



Northern Ireland
Assembly

Committee for Employment and Learning

OFFICIAL REPORT (Hansard)

Agency Workers Regulations:
Department for Employment and Learning

18 June 2014

NORTHERN IRELAND ASSEMBLY

Committee for Employment and Learning

Agency Workers Regulations: DEL Officials

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Members present for all or part of the proceedings:

Mr Robin Swann (Chairperson)
Mr Thomas Buchanan (Deputy Chairperson)
Mr Sammy Douglas
Mr Phil Flanagan
Mr David Hilditch
Mr Fra McCann
Ms Bronwyn McGahan
Mr Alastair Ross
Ms Claire Sugden

Witnesses:

Mr Tom Evans	Department for Employment and Learning
Mr John McKeown	Department for Employment and Learning
Ms Deirdre Walsh	Department for Employment and Learning

The Chairperson: I welcome Tom Evans, deputy director of strategy, European and employment relations division; Mr John McKeown, head of employment relations policy and legislation; and Mrs Deirdre Walsh, from the employment relations policy and legislation division. You are very welcome, folks. Tom, you have 10 minutes, at most. Would that —

Mr Tom Evans (Department for Employment and Learning): That is absolutely fine. Thanks for giving us the opportunity to come along today. I am going to briefly set the scene, and then John will make the main part of the presentation.

As the Committee is aware, the Department transposed the agency workers directive in December 2011. We were in front of the Committee a number of times and there was a take-note debate on those very issues. The regulations provide day-1 rights to access collective facilities and information on job vacancies. In transposing the directive, the Department availed itself of a 12-week derogation. After 12 weeks of someone being in the same job, they receive rights to equal treatment on pay and other working conditions.

At the time of the transposition, the Minister gave a commitment on the Floor of the Assembly to review the effectiveness of the regulations after a reasonable period. In doing that, the Minister asked for some research to be conducted. We commissioned research to identify the impacts of the regulations; the level of awareness of the regulations, not just amongst the employment agencies but the hirers and agency workers themselves; and to assess the extent of compliance with the regulations by the agencies and hirers in providing access to new rights for agency workers. It was

also to see whether the research could provide a stronger understanding of the numbers of agency workers who are operating in Northern Ireland.

The Commission conducted its own review and concluded that there is no real fundamental need for change in terms of the directive, but it is going to attend to issues around the Swedish derogation. We are happy to pick up on that and on how some member states, including the UK, availed themselves of the derogation. We availed ourselves of the 12-week derogation.

We commissioned RSM McClure Watters to do the research. It reported very recently and, actually, Deirdre and John had a presentation yesterday. I am going to hand over to John to give you an overview.

Mr John McKeown (Department for Employment and Learning): Good morning, Chair and members. I will start by briefly looking at the terms of reference. I am conscious that the full listing of the terms of reference has been supplied along with a copy of the report, so I will just scoot through them, if that is OK. They include provision of a quantitative assessment of any additional financial or regulatory costs to agencies and hirers arising as a result of the introduction of the regulations. They also provide for engagement with agencies and hirers to establish any challenges that they have encountered in meeting their obligations under the regulations and take their view of any difficulties experienced by agency workers in accessing the new rights provided by the regulations.

The terms of reference also include devising sample frames for what are essentially difficult-to-contact groups, particularly agency workers. By that I mean ensuring as much statistical validity as possible in the research. Also in the terms of reference there was consideration of asking agency workers for their views and experience on how agencies and hirers have complied with the regulations, auditing the support available for all three parties to the contracts from government and non-government agencies. We were particularly asking the consultants to look at the information, advice and guidance provided to all parties.

The final two relate to assessing any perceived efficiencies or over-provision in the regulations and assessing the results of the 2011 Northern Ireland labour force survey relating to agency workers and how those results might inform policy development, and, finally, to considering whether that labour force survey remains a worthwhile source of data on agency worker numbers. You can see that it represents quite a complex and challenging set of terms of reference.

In terms of the methodology approach and some of the issues around the methodology, very briefly, a review of statistics and desk research was conducted by the consultants. They then designed three surveys, one for each party: agencies, hirers and agency workers. They also conducted consultation in the shape of one-to-one interviews with relevant stakeholder groups that represent agencies, hirers and agency workers.

