

AGENCY WORKER RIGHTS POLICY

Serply Recruitment Ltd

1. Policy Statement

Serply Recruitment Ltd is committed to ensuring that all agency workers are treated fairly and in accordance with applicable legislation.

We recognise the importance of transparency, equal treatment, and safe working conditions for all workers supplied to clients and will comply fully with the Agency Workers Regulations 2010 and all related employment legislation.

2. Scope

This policy applies to all temporary workers and agency workers supplied by Serply Recruitment Ltd to clients across all sectors.

3. Purpose

The purpose of this policy is to:

- Ensure compliance with the Agency Workers Regulations 2010
- Define the rights of agency workers
- Clarify responsibilities between Serply Recruitment Ltd and clients
- Provide a framework for managing assignments and ensuring fair treatment

4. Day One Rights

From the first day of an assignment, agency workers are entitled to:

- Access to collective facilities and amenities provided by the client (e.g. canteen, transport, childcare facilities)
- Information about relevant job vacancies within the client organisation

These rights are the responsibility of the client.

5. Equal Treatment Rights (12-Week Qualifying Period)

After completing a 12-week qualifying period in the same role with the same client, agency workers are entitled to equal treatment with comparable employees in relation to:

- Pay
- Duration of working time
- Night work
- Rest periods and rest breaks
- Annual leave

The qualifying period is calculated in accordance with statutory rules and may include provisions relating to breaks between assignments.

6. Definition of Pay

For the purposes of equal treatment, “pay” includes:

- Basic pay
- Overtime payments
- Shift allowances
- Bonuses directly attributable to the work performed
- Holiday pay

“Pay” does not include:

- Occupational sick pay
- Occupational pension schemes
- Redundancy pay
- Notice pay

7. Qualifying Period and Breaks

The 12-week qualifying period:

- Accrues during continuous work in the same role with the same client
- May be paused or reset depending on the length and nature of any break between assignments
- Will be calculated in accordance with the Agency Workers Regulations 2010

Serply Recruitment Ltd will maintain records to ensure accurate tracking of qualifying periods.

8. Information from Clients

Clients are responsible for providing accurate and timely information, including:

- Terms and conditions of comparable employees
- Pay and working conditions
- Role requirements and responsibilities

Serply Recruitment Ltd relies on this information to ensure compliance with equal treatment obligations.

9. Responsibilities

Serply Recruitment Ltd will:

- Provide clear assignment information
- Ensure workers are paid correctly
- Monitor qualifying periods

- Request necessary information from clients
- Address concerns raised by workers

Agency Workers must:

- Provide accurate information
- Raise concerns promptly
- Comply with assignment requirements

Clients must:

- Provide safe working conditions
- Provide accurate comparator information
- Ensure day one rights are upheld
- Cooperate with compliance obligations

10. Liability

Responsibility for compliance is shared:

- Serply Recruitment Ltd is responsible for payment and contractual arrangements
- Clients are responsible for working conditions and providing accurate comparator information

Liability may be apportioned between Serply Recruitment Ltd and the Client depending on the nature of any breach.

11. Complaints and Concerns

Agency workers may raise concerns regarding their rights.

Serply Recruitment Ltd will:

- Investigate concerns promptly
- Liaise with clients where required
- Take corrective action where necessary

12. Record Keeping

Serply Recruitment Ltd will maintain accurate records of:

- Assignments
- Working periods
- Pay and entitlements
- Client information

All records will be stored securely in accordance with data protection requirements.

13. Relationship with Other Policies

This policy should be read alongside:

- Terms of Engagement
- Complaints & Grievance Policy
- Equal Opportunities Policy
- Data Protection Policy

14. Monitoring & Review

This policy will be reviewed regularly to ensure compliance with legislation and best practice.

15. Contact

For further information regarding this policy, please contact:

Serply Recruitment Ltd
Red Hill House, 41 Hope Street, Chester, CH4 8BU
01244 646 892