



Intermediaries due diligence checklist

Contents

1. Intermediary details
2. Group companies
3. Intermediary officers
4. Financial matters
5. Insurance
6. FCSA membership
7. GLAA licensing
8. CIS intermediaries [for use in the construction sector only]
9. Contractual documentation
10. ID checks
11. Right to work checks
12. Conduct of Employment Agencies and Employment Businesses Regulations 2003
13. Agency Workers Regulations 2010
14. Working Time Regulations 1998
15. National minimum wage
16. Deduction of PAYE and National Insurance
17. Travel and subsistence
18. IR35 (including the off-payroll rules in the public sector)
19. Pensions
20. Internal complaints process
21. External complaints
22. Employment tribunal claims
23. HMRC complaints or investigations
24. Services provided to temporary workers
25. Referral fees
26. Data protection

Throughout this document 'intermediary' means the umbrella company or CIS intermediary.

Q no.	Question	Answer
1.	Intermediary details: If a limited company, registered company no.	10831716
	Registered name and trading name(s) if different	People Umbrella Limited
	Date of incorporation	22 June 2017
	Registered address and trading address if different	People Group House Three Horseshoes Walk Warminster Wiltshire BA12 9BT
	Country of incorporation If the business is incorporated overseas, tell us: <ul style="list-style-type: none"> • where it is incorporated and why • which sectors contractors/workers working through the overseas company operate it (please give % breakdowns). 	United Kingdom
	VAT number	271 5896 69
2.	Group companies: Please provide the above details for any holding, subsidiary or associated companies (referred throughout this checklist as 'group companies').	People Payments Limited 08833244 People PSC Limited 09381490 People PAYE Limited 11098037 People Group Services Limited 11570329
3.	Intermediary officers: If a limited company, please confirm the name and address of each company officer (e.g. directors and company secretary). If a partnership, please list all partners	Terence Hillier Address as above
	Please confirm that none of the company officers or partners have ever been disqualified from acting as a company officer, whether while a company officer at this intermediary, any group company or any other company. If a company officer or partner has ever been disqualified please give details as to when that disqualification commenced and ceased, why the individual was disqualified and by whom.	Confirmed
	Please confirm that none of the company officers have been involved in a 'phoenix company' i.e. they have not liquidated,	Group restructuring involving transfer of business in 2017. If

	dissolved or otherwise ceased the operation of a company only to resurrect the services provided by and operations of that company in another company. If yes, please explain the circumstances around liquidation, dissolution, or cessation of operation of any previous companies.	you need further information, please contact legal@peoplegroupservices.com
4.	Financial matters:	
	Please note that we (the employment business) will only pay into a UK business bank account held in the intermediary's name.	
	Please confirm how the intermediary protects monies relating to temporary workers' pay, e.g. are they held in separate client accounts?	Confirmed
	Please confirm that neither you nor any group company pays temporary workers via an offshore entity.	Confirmed
	Please confirm that all temporary workers are paid in full via their own UK bank, building society or post office accounts (and not those of any nominee or third party).	Confirmed
5.	Insurance: Please provide details of insurances held including in particular (a) employers' liability, (b) professional indemnity, and (c) any AWR related insurance.	Please see attached copy insurance policies.
6.	FCSA membership: Is the intermediary a member of the Freelancer and Contractor Services Association (FCSA)?	No. We are fully audited by Professional Passport
	Is the intermediary working towards FCSA membership? Expected entry date?	No
	Note that the FCSA no longer has an 'associate' member category. They only have a full member category Identified by an orange logo.	
7.	GLAA licensing: If the intermediary operates in the GLAA* registered sector, please provide its GLAA licence no. (* Gangmasters and Labour Abuse Authority).	Not applicable
	Has the GLAA ever refused or revoked the intermediary's licence or that of any group company? If yes, please explain why.	Not applicable
	Has the GLAA ever imposed Additional Licensing Conditions upon the Intermediary's GLAA licence or that of any group	Not applicable

