



**Secure your
supply chain
with an FCSA
Recruiter
Partnership**

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FCSA Recruiter Partner Brochure 2023

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integrity • independence • influence

Welcome to FCSA

by Chief Executive, Chris Bryce

Becoming an FCSA Recruiter Partner will provide numerous benefits for recruiters looking to improve their operations and gain a competitive edge in the market.

One of the main advantages of being an FCSA Recruiter Partner is access to a network of vetted and compliant service providers.

These providers have been thoroughly examined by FCSA to ensure they meet all relevant regulatory requirements, including compliance with the Intermediaries Legislation (IR35) and the Agency Workers Regulations (AWR).

By working with FCSA-approved providers, businesses can reduce

their risk of non-compliance and avoid costly penalties and because FCSA have already done the work, recruiters can reduce their due diligence workload.

Another benefit of becoming an FCSA Recruiter Partner is access to expert guidance and support. FCSA offers a range of training and support services to help businesses stay informed of the latest industry developments and comply with regulations. This includes guidance on IR35 and AWR compliance, as well as advice on tax and employment law.

Furthermore, FCSA Recruiter Partners have access to a range of industry-specific benefits, such as discounted insurance and financial services, and the ability to use FCSA's logo on their website, marketing materials, and tenders, to show dedication to compliance to the rest of your supply chain.



Chris Bryce
Chief Executive



About FCSA

History & Vision

Freelancer & Contractor Services Association is an independent, non-profit membership body, committed to raising standards and setting best practices in the employment services sector.

Freelancer & Contractor Services Association (or FCSA as we are most often referred to) was founded in 2008 by five of the UK's leading umbrella companies.

It was their vision, that in an unregulated sector, they would create a set of codes to hold each other accountable and provide a legal and ethical benchmark for those that required this service.

The main driving force behind this collaboration was a large increase in the amount of bad actors in the field, taking advantage of loopholes in legislation, and harming the reputation of the umbrella industry as a whole.

As time went on, more companies that aligned with FCSA's legal and moral values asked to be considered for Membership.

Recognised today as the industry's compliance gold standard, FCSA Accreditation is awarded to service providers that have been independently assessed by industry experts, to ensure adherence to our rigorous Codes of Compliance.

Comprised of over 70 Member organisations, that service over 200,000 contractors in the UK, FCSA Membership is a sign of legal compliance and of operating in a morally correct way.

FCSA's ongoing purpose is to safeguard the long-term future of the professional freelance sector for the benefit of the UK economy.

Our primary role is to raise standards and promote compliance, and through our Accreditation, we aid the sector in supporting contractors to meet their tax and legal obligations.

We work closely with key industry stakeholders to ensure the sector is constantly improving, with its obligations to the contractors and freelancers that supply it.

FCSA are currently lobbying government to improve the legislation surrounding the temporary workforce market. Many of the regulations have not been updated in a long time and could be seen as outdated and no longer fit for purpose.

We will continue to educate the sector, providing free resources (like webinars and downloadable guides) when industry-related events occur.



Why Agencies should consider Recruiter Partnership

Committing to an FCSA-only Preferred Supplier List has many advantages for your agency.

Becoming a Recruiter Partner with the Freelancer & Contractor Services Association (FCSA) helps recruitment agencies relax in the knowledge that rigorous due diligence has been undertaken before they implement their own.

The FCSA Codes of Compliance span hundreds of important legislative and ethical points, from confirming Members have financial liquidity, to ensuring they are operating morally-sound business practices.

Not only does this aid in your piece of mind, it also demonstrates to your clients that you are committed to compliance and best practice. This can be especially important in industries where compliance is a key concern, such as financial services or healthcare.

This can help to build long-term, mutually beneficial

relationships with your customers and suppliers.

FCSA Partnership ensures all legislative changes are reviewed by legal professionals and our Codes are updated accordingly. All Accredited Members are then assessed against these changes and receive spot-checks throughout the year.

