



Special Educational Needs Recruitment

AWR Policy

Agency Workers Regulations (AWR)

What is AWR?

The Agency Workers Regulations (AWR) gives agency workers who have been in a job for more than 12 weeks, the same employment and working conditions as they would have had if they had been directly recruited by the hirer. The Regulations do mean that agency workers are eligible for certain rights straight away ('Day 1' rights). These rights include equal access to facilities with comparable employees and information about permanent vacancies with the hirer.

When did AWR start?

The Agency Workers Regulations came into force in England, Scotland, and Wales on 1st October 2011.

Who does AWR apply to?

The AWR applies to individuals who work as temporary agency workers.

Self-employed individuals and those who do not work under an agency's supervision are not covered by the AWR. The Regulations do not apply to workers who have found a permanent job with a client, even if they were introduced by an agency.

The aim of the legislation is for agency workers to be provided with equal treatment in the workplace.

What is equal treatment?

After working for 12 calendar weeks in the same role at the same company, you will be entitled to equal treatment, irrespective of how many agencies that supplied you or whether you work full or part-time. Any time worked during a week will be counted as 'one week'— even if you have only worked a few hours in a week.

Therefore, it is imperative that hirers:

- Understand the Regulations
- Assess the impact the Regulations will have on their business
- Start to work closely with their agencies to minimise the costs and limit the potential disruption the implementation of the Regulations may cause to their business
- Put effective systems into place to adhere to the Regulations

At the start of each assignment, SENCare Recruitment will request the required information from the candidate (previous pay scale/salary details) and client (comparable pay of an employee doing a similar job) and will send over relevant forms to clarify this information.

Please contact SENCare Recruitment on 0203 983 7899 or email info@sencare.co.uk for more information on AWR.