<p>Documentation required: If yes to k.) above, please confirm how you communicate this to employees. Please provide an explanation for how and why you do this for each employment package this applies to.</p>	Not Provided			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
A6.	a. Confirm your marketing literature, web pages, scripts and training material all support the employment model and make no references to the employee being a client, to them being able to earn 'free weeks', 'margin free weeks' or reduced charges to them. Where you offer different models which require a different margin, these are properly explained to potential employees and do not make reference of different levels of service or charges for products unless those charges are deducted from net pay and VAT accounted for as required. Where variable margins are allowed, please confirm that this is properly explained to the individual, the individual is clear as to what is included with the higher margin and that they have a choice as to which offering and the associated margin they wish to go with.	No			
	b. If you operate a model for workers who are not subject to, (or to the right of) supervision, direction or control whereby salary and expenses are re-negotiated for each assignment, confirm that any literature, web-pages, etc., does not state or imply that the agreement can be re-negotiated or changed before or during an assignment once the contractual terms have been accepted.	No			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	<p>Documentation required: Please attach copies of ALL current promotional and/or marketing material and provide your website URL. If you provide an illustration with your marketing material it needs to state:</p> <p>a. the take home pay should be separate for both umbrella without expenses and with expenses. b. clearly states the amount of expenses used in the illustration. c. clearly states only applicable for workers not subject to SDC, a test will be completed</p>	Not Provided			
A7.	Does the employee's employment contract include with regard to mutuality of obligation between the employee and the employer:				
	a. A guarantee of at least 336 hours work in any 12-month period commencing on the employee's start date of continuous employment and each anniversary thereof.	No			
	b. An obligation that the employer will assist the employee to secure future assignments during periods when the employee has no assignment	No			
	c. An obligation that the employee cannot unreasonably decline work offered to them	No			
	d. Employment termination procedures/notice periods.	No			
	<p>Documentation required: Copy of employment contract. Please also provide cross referencing to where the above are included within the employment contract (include referencing to the appropriate clauses).</p>	Not Provided			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
A8.	Does your employment documentation (Contract of Employment together with any Assignment Schedules) contain all information required in a Statement of Employment Particulars as set out in the Employment Rights Act, including (but not necessarily limited to):				
	a. The employer's name;	No			
	b. The employee's name;	No			
	c. A job title or brief job description;	No			
	d. The start date of the employee's employment;	No			
	e. The employee's rate of pay/minimum statutory wage/salary payments and when/how often the employee will be paid;	No			
	f. Bonus or similar mechanism (where applicable)	No			
	g. The hours and days of work including whether these hours and days are variable;	No			
	h. Holiday entitlement (and if that includes public holidays) during and between assignments;	No			
	i. Where the employee will be working;	No			
	j. If an employee works in different places, where these will be and what the employer's address is;	No			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	k. How long any probation period is and what its conditions are;	No			
	l. Any training the employee is required to undertake, whether or not this is paid for by the employer;	No			
	m. Sick pay arrangements and procedures;	No			
	n. Other paid leave (for example, maternity leave and paternity leave);	No			
	o. Notice periods;	No			
	p. Information about disciplinary and grievance procedures;	No			
	q. Any collective agreements that affect the employment terms and conditions or if there are no collective agreements that affect the employment terms and conditions, a statement to that effect;	No			
	r. Pension and pension schemes;	No			
	s. Any additional benefits (including non-contractual benefits) the employee may be entitled to;	No			
	t. No end date to the employment.	No			
	If you operate a model for workers who are not subject to, (or to the right) of supervision, direction or control whereby salary and expenses are re-negotiated for each assignment you use an appropriate contract which also includes clauses covering:				