Recruiter Partners also have access to a range of expert support that can make it easier for them to operate. This includes efficient and direct updates, in response to sector-relevant situations.

For example, FCSA provides webinars, fact sheets and face-to-face meeting opportunities, to help agencies understand and comply with relevant employment legislation and regulations.



Non-compliance

What are the repercussions?

Depending on the severity of non-compliance, organisations and individuals can receive a wide range of repercussions.



Fines

The most obvious consequence of non-compliance is the organisation receiving a fine. These fines can be potentially unlimited and may be issued to several members of the supply chain simultaneously, including the worker.

This situation can get very expensive, very quickly with the requirement to pay not only your evaded tax, but also your own legal costs and those of the prosecution.



Loss of reputation

Any organisation proven to be non-compliant will immediately risk their reputation within the industries they operate in. Sometimes this reputational damage can lead to a catastrophic loss of customers that could lead to liquidation.

With social media providing an easily-accessible platform for the court of public opinion to air its views, any form of criminal conviction, could spell the end of many businesses in your supply chain.



Loss of productivity

Breaches of certain laws often result in an organisation having to cease production until the errors have been rectified. This loss of production will inevitably result in a loss of income which, in a worst case scenario, could result in the company going out of business.



Imprisonment

Relevant individuals within an organisation can receive a prison sentence, if found convicted of certain crimes.

The most common area for this at present is surrounding the Modern Slavery Act 2004, with several non-compliant gangmasters having received prison terms.

Even if these individuals manage to avoid a custodial sentence, a criminal conviction will remain on record, making company directorship unattainable for up to 15 years and future employment very difficult.



UNLIMITED
fines can be handed out to
several parts of a supply
chain at the same time.

Due Diligence **COMPLETED**



What are the benefits of becoming a Recruiter Partner?

If your business is looking to protect its supply chain, it may be time to review your Preferred Supplier List (PSL) and apply for Recruiter Partnership.

Below are some of the benefits when you Join FCSA Recruiter Partner programme.



FCSA saves you time and money

Implementing a Preferred Supplier List can take a lot of time, money and headaches.

Every FCSA Accredited Member has already undergone the toughest testing in the industry, by independent, assessors who are tax experts and lawyers – at no cost to your organisation.



Provides assurance to the rest of your supply chain

Recruitment agencies that sign up to the Charter have the ability to proudly display the FCSA Recruiter Partner logo, as a distinguishable quality mark, to end-hirers and contingent workers.

With over 15 years in the sector, assisting companies to remain compliant, our badges are well-known and trusted within the space.



Access to resources

FCSA Recruiter Partners have access to a myriad of resources, to help agencies navigate their way through the complicated maze of UK compliance.

We continue to produce webinars, fact sheets, Q&As, newsletters, face-to-face meetings and conferences; all available to our Accredited Members and Recruiter Partners.

These are often in response to updates to legislation, landmark cases, new government initiatives and media articles, which we obtain expert advice on before sharing with you.



Supports the raising of standards

FCSA is synonymous with the raising standards in the sector. We do this by continuously lobbying government to improve outdated legislation. By joining FCSA, you are displaying your support for the betterment of the temporary labour industry and have the opportunity to help shape its future.

How to become a Recruiter Partner

Join the growing list of recruitment agencies who are committing to a preferred supplier list comprising exclusively of fully compliant and transparent FCSA Accredited Members and signing up to our Recruiter Partner Charter.

The FCSA Recruiter Partner Charter creates a clear framework of principles and values that support and underpin compliance throughout the supply chain. Adherence to the Charter demonstrates to end-hirers:

- That your recruitment business is committed to professional and ethical recruitment;
- That the management of their contingent workforce is in the hands of trusted experts;
- That risk is mitigated for all parties in the supply chain.

It is also particularly useful for meeting the requirements of the Modern Slavery Act, which requires businesses to confirm steps taken to prevent slavery and exploitation within their supply chain, and demonstrates that you have taken reasonable steps to minimise your risk under the Criminal Finances Act 2017.