Briefly, 458 agency workers were surveyed in total, either face-to-face or telephone interviews. Access proved problematic as, for those workers on assignment, it required the approval of the hirer, and sometimes that just could not be facilitated for a variety of reasons. One hundred hirers were surveyed, mainly by telephone. Those were from public sector, manufacturing, construction, hospitality and other services, including banking and utility services. Then, 35 employment agencies were surveyed, mainly through an online survey. The consultants used a list of over 130 agencies and we had 35 responses. They found that some of the agencies on that list were no longer operational, some did not provide for temporary workers and 64 just did not respond to the survey request.

I will now look at agency worker population, which I know is of interest, just to try to get a sense of what numbers of agency workers there are in Northern Ireland. The census of employment in 2011 set the figure at 13,972. Recruitment and Employment Federation research of 2008 set the figure at 14,007. The consultants conducted some research in 2013 and set the figure at 12,260. So, you can see that there is little variation between those three sets of figures.

Of agency workers surveyed, 61% were male and 39% female. Migrant workers made up 21%, and that compares to 4-5% of the general population. Of those surveyed, 17% were on Swedish derogation contracts.

There were two sets of key findings: one resulting from consultations with the 18 key stakeholder groups; and the main findings from the report. There is quite a bit of overlap in those findings. In summary, the key findings were that the cost of using agency workers has increased but that has not

impacted on the average length of assignment for agency workers. Greater clarity and guidance is required on the regulations in general and on specific issues, such as defining an "equivalent" employee or defining the right to be considered for internally advertised posts. Agency workers often take on assignments without a full understanding of their contract and terms and conditions. The contracts are often quite complex and difficult to understand. Those are the four key findings from the consultation with stakeholders.

The report itself found no evidence from agencies, hirers or workers to suggest that the average length of assignment had been impacted by the regulations. You can see that that overlaps with the consultation group's finding. A small number of hirers noted substantial additional costs in using additional agency workers, specifically in relation to pay and holiday entitlement. However, only one hirer was able to quantify that cost.

There is anecdotal evidence to suggest that agencies have borne most of the administrative burden associated with the regulations, and this was found to be particularly so in the period running up to the implementation and beyond of the regulations. Those costs were incurred mainly in relation to ensuring compliance with the regulations. Anecdotal evidence, also provided by agency workers and supported by the view of the stakeholders' group, is that they do not fully understand the terms and conditions of their contracts. However, they believe that they have to accept these just to get the work.

There is clear feedback from agencies and hirers that the regulations are too vague in two areas, which are pay and access to internal vacancies or opportunities. Another key finding was that 76% of agency workers chose this type of work simply because they could not get permanent work. None of the three parties to this type of work noted any significant gaps in the regulations in terms of additional rights that workers should have that are not covered in the regulations.

Finally, 17% of agency workers reported that they were on Swedish derogation contracts, as I mentioned. Of that 17%, 64% stated that they were not aware that they were not entitled to equal pay, as part of that derogation, after 12 weeks on assignment.

The recommendations arising from the research include that the Department should provide more detailed guidance, which was a common theme throughout the research, including work examples on pay, bonuses and access to vacancies, and that that should be developed in consultation with the agencies and the hirers. The Department should also consider means to raise awareness and understanding of the rights of agency workers so that they can make informed choices at the point of accepting a contract or assignment. The Department should explore the extent to which workers on Swedish derogation contracts are not being paid between assignments when they should be. The Department should consider methods and resources to improve information on the number and profile of agency workers in Northern Ireland. We have those three sets of figures, but the report recommended that we should work more closely with colleagues in DETI and the Northern Ireland Statistics and Research Agency (NISRA) to investigate the potential of having a clear definition of "agency worker" in the census of employment. Doing that may help us gain a clearer picture of the numbers we are dealing with. The final two recommendations are that agencies should provide clear information to workers on their rights and entitlements at registration or at the point of commencing their assignment and that agencies should signpost workers to information sources available, for example, the Department's website or through NI Direct.

In conclusion, the research report provides a lot of detailed information, raises a range of issues and makes recommendations. The recommendations are consistent with better regulation principles, focusing primarily on enhancing and simplifying existing guidance on the subject. The Minister has yet to take any policy decisions on the findings and recommendations, and he clearly wishes the Committee to have the opportunity to consider the report in the first instance.

The Chairperson: Tom, do you want to add anything?

Mr Evans: John is right. We got the report only recently. There is nothing particularly sensitive in it. There are some sensible findings and recommendations that we need to look at and take back to the Minister for his consideration.