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	u. A fixed rate/salary plus a fixed expenses allowance which can be re-negotiated only on commencement of a new assignment (For the avoidance of doubt, the new assignment has to be an entirely different role and/or for a different end client);	No			
	v. Expenses can only be claimed for the assignment in accordance with the company's expenses policy and up to the limit specified in the assignment agreement.	No			
	Documentation required: Please provide appropriate employment documentation. Please also provide cross referencing to where the above are included within the respective employment documentation (referencing to the appropriate clauses).	Not Provided			
A9.	Confirm that your contract clearly states that any accrued entitlement for holiday must be taken within the holiday year, as stated within the employment contract, or at termination of the contract, whichever occurs first.	No			
	Documentation required: Please provide evidence. Please also provide cross referencing to where the above is included within the respective employment documentation	Not Provided			
A10.	a. Confirm that throughout the holiday year and when an employee is approaching the holiday year end (at least four weeks prior), you remind your employees to take holidays	No			
	b. As a responsible employer, you should ensure all employees take and are paid for holidays during the holiday year, or payment in lieu of holiday	No			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	entitlement on termination of the employment. Any exceptions to this policy should be logged internally, raised and discussed with the FCSA assessors.				
	Documentation required: Please provide process and evidence of payslip, email, letter, portal etc Please also provide any exceptions to this policy	Not Provided			
A11.	Please provide copies of the following documentation:				
	a. Sample assignment schedule;	No			
	b. Employee handbook;	No			
	c. Policy on Working time directive (unless included in the employment contract);	No			
	Documentation required: Please provide copies of the above as required. Such documentation should be readily available/accessible to employees.	Not Provided			
A12.	Do you reimburse expenses to employees on the basis that they are not subject to, (or to the right of) supervision, direction or control?	No			
A13.	If you do reimburse expenses to employees on the basis that they are not subject to, (or to the right of) supervision, direction or control, do you have processes in place to review and document this, which includes:				
	a. An initial sifting process based on umbrella rate of pay and job role in line with latest FCSA best practice (see self-employed code in relation to job roles and rates of pay)?	No			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	b. Documented evidence received from the end client prior to the start of the role to state that SDC (or the right thereof) does not exist and to confirm that that worker/role or any other worker performing the same role has not already been assessed as inside IR35 or they are not aware of any assessment.	No			
	<p>Documentation required: In respect of b. above:</p> <p>A Service Provider <u>must</u> get written clarification which confirms if the employee is not subject to SDC from the end client. The person confirming this status must have authorisation to do so.</p> <p>A Service Provider must also cross reference all employment documentation including the Contract of Employment and the Assignment Schedule to ensure the employee is not subject to SDC.</p> <p>On its own, a worker just saying that they are not subject to SDC is not acceptable.</p> <p>Please provide an overview/confirmation of your process with regard to the above.</p> <p>With effect from 01.10.2021 <u>all</u> employees, if not subject to SDC, should have written confirmation from an authorised person at the end client.</p>	Not Provided			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	c. Use of a document (to be undertaken each time you are advised that a new assignment is in place) to evidence the findings of discussions with appropriate and authorised persons at the agency, end client and worker surrounding SDC specifically covering the following areas:				
	➤ Can the worker decide how the work is done?	No			
	➤ Can the worker be told what to do (as to the manner)?	No			
	➤ Can the worker be moved depending on priorities?	No			
	➤ Can the worker decide when the work is done?	No			
	d. A documented conclusion as to whether there is SDC (or the right thereof) and evidence of sign off/review?	No			
	e. A full re-review carried out at least once every 6-month period for all workers who have been actively working for you for 6 months continually on the same assignment and/or on every new assignment and that this full re-review complies with all points listed in section c.) above?	No			
	f. Evidence of an internal audit process where sample checks are performed regularly by persons not responsible for the initial SDC decisions. All internal audits should be documented for subsequent external audit review?	No			
	g. Are there any financial incentives based on SDC 'pass rates' for umbrella staff that complete the assessments of SDC.	No			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	Documentation required: If you employ workers who are not subject to, (or to the right of) supervision, direction or control and as a consequence you reimburse expenses to those employees for their journeys from home to temporary workplaces, please provide a copy of your policy describing how you review and document whether or not they are subject to, (or to the right of) supervision, direction or control.	Not Provided			
	Provide a copy of your standard documents evidencing your review of whether an employee is or is not subject to, (or to the right of) supervision, direction or control.	Not Provided			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
A14.	a. If you reimburse any expenses to employees, do you have processes to ensure that the correct contractual terms appropriate to the employee's circumstances are issued and that they are referred to the relevant sections of the expenses policy, e.g., whether they are subject to supervision direction or control, (or the right thereof), fixed expenses pot arrangements vs. expenses still claimable via their tax return, etc.	No			
	b. Do you establish a process to ensure the fixed expense is not 'overstated' leading to 'unearned profits' for the umbrella provider				
	c. Is there clear documented communication that any unclaimed expenses relating to expenses incurred wholly, necessarily and exclusively in the performance of business duties where the expense is above and beyond the fixed element is still claimable via their tax return.				
	<p>Documentation required: Provide a copy of any standard contractual terms issued to employee's regarding expense claims that reflect their circumstances.</p> <p>Where fixed expenses are operated, provide a copy of any standard communication to the worker that if they do not claim the fixed expenses for the assignment then the related money falls into the profits of the umbrella company and not into their gross pay.</p> <p>Please also provide evidence of an example of where the employee has unclaimed expenses on their assignment and how the unclaimed expense allowance has been treated.</p>	Not Provided			

