

## Factsheet C18: Using the services of self-employed workers and agencies

**Self-Employed workers** – A self-employed person is somebody who works for themselves and does not have a contract of employment with you. You do not employ them. Instead you buy and pay for their services in a similar way you would from a care agency.

People who are self-employed generally run their own businesses and take responsibility for its success or failure; they usually have several customers at a time and can decide how, when and where they do their work. They are free to hire other people to help them at their own expense and should provide the main equipment they need to do their work. It is also important to check they have their own insurance cover.

Many people will say they are self-employed but it is up to you to decide if this is the case, this is extremely important as if the person is not self-employed you may be liable for any tax and national insurance that should have been paid as well as interest and penalties. If you are not sure if someone is self-employed you can contact Equal Lives or Her Majesties Revenue and Customs (HMRC). HMRC produce a leaflet called ES/FS1 Employed or Self-Employed. If you would like to request a copy their number is 08457 143143 or you can get a copy on their website: [www.hmrc.gov.uk/leaflets/c5.htm](http://www.hmrc.gov.uk/leaflets/c5.htm).

HMRC also have an online employment status indicator (ESI) tool. This tool can help you work out someone's employment status and is available on their website: [www.hmrc.gov.uk/calcs/esi.htm](http://www.hmrc.gov.uk/calcs/esi.htm).



- Finding a self-employed worker – You could find these services in the yellow pages, on the internet or advertised locally. You may know someone that uses the services of someone who is self-employed and take a recommendation from them. You can also use the 'Norfolk Trusted Trader' a directory from Norfolk County Council that lists people recommended by their customers and have been checked by Trading Standards. You can obtain a copy of the Trusted Trader by calling 0344 800 8020 or online at: <http://www.referenceline.com/tradingstandards/norfolk/>
- How much do they cost – A self-employed person will decide how much to charge for their services and they will be responsible for their tax and national insurance contributions. They are not entitled to holiday or sick pay from you. You should have a written agreement with them about the work they will do and how much it will cost, before they start and they should invoice you for the work they do.

**Agencies** - A care agency is a business that provides care within your own home or support to get out and about. You do not employ the workers; the agency will usually employ a number of care workers and they are responsible for paying their own tax and national insurance. A care agency may specialise in a particular area and they can provide care from just a few hours a week to 24 hour support. You could use an agency for your entire care package, for back up or for short notice cover.

You need to be sure the agency can meet your needs. It is a good idea to know the hours and days you want them to work and the type of things you would like them to do. A good care provider will answer any questions you



have and some may ask to meet with you before starting. As with any other services only use them if you are completely satisfied – **Remember you are the customer!**

- Finding an agency – You may already know of a care agency or have a recommendation from someone you know. You can look in the yellow pages or on [www.yell.com](http://www.yell.com). You can also request, from Norfolk County Council Adult Social Services a list of the agencies that are registered with them. The Care Quality Commission (CQC) is responsible for monitoring care agencies in England and keep details of agencies. You can search their website at [www.cqc.org.uk](http://www.cqc.org.uk) or phone them on 03000 616161.
- How much do they cost – Prices can vary depending which agency you choose and agencies are usually the more expensive option. The agency will give you an invoice to pay for their services. You can buy or contract the service in the way you would any other service that you may need to use. You may want to find out if there are any other costs they charge e.g. bank holiday enhancements, different rates at different times, mileage costs and admin fees. When you choose to receive agency support you should be asked to sign a contract, all of these costs should be listed here so it is important you read this thoroughly and are happy with it before you sign it.

If you require further information or would like this factsheet in an alternative format you can contact us by calling: 01508 491210, by emailing: [info@equallives.org.uk](mailto:info@equallives.org.uk), or by writing to: Equal Lives, 15 Manor Farm Barns, Fox Road, Framingham Pigot, Norfolk, NR14 7PZ.