The Charter is accessible to recruitment businesses who commit to a preferred supplier list (PSL/ASL) consisting exclusively of FCSA Accredited Members.

Recruitment agencies that sign up to the Charter have the ability to proudly display the FCSA Recruiter Partner logo as a distinguishable quality mark to end-hirers and contingent workers.



What is the Recruiter Charter?

To be eligible for FCSA Recruiter Partnership, agencies must commit adhere to the Recruiter Partner Charter.

- 1 Legislation**

Comply with all relevant legislation, including, but not limited to, ITEPA / Social Security, Conduct Regulations, Agency Workers Regulations, Equal Opportunities, Equal Pay, Health and Safety, Immigration, Asylum and Nationality, National Minimum/Living Wage, Working Time Directive, Sex Discrimination, Race Relations, Disability Discrimination, Employment Equality (Sexual Orientation) / (Religion or Belief), Data Protection.
- 2 Quality of Information and Support**

Provide a high level of professional service and support to workers. Ensure workers are provided with transparent and impartial information to make informed decisions in the worker's best interests, along with ongoing and clear communication throughout and between assignments.
- 3 Worker's Rights**

Treat workers with fairness and transparency and not to unfairly deny any workers rights afforded to them by law.
- 4 Terms of Business**

Provide clear and transparent Terms of Business.
- 5 Ethical and Professional Conduct**

Observe the principles of ethics, equity, integrity, professional conduct and fair practice in dealing with all parties in the supply chain.
- 6 Confidentiality**

Ensure that permission has been provided to disclose a worker's information to any third party.
- 7 Communication**

Endeavour to provide supply chain partners and workers with open and clear lines of communication, subject to confidentiality permissions.
- 8 Preferred / Approved Suppliers**

Ensure all preferred / approved Recruiter Partners (accountancy and umbrella providers) used by us and recommended to our workers are FCSA Accredited Members who have successfully demonstrated compliance to FCSA Codes of Compliance, having carried out their scheduled annual compliance review by FCSA Independent Assessors (independent and regulated firms of tax experts and solicitors selected by the FCSA).

What are FCSA's Codes of Compliance

FCSA's codes are formed through collaboration with key industry stakeholders, expert consultants and FCSA Members. They are reviewed throughout the year and updated annually, as required.

FCSA Accredited Members must adhere to the Charter and the applicable best practice Codes of Compliance, designed to ensure that its Accredited Members provide services, advice and employment to the highest level of professional and ethical standards in the UK.

For recruitment agencies, end-hirers, and workers, the FCSA Codes of Compliance provide complete peace of mind when selecting umbrella employers, limited company advisors, professional employment organisation and self-employed & CIS contractor providers for their preferred supplier list for the following reasons:

The FCSA Codes of Compliance are produced by our independent assessor panel in consultation with HMRC, BEIS, and leading industry trade bodies, including REC, APSCo and TEAM, amongst others.

The Codes are published on the FCSA website so that agencies, end-hirers, and contractors can see exactly what each member firm is assessed against.

The FCSA Codes of Compliance are continually updated to reflect current legislation.

Non-compliance by FCSA Accredited Members may result in fines, suspension, or termination of FCSA Accredited Membership.

Prerequisites for Potential Applicants

The scope of FCSA's Accreditation covers 6 types of business operations in the UK: umbrella employers, limited company advisors, self-employed/CIS contractor providers, fixed-term employment, professional employment organisations and worker. In order to be eligible for FCSA Accreditation, all applicants must meet all of the following criteria:

- A minimum of 2 years successful operation and 1 year's full audited accounts for the legal entity seeking accreditation
- A minimum of 75 contractors successfully supported by the service seeking accreditation
- Net assets must be at least 2.5% of gross profits in order to meet the minimum financial liquidity requirement
- Each director of the business must complete a Fit and Proper Person form in order to assess their suitability for membership as officers of the applicant company

The above minimum criteria are essential for FCSA to be able to assess applicants' business operations in practice, not just in theory. It is important to understand that FCSA Accreditation is not just a tick-box exercise.