Applicant fields for completion					
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
A15.	Do you have a process or any standard documents to deal with the following: a. You seek to ascertain the employees work status when the employee is not on assignment, e.g. ➢ Taking annual leave; ➢ Unavailable to work through sickness, maternity, paternity, adoption or shared parental leave; ➢ Available for and seeking work.	No			
	b. Separately to issuing of a P45, you confirm in writing the employees last day of employment in accordance with their contractual notice periods or any agreed waiver (or payment in lieu of notice) of the same if a shorter notice is agreed.	No			
	c. You confirm you pay any outstanding financial holiday entitlement where the employment ends, as part of the final payment.	No			
	d. Where holiday pay is accrued, you confirm that you supply the employee with access and visibility to their accrued holiday pay summary	No			
	e. Where holiday pay is accrued, you confirm that you supply the employee with a summary detailing the accrued entitlement before paying the balance at termination of their employment.	No			
	f. If employment has already been terminated, you confirm that you provide a separate payment for all outstanding financial holiday entitlement	No			

		Applicant fields for completion			
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	Documentation required: Provide supporting evidence in respect of the above and cross reference where appropriate.	Not Provided			
A16.	a. Do your employees receive a statutory payslip?	No			
	b. Do your employee payslips meet the regulatory requirements introduced from April 2019 for them to include “where the amount of wages or salary varies by reference to time worked, the total number of hours workers in respect of the variable amount of wages or salary either as: i) a single aggregate figure, or ii) separate figures for different types of work or different rates of pay.”	No			
	Documentation required: Provide a copy of a template statutory payslip.	Not Provided			
A17.	Confirm the pay reconciliation you provide to the employee transparently show an itemised breakdown of all employer costs?	No			
A18.	Confirm the payslip or portal provided to employees displays the accrued holiday entitlement balance or if ‘advanced’ the amount is clearly visible on the payslip.	No			
	Documentation required: Provide a copy of a template payslip or other document made available. If the accrued holiday balance is not provided on the payslip, provide template document issued to employee to advise them of the accrued balance.	Not Provided			
A19.	Do you have processes to support employees find suitable work at the end of their assignment?	No			

Applicant fields for completion					
A	Take on procedures	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	<p>Documentation required: Please provide a copy of your policy explaining what steps you take to help facilitate employees to find suitable work at the end of their assignment.</p> <p>An example of reasonable behaviour is to refer the employee to the Jobs Board or back to their agency.</p>	Not Provided			
A20.	Does the termination of an assignment automatically lead to the termination of employment?	No			
	<p>Documentation required: Provide a copy of your policy in relation to the termination of an assignment.</p>	Not Provided			

Applicant fields for completion					
B	Payments	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
B1.	Do you offer payments to or for the benefit of employees other than as employment income?	No			
B2.	Are all payments made to employees working in the UK subject to PAYE/NIC as required, e.g., under the Offshore Intermediary legislation?	No			