The Chairperson: I suppose that the main thrust coming through is the lack of understanding of contractual law by an agency worker. Under your recommendations, workers are pointed to a website or it is left up to the agency. For cases where an agency gives a worker a contract that is possibly

confusing or overly burdensome on purpose because the agency knows that those workers will be the more vulnerable part of the workforce, it is a bit weak to leave it or to tell them to look at a website. I think that we need to look at something stronger on educating agency workers on their employment rights.

Mr Evans: I agree. That is a consistent message across some of the other areas of employment law, and we will not just take that point but talk to stakeholder groups about this. We fund a post through which migrant workers get support and advice, but I think that you are right that just signposting to a particular website is probably insufficient and we would be coming back in a couple of years with a similar set of findings. We need to look a little more innovatively with stakeholders at how we can —

The Chairperson: Tom, I did not specifically mean migrant workers but all agency workers.

Ms Deirdre Walsh (Department for Employment and Learning): We did a set of guidance at the outset, and we did that in conjunction with agencies, hirers and workers' representatives. That fed into what we have put on NI Direct and the NI Business Info sites. Some of the findings of this report are that agency workers in particular get their information from the Internet. We know from our experience that, when we google any request for information on employment rights, NI Direct and NI Business Info are the sites that come up first. So, indirectly, our information has reached, but, when asked, I guess that the agency workers did not appreciate that the information was coming from the Department.

The Chairperson: It is all right accessing information, Deirdre, but it is about understanding and being able to apply the information. I think that that is borne out by the fact that, out of your seven recommendations, three mention the Swedish derogation. It is clearly highlighted through those recommendations either that the Swedish derogation is being abused by agencies or employers or that it is definitely not being understood by agency workers.

Mr Evans: Again, we will look, first, to see whether there are levels of abuse resulting in people not getting their entitlements. Secondly, similarly, we have been with the Committee on issues such as zero-hours contracts and mentioned that people do not understand those. Maybe we need to do more by way of examples that are focused and where people can see what it means for them as an agency worker. I think that we would like to talk to people who are giving support and guidance to agency workers to get their view on how we might take this forward.

The Chairperson: Is the Swedish derogation a devolved matter?

Ms Walsh: The Swedish derogation was provided for in the directive, and it was one that we availed ourselves of in Northern Ireland. We did that in the same way that GB did it. So, there is an overall application of the Swedish derogation in the UK.

The Chairperson: Could we decide that the Swedish derogation is not applicable in Northern Ireland?

Mr Evans: We have had this discussion before about the UK Government and the social partners. There was a sensitivity, in that the TUC and CBI agreed that there would be 12-week derogation. So, it is difficult. We have taken legal advice on whether we can cherry-pick and leave it out. That is an issue. We took advice on that when we were transposing the directive.

Ms Walsh: As Tom mentioned at the outset, the European Commission reviewed the implementation of the directive, and its report was published in March 2014. One of the commitments in the report is to review the application of the Swedish derogation in five member states where there had been uptake, including the UK. So, that piece of work will happen at Commission level, and we will watch very closely to see what comes out of it.

The Chairperson: It is just that there is an assumption among mostly trade unions that the Swedish derogation is a way round being able to apply agency worker regulations (AWRs), because, if you apply the Swedish derogation, you do not have to follow a lot of the AWRs.

Ms Walsh: The other thing is that, in this piece of research, only 17% of agency workers claimed to be on a Swedish derogation contract. So, that has given us a very small sample to draw conclusions from.

The Chairperson: Did the other 83% know that they were not?

Ms Walsh: Presumably. I —

The Chairperson: That is the piece of work that needs to be done.

Mr Evans: The Swedish derogation only allows the rights not to apply to pay, and, as a minimum, workers have to be paid the national minimum wage. All the other rights apply, and they are paid between assignments. Obviously, when the regulations were introduced, we were in the middle of the economic downturn. As you say, 76% said that they became agency workers because they obviously needed work. It was not a choice; it was about being able to secure employment.

The Chairperson: I do not mean to labour the point, but your second recommendation is to investigate the reasons why 64% of agency workers who are on a Swedish derogation contract do not know that they are entitled to equal pay under such a contract. So, it is the reinforcement of that.

Mr Douglas: Tom, following on from the Chair, I want to ask you about the guidance for agency workers. Obviously, this is a big problem. Are there examples in Europe where other countries facing similar difficulties have cracked it? It strikes me that it is not just a matter of the information being there. It is about people being directed to someone who will explain it to them, such as, for example, some of the voluntary organisations in Northern Ireland. I am thinking of the East Belfast Independent Advice Centre, which could provide that help and support for an agency worker, but that person has to be directed to there. Many of them probably are not aware of that sort of help and support.