	company? If yes, please give details including the nature of the Additional Licensing Conditions, dates, and the outcome.	
	Has the intermediary ever been subject to a GLAA complaint or investigation? If yes, please give details including the nature of the complaint/investigation, dates, and the outcome. Please provide documentary evidence as to the conclusion of the GLAA complaint/investigation.	Not applicable
8.	Contractual documentation: Please provide a copy of your standard terms of business with employment businesses.	Copy of Master Agreement – People Umbrella attached
	Please confirm that all temporary workers for whose services the intermediary charges are engaged directly by the intermediary and not by any other legal entity whether a group company or otherwise.	All contractors working through our Umbrella model are employed by People Umbrella Limited
	Please advise which of the following contracts the intermediary engages temporary workers on: <ul style="list-style-type: none"> ▪ AWR Regulation 10 contract (aka “Swedish Derogation” or “pay between assignments” contract) * ▪ Annualised hours contracts ▪ Zero hours contracts ▪ Self-employed contracts ▪ Personal services/mini-umbrella ▪ Elective deduction model (or similar arrangements) ▪ Other? Please describe Please provide a copy of each contract. * See additional questions on AWR (see section 12)	People Umbrella Limited engages contractors on a zero hours contract Please see attached
Specific compliance requirements		
9.	ID checks: Please confirm the process(s) the intermediary uses to check the identity of the temporary worker.	People Group use bank grade electronic software approved by BEIS and the Borders Agency to confirm right to work checks and identity. Should a contractor fail an online ID check then People Group would require photographic ID and proof of address (utility bill) and any Visa requirements before

		any employment commences with every candidate.
10.	<p>Right to work checks:</p> <p>Please confirm the process(s) the intermediary uses to check that the temporary worker has the right to work in the UK.</p>	As above
	Has the intermediary ever been found by the UK Border Agency/the Home Office (or any of their predecessors) to have supplied illegal workers? If yes, give details.	No
	Has the intermediary been fined by the UK Border Agency/the Home Office? If yes, please provide the level and date of fine and an explanation as to why the fine was issued.	No
	Please confirm the checks the intermediary carries out to ensure that temporary workers/contractor have not been subjected to slavery, human trafficking or exploitation as defined in the Modern Slavery Act 2015.	Please see attached Anti-Slavery and Human Trafficking Policy
11.	<p>Conduct of Employment Agencies and Employment Businesses Regulations 2003 (the Conduct Regulations):</p> <p><AGENCY NAME> is required to comply with the Conduct Regulations unless those regulations do not apply because the work-seeker has opted out. Therefore:</p> <ul style="list-style-type: none"> If a temporary worker wishes to opt out of the Conduct Regulations, please explain how the intermediary manages the opt out process. 	Contractors agree to opt out of the EAA Regs as far as may be practical when agreeing the terms of their employment agreement. Occupational restrictions would prevent them from opting out and therefore would not be practical, for example contractors working with the young and vulnerable
	How does the intermediary (a) ensure that the opt out is validly given i.e. signed by both the intermediary and the individual work-seeker and (b) notify us if the intermediary and the temporary worker have opted out of the Conduct Regulations?	See above, no notification required
	Does the intermediary automatically opt all contractors/workers out of the Conduct Regulations and if so why? If not, what % of contractors/workers opt out of the Conduct Regulations?	As above, only those contractors whose role involves working with vulnerable adults or children would not be opted out
	<p>The Key Information Document</p> <p>From 6 April 2020 employment business must give all work-seekers a key information document (KID) which must include information about all charges and deductions made to a work-seeker's pay. Where s/he might work through an intermediary</p>	Each worker is given an individual illustration of our payroll products and a recommendation of which product would be most suitable

	<p>such as an umbrella company, the KID must include the fee the intermediary charges for processing their pay.</p> <p>Please list all charges and deductions which the intermediary may make to a work-seeker's pay.</p> <p>Please clearly show how the intermediary calculates any charges it makes to temporary workers for its services including but not only the payroll charge/admin fee/service charge? Please provide all documentation relating to any additional services the Intermediary may provide to temporary workers.</p> <p>How and when does the intermediary advise the temporary workers of any charges made for its services?</p>	<p>based upon information provided by the worker using our Best Advice Matrix prior to registration. Fees and charges for each product are disclosed within this process and on the pay slip.</p> <p>We make statutory deductions and the only charge for services is our margin – all detailed on the KID information document.</p>
12.	<p>Agency Workers Regulations 2010 (AWR):</p> <p>Does the intermediary employ workers on AWR Regulation 10 contracts? If yes:</p> <ul style="list-style-type: none"> ▪ how many? ▪ what % of workers on their books does this represent? 	No
	What is the average length of time on assignments?	Not applicable
	Where the intermediary engages temporary workers on an AWR Regulation 10 contract (aka "Swedish Derogation" contract) please complete the following:	Not applicable
	Confirm that the contract enters into force before the temporary worker commences his/her first assignment under that contract.	Not applicable
	How does the Intermediary assist temporary workers to find alternative work during time between assignments?	Not applicable
	How did the intermediary calculate and fund Pay between Assignments (PBA) (before the repeal of Regulations 10 and 11)?	Not applicable
	Does the intermediary require agency workers to take holiday during time between assignments? If yes, please explain why (a) the intermediary considers this to be appropriate and (2) why the intermediary consider this meets with the requirements of Regulation 10.	Not applicable
	How has the intermediary managed the repeal of Regulations 10 and 11 of the AWR from 6 April 2020?	Not applicable
	How many AWR specific claims has the intermediary received?	2
	How has the intermediary dealt with these?	Notified agency & hirer, settlement then agreed by agency & hirer.