Applicant fields for completion					
B	Payments	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
B3.	Are any transactions, funds or payments, or any part thereof, made or held outside the UK?	No			
B4.	Do you have a policy that all payments to employees are made into UK based bank accounts except in exceptional circumstances?	No			
B5.	Are dividends paid to the employees?	No			
B6.	Are any payments (save for authorised expenses and HMRC approved salary sacrifice payments such as childcare vouchers) made to employees free of tax and NIC?	No			
B7.	Is the statutory minimum wage always paid per hour to employees against signed timesheets irrespective of any other factors?	No			
B8.	Do you limit the payment of outstanding expenses if the employee's minimum statutory wage will be affected?	No			
B9.	Do you exclude the following payments made by workers from National Minimum Wage (NMW)/National Living Wage (NLW) calculations where required contractually or set out within an Employee Handbook:				
	a. Payments that shouldn't be included for the employer's own use or benefit, i.e., if the employer has paid for travel to work;	No			
	b. Items the worker has bought for the assignment and is not refunded for, i.e., tools, uniform, safety equipment;	No			
	c. tips, service charges and cover charges;	No			

Applicant fields for completion					
B	Payments	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	d. extra pay for working unsocial hours on a shift.	No			
B10.	Is holiday pay at or above the minimum statutory level of days and calculated on the full taxable gross pay each pay period?	No			
	Documentation required: Provide evidence you have an appropriate process for the calculation and payment of holiday pay	Not Provided			
B11.	Is your holiday pay calculation set out within the employee's employment contract?	No			
B12.	Do you provide for the accrual of holiday during periods of maternity, paternity, adoption, shared parental leave (or other family leave) and sickness absence? (The accrual for holiday pay during periods of family leave is calculated based on the employee's normal gross salary payment as a proportion of the full leave entitlement as stated within the employment contract and/or assignment schedule. The umbrella company should fund this as the employer.)	No			
B13.	Do you allow for 'advanced' holiday pay? If so, please explain.	No			
B14.	If you do 'advance' holiday pay, is this shown as a separate item on the payslip?	No			
	Documentation required: Provide supporting evidence of request, payment made and also transparency of process and calculation in the contract i.e., weekly payslips alongside cross referenced section of Contract of Employment If the default position is accrued and 'advanced' holiday pay is allowed, the employee must give explicit instruction to evidence their request. You should	Not Provided			

Applicant fields for completion					
B	Payments	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
	also remind the employee of the need to take time off work in line with the Working Time Regulation.				
B15.	If an agency does not pay you for any reason when you have signed timesheets or completed electronic/timesheet portal equivalent, are your employees entitled to receive at least NMW on their normal pay day?	No			
B16.	Do you operate and pay <u>all</u> statutory payments (e.g., SSP, SMP, SPP, PP, etc.) during and between assignments?	No			
	Documentation required: Please provide supporting evidence, i.e., small sample of payslips where operated in the last 3 months and associated assignment schedules to show if on assignment or not.	Not Provided			

Applicant fields for completion					
C	Disciplinary	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant

					(Assessor use only)
C1.	Confirm you are/would be the employer in any disciplinary/grievance situations and are/would be the employer in all Employment Tribunal matters.	No			
	Documentation required: If applicable, provide anonymised evidence of such instances in last 12 months.	Not Provided			

Applicant fields for completion					
D	Insurance	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
D1.	Confirm you hold the following insurances:				
	a. Professional indemnity; and	No			
	b. Employer's liability; and	No			
	c. Public liability covering both head office employees and employees on assignments.	No			
	Documentation required: Provide supporting evidence, certificates and full policies.	Not Provided			

Applicant fields for completion					
E	Pensions Act 2012	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
E1.	Do you operate a qualifying auto-enrolment pension scheme?	No			
	Documentation required: Provide copies of correspondence with The Pensions Regulator determining your staging date and also evidence of such a qualifying scheme.	Not Provided			
E2.	Confirm that where a pay illustration is provided, it makes it clear that it includes the financial implications of membership of the company's pension scheme or explicitly states that pension contributions have not been included in the pay illustration.	No			
E3.	Confirm that you automatically enrol your employees into a workplace pension.	No			
E4.	Confirm you pay at least the minimum pension contribution as required by law.	No			
E5.	Confirm none of your processes or practices, including any financial illustration provided, would be considered as an inducement for employees to opt out of the pension scheme.	No			