Ms Walsh: We have done quite a bit. We did quite a lot of marketing material. All the citizens advice bureaux, for example, have our leaflets, including the translations for migrant workers. So, we did quite a bit at the outset, but, probably like everything else, those types of things need to be refreshed to have them on people's psyche.

Mr Evans: The recommendation about people not fully understanding their rights provides a strong message, and it applies to the broader set of employment rights. We are interested in doing that, and the Minister will obviously want to think seriously about it. You are absolutely right: can we do something much more powerful, which does not necessarily mean putting in lots of money but does require taking a joined-up approach? We need to look at that. We need to talk to the independent advice sector about how it might be able to help us on that.

Mr Douglas: My second question is linked into that. There is evidence that agency workers who had been employed by a company for maybe a short time are being moved on because of the 12-week time factor. Can you ascertain how big that problem is? You are talking about people who have worked for over a year, and yet they are still on the 12-week period as they go across the company.

Mr Evans: When we were with the Committee, and in the debate, the concern was that people would avoid giving equal treatment rights, which is something that the commission and the Minister want to ensure does not happen. At this stage, that intelligence has not come through. A number of claims have been raised by agency workers with the industrial and fair employment tribunals around those types of issues; for example, that they have not been afforded those rights and have been moved in a way that avoids them getting equal treatment rights after 12 weeks. If there is any evidence of that, the Minister would be very keen to know about it and would act quite strongly on it.

Mr Douglas: Finally, it says that it will cost employers to implement this, but there is no suggestion that it is a major problem for them. Is that the case? If it is going to cost businesses money, you would think that they would be raising those sorts of issues. Some people have said that it would cost money but were not able to provide the financial evidence.

Ms Walsh: With one exception, most hirers were not able to quantify the cost. The report indicates that, generally, especially for agencies, the costs were initial set-up costs. However, one hirer did mention quite a substantial amount of money annually for the cost of the regulations. As we understand it, that was a very large employer.

Mr Evans: Using the 12-week derogation reduced the overall cost of the regulatory burden by £17 million. It is in that context that the costs are set.

Mr Hilditch: I have a couple of points, and Sammy has covered some of them. Was there any difference in the survey findings between public and private sector employers or in the feedback from the workers themselves?

Mr Evans: No, we do not have anything to distil out that division.

Ms Walsh: It has not gone to that level of detail.

Mr Hilditch: People who have not signed up to Swedish derogation contracts are potentially working for 10 or 12 months in a location, and then the work comes to an end abruptly because of, for instance, a change in contract. They are then advised not to sign on, so that they do not break their service. They go three or four weeks without money and are then started back again. Is that situation legal?

Mr Evans: Advised by whom?

Mr Hilditch: The agency.

Mr Evans: Again, that issue was raised by the Committee last week with respect to zero-hours contracts. The issue there was about — how will I put it — how inconsistent or not regular work patterns would impact on benefit entitlements. However, we have had nothing —

Mr Hilditch: For instance, in one particular case, they were told not to sign on because they would be out of work for only a fortnight. That fortnight turns into six weeks. They stay loyal to the agency and whatnot, but they are obviously in a detrimental position.

Ms Walsh: Are they people who are not on Swedish derogation contracts?

Mr Hilditch: Yes.

Ms Walsh: We are not aware of that situation.

Mr Hilditch: OK. Much goes on in the agencies that we are just not aware of.

On equal treatment rights, agency workers could be employed alongside full-time permanent workers, and those workers get a bonus payment. Are agency workers entitled to bonus payments?

Ms Walsh: They are entitled to certain bonus payments, where those are directly related to the particular work — a work-time situation — but not to others, where the bonus relates more to the permanency of the comparable worker.

Ms McGahan: Thank you for your presentation. Given that the highest percentage of agency workers falls within the 16- to 25-year-old category, and that that is probably their first contact with employers, I agree with the Chair that it is important that we strengthen our recommendations around that. If you look at 16- and 17-year-olds, they are not going to challenge their employers. So, we need to look at their vulnerability in this as well, and it would be interesting to get a breakdown of the 16- and 17-year-olds, because we are dealing with minors. We just need to have something specific around that.

Ms Walsh: The research probably asked for respondents' ages in brackets, but we can go back to the researchers and ask them whether they have more specific information on the age group, and on the very young people.

Mr Evans: There would be a different set of support structures in agencies supporting that, and we would need to look at that as well.