	How has the intermediary worked with its employment business clients and their clients to manage AWR claims?	Agency advised when 12-week qualification period approaches
	How many employment tribunal claims has the intermediary been notified of and how many have progressed to a hearing? Please provide us with a copy (or a link to) any employment tribunal decisions.	All decisions are available on the employment tribunal website
	If any AWR claims have proceeded to hearing, what were the tribunal's, EAT's or higher court decisions?	Not applicable
	Please confirm that the intermediary agrees to accept full liability, and to indemnify the REC member for any losses (as defined in terms of business) incurred in relation to the Intermediary's arrangements with the temporary workers.	Confirmed in so far as losses are solely attributable to the act or omission of the intermediary
	Please confirm that the intermediary has appropriate insurance cover (in terms of content and level of cover) in place to cover any AWR claims. Please confirm that the employment business can benefit from such insurance and on what basis e.g. that the employment business is a named insured party for the purposes of that insurance.	Insurance policy attached
13.	Working Time Regulations 1998 (WTR): How does the intermediary calculate: <ul style="list-style-type: none"> • holiday pay? • holiday leave? 	Holiday pay is deducted and accrued at a rate of 12.07% of taxable pay. Where holiday benefit increases as per AWR requirements the contractor's rate should be increased to incorporate the extra allowance.
	Please confirm that the intermediary pays holiday pay at the time the temporary worker takes their holiday and does not roll it up into the hourly rate. If the intermediary does roll up holiday pay, please explain (a) why this happens and (b) how this is made clear to the temporary worker both in advance and each time it is rolled up.	Holiday pay is deducted and accrued at a rate of 12.07% of taxable pay. Where holiday benefit increases as per AWR requirements the contractor's rate should be increased to incorporate the extra allowance.
	Please confirm that the Intermediary pays all accrued holiday pay to temporary workers. If the intermediary does not pay all accrued holiday to temporary workers, please explain why.	We comply with statutory & Professional Passport obligations in relation to holiday pay
14.	National minimum wage/National living wage:	Yes

	<p>Does the Intermediary pay at least the applicable rate of NMW/NLW to all temporary workers for all hours worked? If not, why not?</p> <p>See also section 25 (HMRC)</p>	
15.	General:	
	How many of the intermediary's contractors/workers are deemed to be outside of IR35?	Not applicable, all Umbrella contractors are within IR35
	What industry sectors do they operate in? E.g. IT, teaching, health, finance, legal, hospitality, retail, engineering, construction, oil and gas, etc.	Not applicable
	Please provide a copy of all marketing materials and all terms of business which the intermediary may use with the employment business and any temporary workers or contractors it may engage with.	Not applicable
16.	Deduction of PAYE and National Insurance contributions:	
	Does the intermediary treat all income earned by the temporary worker as taxable earnings subject to PAYE tax and NICs in accordance with UK tax law and HMRC guidance? If not, why not?	Confirmed.
	<p>Please confirm that the intermediary does not use any disguised remuneration schemes including but not limited to loan schemes.</p> <p>If <AGENCY NAME> suspects or knows that the intermediary uses any disguised remuneration schemes it will terminate its engagement with the intermediary immediately.</p>	Confirmed.
	<p>Please provide pay slips showing that (a) full PAYE and NICs have been deducted from the temporary worker's pay and (b) employers' NICs have been paid.</p> <p>See also section 22 (HMRC).</p>	Sample pay slips are attached.
17.	Travel and subsistence expenses:	
	Does the intermediary operate any expenses schemes under which it will pay a temporary worker/contractor some or all their travel and/or subsistence expenses?	Agency reimbursed expenses only, in accordance with Professional Passport audit requirements
	For the purposes of this section "under SDC" means working under (or subject to the right of) supervision, direction, or control of any person as to the way in which the temporary worker provides the services.	Confirmed.