Applicant fields for completion					
F	AWR	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
F1.	Please confirm you operate the 'match permanent pay' model on all employees? If not, please explain why.	No			
F2.	In operating 'match permanent pay':				
	a. Do you request/have a process to request comparator data for all assignments which last or are expected to last more than 12 weeks?	No			
	b. Do you request/have a process to request up to date comparator data at least every 12 months where an assignment lasts for more than 12 months?	No			
	Documentation required: Provide a sample of all letters/communications requesting comparator data.	Not Provided			
F3.	When requesting comparator data, do you ask for the following?				
	a. Comparator salary;	No			
	b. Standard working hours and days per week;	No			
	c. Bonuses and any other relevant payments;	No			
	d. Annual leave entitlement;	No			
	e. Night work;	No			
	f. Rest periods;	No			
	g. Rest breaks; and	No			
	h. Entitlement to paid time off for ante natal appointments where a pregnant worker has completed the 12-week qualifying period,	No			

	Documentation required: Provide a sample comparator request as supporting evidence of the above.	Not Provided			
F4.	When calculating the assignment rate for pay comparator purposes, do you exclude the employer pension, any non-client reimbursed expenses and the retained company margin (including Employers National Insurance and Apprenticeship Levy where applicable)?	No			
	Documentation required: Provide your comparator pay calculation supporting the above.	Not Provided			
F5.	When comparing the assignment rate to the comparator rate, do you do so on a 'like for like' holiday basis, i.e., both rates either include holiday pay or exclude holiday pay?	No			
	Documentation required: Provide your comparator pay calculation supporting the above.	Not Provided			
F6.	Do you advise the agency when the contract rate for the assignment is unacceptable?	No			
	Documentation required: Where the assignment rate does not match the pay comparator, please outline the procedures you follow with the employee and recruitment agency (or provide your process)	Not Provided			
F7.	Do you recalculate AWR matching permanent pay rates where expenses have been paid to the worker?	No			
F8.	Confirm you do not offer and are no longer operating Regulation 10 'pay between assignments' (Swedish Derogation) method?	No			

Applicant fields for completion

G	General Expenses	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/Non-compliant (Assessor use only)
G1.	Confirm that for all allowable expense claims:				
	a. The expense has been incurred wholly, exclusively and necessarily in the course of performing employment duties	No			
	b. You have a receipt or, where not possible, in exceptional circumstances and in line with HMRC guideline, other sufficient evidence to prove the cost was incurred	No			
	c. All receipts are manually validated as a genuine receipt;	No			
	d. You only accept original or scanned receipts, not credit card receipts.	No			
	e. You only allow expenses to be claimed for periods covered by actual assignments;	No			
	f. You do not allow expenses to be claimed for future periods (even if covered by an assignment);	No			
	g. You have a system to ensure expense claims cannot be duplicated, e.g., by the submission of an original receipt and a scanned or credit card receipt for the same expense.	No			
	h. You confirm to the employee that the receipt should be sent to you for verification and also kept by the employee for audit purposes.	No			
G2.	Do you pay any expenses to employees determined to be subject to (or the right of) SDC?	No			
	If yes, do these include:				
	a. Relocation;	No			
	b. International travel;	No			
	c. Mileage to temporary workplaces;	No			
	d. Mileage to permanent workplaces;	No			
	e. Billable/ client chargeable expenses;	No			
	f. Any others.	No			

	Documentation required: Please provide details and supported reasoning	Not Provided			
G3.	Do you have a policy for ensuring that travel expenses cease when it can be reasonably expected that the '24-month rule' or '40% rule' will be broken (applicable only to employees who are not subject to, (or to the right of) supervision, direction or control)?	No			
	Documentation required: Please attach a copy of your expenses policy (include cross referencing)	Not Provided			
G4.	Confirm that you do not allow any home to temporary place of work travel expenses to be claimed once you and/or an employee knows or has a reasonable expectation that they will be at the same workplace for more than 24 months	No			
G5.	Confirm that you obtain from the employee their confirmation that they have already, or their expectation is to undertake more than one assignment for you.	No			
	Documentation required: Provide supporting evidence that such a confirmation is obtained with appropriate cross referencing.	Not Provided			
G6.	Confirm that you require each employee to confirm that their current assignment will not be their last on their expense claim.	No			
	Documentation required: Provide a copy of your expense claim template with appropriate cross referencing.	Not Provided			
G7.	Confirm that when an employee claims for business mileage you:				
	a. Reimburse only tax-free mileage if it is at or below current HMRC approved mileage rates;	No			
	b. Verify the mileage claimed using a postcode checker or equivalent.	No			