You can view the codes if you are viewing the digital version of this brochure by clicking the links below:



SELF-EMPLOYED
/ CIS
CODE



LIMITED
COMPANY
ADVISOR
CODE



PROFESSIONAL
EMPLOYMENT
ORGANISATION
CODE



UMBRELLA
CODE



WORKER
CODE



FIXED TERM
EMPLOYMENT
CODE

operates a best practice code of
Accredited Members
supported by the highest level of professional

Partnership are required to comply with the following Code of
(FCSA Code of Compliance') and to provide the necessary
as providing certain additional general information. The declaration
will be subject to testing in certain cases by our assessors as part of
process, as outlined below. Appointed assessors will undertake their review and
findings to the FCSA CEO.

FCSA will consider this, together with other publicly available data, before deciding on the
to complete a Fit &
Proper Person Form to assist in determining the reputation of individuals that control the
application. In our reasonable opinion, FCSA reserves the right to reject an
application on the basis of potential reputational damage to FCSA, perceived or
otherwise, due to the background or behaviour of an applicant business, an individual associated
with that business or a current member.

For more information on the different operating models, levels of the code and the types of
services offered by FCSA Accredited Members, please refer to the FCSA website.

FCSA Accreditation IS NOT a tick-box exercise

Appointed Assessors

FCSA has a selection of appointed assessors who are authorised to review compliance with the FCSA Code of Compliance. The assessors are partnerships between firms with the ability to provide the necessary financial and legal expertise to review the code. They are:

About FCSA's assessments

The Freelancer and Contractor Services Association (FCSA) is a professional membership body that represents companies that provide employment services to freelancers, contractors, and other flexible workers. As such, the FCSA develops and maintains a range of codes and guidelines that are designed to promote best practice within the sector.

1 Independent

The expert professional firms FCSA use to carry out its assessments, are all long-established and highly-regarded organisations. FCSA engage these firms to allow for completely impartial results. Other accreditations carry out assessments in-house and can not offer this level of objectivity.

2 Transparent

FCSA's Codes of Compliance are published annually and displayed indefinitely on its website. This is done so every part of the supply chain can see the standards at which its Accredited Members are being held. FCSA are currently the only trade association in the sector that offer this level of transparency to the public.

3 Evidence-Based

The assessment process requires prospective members to fill out a work-book that, depending on the service being assessed, can span over seven hundred points of testing. Each of these points are then assessed against samples of evidence taken from the assessee, to ensure their answers are legitimate and what is written in process, happens in practice.

4 Fair

FCSA's assessment process is designed to be fair and consistent, so all the organisations that undergo it are treated the same regardless of which assessor they are assigned.



Meet FCSA's Independent Assessors



JMW Solicitors LLP

JMW Solicitors LLP is a law firm based in Manchester, England. It was founded in 1979 and has since grown to become one of the leading firms in the UK, with offices in London and Liverpool. The firm offers a wide range of legal services to businesses and individuals, including employment law, corporate and commercial law, dispute resolution, commercial and residential real estate, personal injury and family and private client law. JMW Solicitors LLP is known for its expertise, professionalism, and dedication to client satisfaction.

www.jmw.co.uk



Ernst & Young LLP

EY (Ernst & Young) is one of the largest professional services firms in the world. It is one of the "Big Four" accounting firms that provides a wide range of services in the fields of assurance, including; financial audit, consulting, strategy & transactions, and tax. The firm has a strong focus on helping companies and organisations to navigate complex business environments and solve problems. EY is headquartered in London, England, and has operations in over 150 countries around the world.