	Please confirm that from 6 April 2016 the intermediary does not operate a travel and subsistence (T&S) expenses relief scheme for temporary workers working under SDC.	
	How does the intermediary establish whether the temporary worker does or does not work under SDC? Please provide full details of the Intermediary's process.	As part of the contractor Registration process, they are taken through the Best Advice Matrix (BAM). As part of this process we ask each contractor a series of questions regarding their assignment and the assumption is they fall under Supervision, Direction and Control.
	Does the intermediary operate a T&S scheme for temporary workers not working under SDC? If yes, on what basis? Please provide a copy of the scheme documentation and processes as to how T&S is facilitated given the removal of salary sacrifice and variable pay in exchange for expenses. This includes any material provided to the temporary worker.	No, expenses must be submitted through form P87
	Does the intermediary have a minimum hourly pay rate below which the Intermediary will not operate the T&S scheme? If yes, what is that rate? Why has the business chosen this rate?	Not applicable as T & S expenses have not been allowed since 5 April 2016.
	Please confirm that neither the intermediary, nor any group company, operates a pay day by pay day relief model.	Confirmed
	Please confirm that: <ul style="list-style-type: none"> ▪ all travel and subsistence expenses for which the temporary worker receives tax and NICs relief are genuinely incurred by the temporary worker claiming the expenses; and ▪ that the intermediary regularly conducts spot checks to check that those expenses have been genuinely incurred. 	Not applicable as expenses are not processed in house. These are directed to HMRC for approval at year end via P87 or Self-Assessment.
	Has HMRC reviewed the intermediary's application of travel and subsistence expenses at any time? <ul style="list-style-type: none"> ▪ If yes, what was the outcome? Please provide documentary evidence from HMRC. 	No longer applicable
18.	Pensions: When did/will the intermediary stage for auto-enrolment purposes?	01 September 2017
	Does the intermediary postpone enrolment for eligible jobseekers?	Our system decides which person is eligible each week to make contributions.

	Please confirm the percentage of temporary workers engaged by the intermediary who have opted out of pensions auto-enrolment.	20%
	Please confirm that the intermediary has not directly or indirectly induced any temporary worker to opt out of their rights under the Pensions Act, for example, by telling individuals that assignments are only available for those who have opted out.	Confirmed
	What pensions provider does the intermediary use?	NEST
	<p>What software does the intermediary use for pensions auto-enrolment purposes?</p> <ul style="list-style-type: none"> ▪ What does the software record? For example: ▪ Does it track how an individual moves from one category of worker to another? If your software doesn't do this already what plans do you have to upgrade (and why the delay in producing the required software?) ▪ Does it prompt members re their record keeping requirements? ▪ Does it produce the relevant notices for the agency and/or the workers? 	Our system includes information needed for each contractor for auto enrolment purposes. It decides which person is eligible each week to make contributions and relays relevant information to NEST who produce all relevant paperwork for the contractor
19.	<p>Internal complaints process:</p> <p>Please explain the intermediary's complaints handling process for workers and agencies. Please provide a copy of the complaints procedure.</p>	Please see attached Complaints Procedure.
	Please advise the number of complaints received in each of last 3 years.	Confidential business information
	Please advise the type of complaints received in each of the last three years.	Confidential business information
	Please advise how complaints were resolved.	Confidential business information
	Are there more complaints from one sector than another?	No
	How does the intermediary deal with payment issues e.g. queries re timesheets, rates of pay? Do you deal directly with the employment business or direct the temporary worker to take it up with the employment business?	Our dedicated Client Care Team deal with all contractor queries. They work closely with the Payroll team and will only refer back to the agency in circumstances where further clarification is needed.
20.	External complaints (e.g. to BEIS/EASI, GLAA, The Pensions Regulator (TPR), ACAS):	