	c. Require employees to submit VAT receipts to you in support of the claim.	No			
G8.	Confirm that you ask each employee when they join you whether they have previously worked at the same site within the last 3 months	No			
	Documentation required: Provide a copy of your process to determine whether or not a new employee has previously worked at the same site.	Not Provided			
G9.	Confirm that you advise employees that if they are found to be falsifying expense claims they will face disciplinary action.	No			
	Documentation required: Provide supporting evidence, for example where potentially set out within your Expenses Policy, with appropriate cross referencing.	Not Provided			
G10.	a. Confirm that with respect to valid claims (where the employee is entitled to make a claim) your systems ensure an employee does not claim for travel expenses on a day he/she did not work (i.e., have a valid timesheet for)	No			
	b. Where fixed expenses applies, confirm that with respect to valid claims (where the employee is entitled to make a claim) your systems ensure an employee does not claim for a subsistence expense on a day he/she did not claim a travel expense	No			
	c. Where fixed expenses applies, confirm that your expenses policy states that only pre-packaged food purchased on the day the claim relates to, after the qualifying journey has commenced, is claimable.	No			
	Documentation required: Please attach a copy of your expenses policy (include cross referencing)	Not Provided			

G11.	Confirm you ensure the employee is aware they must hold appropriate insurance to drive the vehicle in respect of business use.	No			
G12.	Confirm that you only allow scale rates, where fixed expenses applies or the expenses are separately billable/chargeable to the end client. In each case confirm you receive appropriate receipts to verify the expenditure has been incurred.	No			
G13.	Confirm that you do not rollover any expense allowance from one assignment to another	No			
G14.	Confirm that you do not re-imburse expenses for workers who are (a) doing the same role as a permanent member of staff with the end client, (b) replacing a permanent member of staff who is on holiday, sick or on maternity or paternity leave, or the permanent employee will be returning to their permanent role with that end client in the future.	No			
G15.	For those employees who are subject to a cap on expenses per hour/day/week, etc., do you have a process which ensures that:				
	a. Expenses reimbursed are allocated to the correct assignment and do not exceed the cap;	No			
	b. To the extent that expenses are not claimed for the assignment, the employee is not paid any amount in relation to the unclaimed allowance (either directly or indirectly).	No			
	c. Do you require employees claiming for accommodation to prove that they have ongoing costs at their home location?	No			

	d. Where accommodation has been claimed, you do not offer a 'staying with friends or family' overnight allowance or hotel scale rates?	No			
	Documentation required: Please provide a copy of the process you follow to support such claims	Not Provided			

Applicant fields for completion					
H	Other expense categories	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/Non-compliant (Assessor use only)
H1.	Further to your confirmations provided in section A in relation to your SDC assessment and checks:				
	a. Do your systems flag the type of contract under which the employee is employed?	No			
	b. Confirm expenses to/from a permanent workplace are only allowable following the necessary assessment of SDC and a no SDC (or right of) outcome.	No			
	c. Confirm the employee has accepted/signed their employment contract, expenses policy and expenses claim forms.	No			
	d. Where it is established that SDC is not present and there is no fixed expenses arrangement in place, confirm you only reimburse genuine business mileage claims, except for expense claims that are billable/chargeable to the end client and not paid out of the umbrella contracting rate.	No			
	Documentation required: Please attach a copy of your expenses policy in relation to employees not subject to SDC	Not Provided			

Applicant fields for completion					
H	Other expense categories	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/Non-compliant (Assessor use only)
H2.	Confirm that where expenses are billable/chargeable to the end client you always:				
	a. Collect the supporting receipt/evidence to prove the expense was incurred	No			
	b. Do not allow any claim that relates to the employee's commute (home to workplace or workplace to home), unless the employee is not subject to SDC (or right of) - this includes mileage from home to first work site and from last work site to home, any subsistence, any accommodation expenses or any other associated expenditure related to travel	No			
	c. Confirm that you apply the correct VAT rate to the billable/chargeable expense line on the invoice	No			
	Documentation required: Please attach a copy of your expenses policy in relation to billable/chargeable	Not Provided			
H3.	Confirm that where expenses are incurred for travel to one or multiple temporary workplaces you:				
	a. Do not allow any claim that relates to the employee's commute (home to permanent workplace and return to home) unless the employee is not subject to SDC - this includes mileage, subsistence, any accommodation expenses or any other associated expenditure	No			