www.ey.com



BDO LLP

BDO UK provides tax, audit & assurance, advisory and business outsourcing services to companies across all sectors of the economy. Operating out of 18 locations across the UK, they cover all of the major business centres while offering local expertise to local firms. The core values of BDO include being responsible, acting with integrity and working collaboratively.

www.bdo.co.uk



Brabners Solicitors LLP

Brabners is a law firm providing legal advice and services to businesses and individuals across the UK. Brabners provides advice on all legal matters from employment law to real estate, dispute resolution to corporate law. Brabners has particular expertise in the recruitment and workforce solutions sector.

www.brabners.com



Saffery Champness LLP

Saffery Champness is a firm of chartered accountants, tax and business advisers based in the UK, acting for entrepreneurial businesses across a range of sectors, and also for individuals and not-for-profit organisations. Founded in 1855, the firm has grown to become one of the largest independent accountants in the UK, with nine UK offices and six overseas. It is a member of Nexia International, a leading, global network of independent accounting and consulting firms.

www.saffery.com

Hear from our current Recruiter Partners

Don't just take our word for it... hear from some of FCSA's Recruiter Partners, that have been with us for several years.

MC Personnel

MC Personnel have been Recruiter Partners of the FCSA for several years now. As a Partner, we find them a great source of valuable information and they have a real commitment to raising standards and best practice in both Payroll and Recruitment which quite frankly has been desperately needed in the industry! FCSA aren't just another organisation to join, wear the badge and then not hear from, we are in regular contact and they really do bring added value to both our business and those we work with, our Workers and End Hirers can have peace of mind that we are Partners of FCSA and the Payroll / Accountants we use are fully FCSA Accredited. It isn't an easy tick box to join but it is worth it to know your business is compliant and you have their support if needed.



Danielle Cassidy
REGIONAL MANAGER
MC Personnel

Pertemps Medical

By being an FCSA Recruiter Partner, it gives us peace of mind that our business, our candidates and further supply chain are working with and being represented by companies that are proud to demonstrate the highest standards of compliance and always be up to date with the ever-changing legislation.



Lisa Dennis
PAYROLL MANAGER
Pertemps Medical

Seymour John (North)

As an accredited recruitment partner to the NHS, we are committed to meeting the gold standard for compliance for the industry. Our FCSA Recruiter Partner status not only satisfies the requirements of the procurement frameworks through which we supply, but also demonstrates our commitment to rigorous codes of compliance and ethical standards to our clients. Our FCSA contact has provided us with valuable, practical, and useful advice and guidance, enhancing our market value proposition and mitigating corporate risk for our supply chain.



William Griffiths
DIRECTOR
Seymour John (North)

Driver Require

At Driver Require we strive for excellence, going beyond the extra mile in all aspects of our business, and believe that professional certifications help us to better meet the needs of our clients, agency workers and staff. We have sought accreditations across all aspects of our business as a temporary worker supply agency, these being as a specialist temporary driver supplier, as a compliant recruiter and as a compliant employer and taxpayer. In this last aspect we sought to be assured by the FCSA as an FCSA Recruiter Partner, this being, in our view, the gold standard for recruiters who wish to demonstrate their payroll and tax compliance. We are proud to have achieved the unique status of being the only UK driver recruitment agency with three gold-standard certifications, one of which is the FCSA Recruiter Partner status. We believe this is something our customers and prospects value, and that gives us a distinct competitive advantage in a cutthroat marketplace.



Kieran Smith

CEO

Driver Require

If you are interested in becoming a Recruiter Partner of FCSA, please contact us, using the methods available on the inside back cover of this brochure.

FCSA's Business Partners

FCSA have partnered with the best service providers in the sector, to supply Accredited members and Recruiter Partners, with fantastic deals.



integrity • independence

How to contact FCSA

If you are interested in more information surrounding our Recruiter Partnership programme or FCSA in general, please use the following:



www.fcsa.org.uk/contact-us



info@fcsa.org.uk



07960 984591



@FCSA_org



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Contractor Services
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71-75 Shelton Street,
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fcsa.org.uk