Mr F McCann: So much of my stuff has already been asked. Out of interest, who has overall responsibility for monitoring the agencies to ensure that they behave in a legal manner?

Mr Evans: The Department has an inspectorate that is responsible for ensuring that agencies follow and comply with the conduct regulations. It looks at their overall behaviours and whether they follow

the detail of it. We reviewed the conduct regulations to see whether there needed to be any changes, and we are out to consultation on that.

At the individual level, and as with any employment right, it is for the individual who feels that their rights have been infringed to take the issue to a fair employment tribunal. They can also seek advice from the Labour Relations Agency, which we also fund. Some people have taken cases to tribunal. Some of those have been mediated, I presume through a third party such as the Labour Relations Agency; some have been upheld; and some were without substance and the tribunal did not determine in favour of the claimant. At the global level, Deirdre's team has the role of ensuring that the agencies comply. We produce an annual report of our findings.

Mr F McCann: That raises two points. When you went back round, did it surprise you that, I think, 22 had closed altogether? Do you keep a record of the ones that close? How many are there across the North?

Ms Walsh: The researchers got their database from our employment agency inspectorate. After ringing all of them, the researchers concluded that there were about 130 agencies. They are evolving: some close, some open and some regenerate into something else. Keeping track is a constant issue in the employment agency inspectorate. It is one of those things that we keep a close watch on because we quite often circulate information to agencies, not least about this type of thing and about consultations.

Mr F McCann: Are you equipped, do you have the legislation to be able to deal with the eventualities with the agencies?

Ms Walsh: The conduct regulations provide for the protection of agency workers and hirers using agencies. So, yes, I do not think that we have come to the conclusion that we are not equipped.

Mr Evans: We have acted to have people prosecuted where they have continually and consistently not complied with the legislation. We have been quite aggressive in doing that; and, through Deirdre and her team, we have worked with the Departmental Solicitor's Office to make sure that such cases are taken through to a positive conclusion.

Mr F McCann: Have any been to court or tribunal?

Ms Walsh: Yes.

Mr F McCann: What sort of response do you get from the system?

Ms Walsh: The tribunal system had banned a particular agent for up to 10 years. We have also had success in court. However, those would be extreme cases. We generally try to address infringement issues through awareness-raising, inspection and guidance.

Mr F McCann: For people who have taken action against employers in the past, you mentioned that a number of cases had been mediated. To me, that usually means that the agency has backed down, in many ways. Some people have taken it through to a successful conclusion. Do other agencies look at that, and, if they are doing the same thing, move to ensure that they do not fall into the same difficulties?

Ms Walsh: I guess that we do not know, but it would seem to make good commercial sense to do so. We do not have information on that.

Mr Evans: The reputational damage is obviously something. We have moved to having very much an education role. It is not to find fault; it is more to encourage good practice. In the last number of reports, that has been quite positive. However, in any situation, there will always be people who will not comply.

Mr F McCann: I have just one final comment: for many of these people, reputation is not a big plus.

Mr Flanagan: Thanks for the presentation. I was not a member of the Committee when the directive was implemented here. Are the Agency Workers Regulations 2011 the basic minimum that could have been done, or did we go above and beyond what was legally required of us?

Mr Evans: As far as the agency workers directive is concerned, the negotiation happened between the member state, which was the UK Government, and the social partners. I think, with respect to the directive, it certainly went beyond the minimum entitlement. There were concerns here. I think that the Committee took evidence from stakeholders, including the Northern Ireland Committee, Irish Congress of Trade Unions, which did not feel that it was involved in the consultation. For European directive issues, it is regarded as the social partner. I think that it did go beyond the minimum as regards pregnant workers and access, after 12 weeks, to antenatal appointments and things like that.

Mr Flanagan: Other members have asked why more than a third of agency workers are not aware of their basic rights. The recommendation you are bringing forward to the Department is to carry out further work to investigate the reasons behind that. Anecdotally, do you have any explanation as to why so many people are not aware of their basic employment rights?

Ms Walsh: Anecdotally, we have learned that people are so keen to get work that they do not tend to read the contracts they have signed.

Mr McKeown: The other thing that the consultants mentioned to us yesterday in the presentation — it is back to Bronwyn's point — is that a lot of agency workers are younger. Younger people did not tend to raise the issues for the reason that Deirdre outlined.