Applicant fields for completion					
H	Other expense categories	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/Non-compliant (Assessor use only)
	b. Only allow mileage for these journeys and you deny any claims for related subsistence and accommodation expenditure, unless billable/chargeable to the end client or the employees is on a fixed expenses arrangement	No			
	c. If the Employee is not travelling to multiple locations in any given day, then ensure detailed checks/processes are in place to ensure the workplace does not become permanent, including by monitoring the 40% rule.	No			
	d. Ensure that the end client is consistent across the temporary workplaces on the claim	No			
	Documentation required: Please attach a copy of your expenses policy in relation to travelling to temporary workplaces/multiple sites	Not Provided			
H4.	Confirm you only allow expense claims for subscriptions that appear on the HMRC approved list and are additional client billable expenses.	No			
H5.	Confirm that if you reimburse travel expenses to the UK for overseas employees, you only do so where there is a clear employment relationship established before the individual arrives in the UK and these are separately billable to the end client.	No			
H6.	Confirm that where you allow capital expenditure claims only where such claims are separately billable to the end client, and where you have a policy and signed agreement with the employee which sets out:	No			
	a. That permission must be obtained in advance of the capex purchase;	No			

Applicant fields for completion					
H	Other expense categories	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/Non-compliant (Assessor use only)
	b. That any item must be for the purposes of the current assignment;	No			
	c. That the item is not for private use and any personal benefits gained will be minimal;	No			
	d. That the employee buys the item on behalf of the Umbrella company and that it will remain the property of the company;	No			
	e. That the item is expected to be returned at the end of their employment;	No			
	f. That at the end of employment, a fair market price might be agreed to transfer ownership from the company to the employee.	No			
H7.	Any reimbursed driver overnight allowances must be consistent with the amounts agreed between the RHA and HMRC and must only be reimbursed if there is a fixed expenses arrangement in place or as client billable expenses that are not reimbursed out of the umbrella contracting rate.	No			

Applicant fields for completion					
I	Audits	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
I1.	Do you audit expense claims?	No			
I2.	Confirm that where a full audit is not conducted prior to an expense being paid, you carry out retrospective manual audits to ensure an expense has been validly incurred by the employee and is appropriate to his/her personal circumstances. (This is in addition to the normal processing checks completed on all receipts.)	No			
I3	Confirm that where client billable expenses for any home to work travel are processed, you have assessed and received written confirmation from the end client that the employee is not subject to SDC	No			
I4.	Confirm the number of expense claims audited in a year equates to approximately 10% of the average number of employees who claim expenses during the year	No			
	Documentation required: Provide a copy of your expense auditing policy and process.	Not Provided			

Applicant fields for completion					
K	VAT	Yes/No/N/A	Supporting Documentation (if required)	Cross referencing (where requested)	Compliant/ Non-compliant (Assessor use only)
K1.	Are any chargeable transactions to employees subject to VAT, e.g., same day CHAPS payments?	No			
K2.	Do you operate the VAT flat rate scheme?	No			
	Documentation required: Provide the last 12 months of VAT returns to allow check whether Flat Rate VAT was/was not operated.	Not Provided			
K3.	Do you include standard rate VAT on all invoices issued to UK agencies or other UK intermediaries or end clients regardless of any other factors?	No			

L	Additional/Voluntary Information (Please include here any other information in support of your submission)	Applicant fields for completion
L1.	Use this section to provide any additional information or clarification in support of your application. Please note: Failure to provide any relevant additional information or clarification may result in your application being rejected.	

Declaration

By signing the declaration below you confirm that your business accepts and agrees that it operates to the Code as set out above that your processes, policies and documentation are consistent and reflect the Code and represent a true and full view of the business you operate. Also, by signing we confirm that we have read the Charter (link found [here](#)) and are in compliance with it, in particular, but not limited to planning solutions.

List of companies being assessed by this Umbrella Employment code:

Signed:

Name:

Date:

Capacity in which signed (**Board level required**):

For completion by assessor	
Outcome	Commentary
Pass	
Fail	

Assessor Name:

Date of Assessment: