Employment Service Status Checklist

# Checklist Guidance

1. This form and associated Employment Service Status check must be completed **BEFORE** any engagement is agreed with any workers.
2. Engagers are responsible for ensuring services are procured in line with University Procurement regulations and processes. Please contact Procurement if you have any questions or need advice regarding the Procurement process or consult the Procurement web pages for information on existing suppliers or may be able to provide advice and guidance on appropriateness of engagement.
3. This checklist should be completed by any engagers planning to use an individual or Personal Service Company (PSC) to undertake work on a self-employed basis.
4. The information gathered in this checklist **must** be an accurate reflection of the engagement. Failure to accurately respond to the questions will leave the University at risk of HMRC non-compliance as well as associated fines and reputational damage.
5. A new checklist must be completed for each engagement, including instances where an engagement is being extended.
6. This document must be retained by the Faculty/Service for audit purposes for 4 years plus the current tax year from completion of work along with other documents relating to the Employment Service Status determination.

# Engager Details

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| --- | --- | --- | --- | --- |
| Engager Name: | | Employee Name | Date: | Date |
| Faculty/Service: | | Employee ID | Department: | Department |
| Email: | Email | | Telephone: | Telephone |

# Supplier/Worker/Company Information

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| --- | --- | --- | --- | --- | --- | --- |
| Worker/ Company Name: | | Name | | | | |
| Email: | | Email | | | | |
| Telephone: | Telephone | | | | | |
| Worker/Company Address | | | | | | |
| Company/ Worker business information: Please tick relevant boxes | Limited Company | | Partnership (please note %age) | Sole trader | Paid via 3rd party e.g through agency | Other (please specify) |
|  | |  |  |  |  |
| Generic description of work: |  | | | | | |
| Detailed description of work: |  | | | | | |
| How was worker company identified: Please tick relevant boxes | Advertised or via tender or advert | | Known to Engager | Previously worked for Faculty/Service on Self-employed basis | Previously worked for Faculty/Service as employee | Other (please specify below) |
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|  |  | | | | | |
| Nature and structure of payment: Please tick relevant boxes | Hourly, daily or weekly rate | | On delivery of part/all of agreed service | Hourly, daily or weekly rate PLUS expenses | On delivery of part/all of agreed service PLUS expenses | Other (please specify below) |
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| Please answer the following questions: |

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| Nature of contractual relationship: Please tick relevant boxes | Can the worker send someone else to their behalf to do the work? | | | | | |
| No – the individual has specialist skills and only they can do the work | Yes – they can send a suitably qualified substitute to undertake the work. The University would pay the original worker. | | Yes – they can send a suitably qualified substitute to undertake the work. The University would pay the substitute worker. | | Yes – they can send a suitably qualified substitute to undertake the work but the University has right to veto the substitute. |
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| Nature of the work: Please tick relevant boxes | If the worker can send a substitute please explain how they would source a substitute: | | | | | |
|  | | | | | |
| Can the University move the worker to a different piece of work that they had not originally agreed to undertake? | | | | | |
| Yes – the University controls the worker | | Yes – but the University would need to renegotiate a new contract | | No – they are a specialist and only engaged to deliver this specific piece of work | |
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| Location of work: Please tick relevant boxes | Where will the work take place? | | | | | |
| University of Leeds campus | Partly at University of Leeds campus and partly at place of workers choice | | Away from the University but at a location required by us | | Anywhere the worker decides. |
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| Schedule of work: Please tick relevant boxes | Who decides the schedule of work? | | | | | |
| Worker decides hours | University of Leeds decides hours worked | | Mutually agreed between University and worker | | No schedule required providing agreed deadline is achieved |
|  |  |  | |  | |  |
|  | If there is a problem with the work: | | | | | |
| Risk: Please tick relevant boxes | Worker must correct in own time/at own expense | | University must pay more to worker to put it right | | It is for a one off event and cannot be put right | |
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| Additional notes: |

# ESS Assessment Use only

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| --- | --- | --- | --- |
| Date Received: | Date | ESS completed: | Date |
| ESS completed by: | Enter name here | ESS Outcome: | ESS Outcome |