Mr Flanagan: You also said that a high percentage of agencies stated that they have informed their workers about all rights under the regulations. Are you telling me that these things are being lumped into the middle of a standard employment contract and that people are not specifically told that, even though they are agency workers, they have all the rights of a normal employee after 12 weeks? Are people being specifically told these things, or are they just being put into their employment contract? I have never read an employment contract.

Ms Walsh: Our information is what the research has given us. We do not know what that conversation or exchange looks like at the outset, when an agency worker signs or goes on assignment.

Mr Flanagan: Are you going to look in more detail at how agencies are actually telling people that they have those rights?

Mr Evans: I think that we are going to have to go out. These recommendations are fresh. We are going to have to do some fieldwork and talk to the organisations involved. Consultants talked to them as part of the research. We have an ongoing commitment and requirement to do that. We need to get in under some of this stuff. Whether they are an agency worker or a full-time worker, you could probably ask many staff in many organisations about what exactly they are entitled to, and they may not know. It only often becomes an issue that they become mindful of when there seems to be a problem, and that is not unique to agency working.

Mr Flanagan: Is there any evidence to indicate that, of that 64%, it is people from other countries who are affected disproportionately? Does it affect everyone equally?

Ms Walsh: Do you mean the 64%?

Mr Flanagan: I am sorry, I mean the 36% of people who are not aware of their rights. Is there any evidence that people from other countries are being affected disproportionately, or are people from all backgrounds affected equally?

Ms Walsh: I do not think that we have that level of detail in the research, but we can ask the researchers whether they have that.

Mr Flanagan: The first thing drawn to mind is that there may well be a language problem, and it is a question of how you solve that problem. Is there any indication in the research of, or are you

considering looking at, the number of agency workers who work in the public sector and how they are being treated by their employer?

Ms Walsh: There are figures on how many people are in the public sector, but, again, those figures are not broken down to show what people's experiences are as distinct from those who work in other sectors.

Mr Flanagan: Finally, following this piece of work, is there a willingness in the Department to introduce future and further regulations to ensure that agency workers are fully informed of their employment rights and can access them?

Mr Evans: I am not sure that that will be done through regulations. I think that the Minister will want to decide the best course of action, because another regulation may not have the effect. Legislation in itself sometimes does not have the effect. This is about a joined-up approach in bringing clarity and understanding. I think that the point you are making is about whether the contract of employment is explained to these people and not just put out to them. So, we need to see what mechanisms can be introduced to bring openness and understanding.

There may be more general things that we need to do. The independent advice sector has a big role to play in this. Is it giving the right sort of advice? That is not a criticism; I am just saying that maybe we need to work with it so that it can support us on this. I do not know whether regulations are planned at this stage. You could say that you could introduce a regulation to require an agency or hirer to explain the contract, but the review has said that nobody felt that there were any gaps in the regulations. It is just that people are not understanding, and some of that may be just that they do not see it as a priority at that point in time.

Mr Flanagan: This is my final question now.

The Chairperson: Final, final.

Mr Flanagan: Sixty four per cent of agency workers do not know that they are entitled to equal pay. Have you any idea of what percentage of employers who employ agency workers are aware of the legal right of their agency employees?

Ms Walsh: One hundred per cent.

Mr Flanagan: They are all aware of it.

Ms Walsh: That is what they say, yes.

The Chairperson: Tom, there are a number of things on advice on the contracts. You mentioned independent advice and the LRA — all reactive — to inform agency workers that there is something wrong with their contract. Is there anything proactive that the Department can do?

Mr Evans: I suppose it is about getting a balance between, on the one hand, putting the right systems in place, putting the right information on the web and having various agencies primed to give that information and, on the other hand, at the point of the contractual arrangements being negotiated, encouragement that the agency and the hirer are clear about the situation. At this stage, we need to look at it. I am not sure what we can say today. We need to review this process.

The Chairperson: Is information on agency workers' employment rights available in all your jobs and benefits offices?

Ms Walsh: We have put leaflets in them.

Mr Evans: They direct people to the citizens' channel of NI Direct as well.

The Chairperson: Do they also advise people who are going to agencies about their employment rights?

Mr Evans: They should do.

The Chairperson: They should do.

Mr Evans: Yes, but that is not something we —

The Chairperson: Is it something you can look at?

Mr Evans: Yes, we can.

The Chairperson: I know that the Minister was looking for the Committee's feedback on these recommendations. That is something.

Mr Evans: You are talking about a joined-up approach in the public sector.

The Chairperson: Yes. Surely, it is not that big a challenge, Tom.

There are no more questions. Tom, John, Deirdre, thank you very much.