	Has the intermediary ever been the subject of a complaint to BEIS/EASI, the GLAA, TPR, ACAS or other?	No
	Number of complaints received in each of last three years.	Not applicable
	Type of complaints received in each of the last three years.	Not applicable
	How complaints were resolved.	Not applicable
21.	ACAS/employment tribunal claims: Please tell us about any matters referred to ACAS or any employment tribunal claims the intermediary has received in the past three years. In particular:	
	Type of claim (e.g. employment status, dismissal, non-payment of wages, discrimination etc.).	
	Number of claims	7
	Number of claims settled	4
	Number of claims successfully defended	3
	Number of claims lost.	0
22.	HMRC complaints or investigations: Please tell us about any complaints or investigations HMRC has raised with the intermediary, or any group company, or any other company of which a director of your company was also a director at any time within the last 6 years. Please advise on complaints or investigations relating to the following:	This is company confidential information. Should you require further information please contact Mark Clarke, Legal & Compliance Officer.
	NMW	
	Holiday pay	
	Deduction of PAYE tax and NICs, payment of employer NICs	
	Travel and subsistence	
	Real Time Information reporting	
	VAT (in the past four years)	
	Other	
23.	Services provided to temporary workers: How many temporary workers/contractors are on the intermediary's books?	Circa 8,000

	Are there seasonal or annual variations?	Academic year variations
	<p>Benefits packages for contractors/workers:</p> <ul style="list-style-type: none"> ▪ Please provide details of any benefits packages you offer to contractors/workers: <ul style="list-style-type: none"> ○ Type of service ○ Cost of service ○ Eligibility criteria ○ Assessment of suitability of the product/service. ▪ Please confirm that these are optional services the contractors/workers may choose to take. ▪ If these are not optional services, but the contractors/workers are required to take these services, please confirm why these are compulsory rather than optional services. ▪ What is the connection between the company providing the optional services and the intermediary company? 	<p>People Umbrella contractors have access to a points-based rewards package called My Wallet. They can choose to use the services if they wish but none are mandatory.</p> <p>To obtain the required reduction in premium achieved by large numbers and to avoid positive selection these benefits are available to all new contractors.</p> <p>There is no connection.</p>
24.	<p>Referral fees:</p> <p>Please note that the employment business never requests and its staff are instructed never to accept a referral fee or other incentive from any intermediary. If the Intermediary offers any referral fee or incentive to the employment business or its staff, the employment business will terminate its relationship with the Intermediary immediately.</p> <p>Please confirm that the Intermediary does not pay a fee to any employment business or end user clients in order to be included on a preferred supplier list or for any other reason. This includes referral fees whether to the employment business or direct to its staff, timesheet rebates or other.</p> <ul style="list-style-type: none"> • If you do pay a referral fee please confirm the basis upon which you pay any such fee(s). 	Business to Business only
	<p>Please confirm that (a) the Intermediary does not refer temporary workers to any group company or any accountancy service provider(s) and (b) that it does not receive a fee for such referral.</p> <p>If the Intermediary does make such referrals and/or receive such fees please confirm the basis upon which you make such referrals and receive such fee(s).</p>	Confirmed
25.	<p>Data protection/GDPR</p> <p>Please provide a copy of the Intermediary's data protection policy and any privacy statements it provides to individuals.</p>	Attached
	<p>Please confirm that the Intermediary does not transfer personal data outside of the European Economic Area. If the Intermediary</p>	Confirmed

	does make such transfers, (a) on what legal basis does it make these transfers and (b) to whom does it make the transfers?	
	Please confirm the intermediary's process for dealing with any data subject rights including: <ul style="list-style-type: none"> ▪ Subject access requests ▪ The right to rectification ▪ The right to request erasure of personal data ▪ The right to object ▪ The right to be informed ▪ The right to withdraw consent ▪ The right to data portability ▪ Rights relating to automated decision-making and profiling 	Please see attached policy
	Has the intermediary ever had a data protection breach? If yes, how did the Intermediary resolve this?	No
	Has the intermediary ever been under investigation by the Information Commissioner's Office for any alleged breaches of data protection laws? If yes, what was the outcome of such investigation?	No

I confirm that:

the information provided via this checklist by People Group is complete and accurate.

People Group will keep ***** updated if any of the information provided changes; and

People Group agrees to provide ***** with any and all additional information which ***** may require to enable it to comply with its reporting requirements under the Income Tax (Pay as you Earn) (Amendment No. 2) Regulations 2015.

Signed: 

Print name:TERENCE HILLIER.....

On behalf of: People Umbrella Limited - 10831716

Position at the Intermediary:DIRECTOR.....
 (You must be authorised to complete their checklist on behalf of the Intermediary)