
DRAFT STATUTORY INSTRUMENTS

2003 No.

**The Conduct of Employment Agencies and
Employment Businesses Regulations 2003**

PART IV

**REQUIREMENTS TO BE SATISFIED IN RELATION TO THE
INTRODUCTION OR SUPPLY OF A WORK-SEEKER TO A HIRER**

Steps to be taken for the protection of the work-seeker and the hirer

20.—(1) Neither an agency nor an employment business may introduce or supply a work-seeker to a hirer unless the agency or employment business has—

- (a) taken all such steps, as are reasonably practicable, to ensure that the work-seeker and the hirer are each aware of any requirements imposed by law, or by any professional body, which must be satisfied by the hirer or the work-seeker to enable the work-seeker to work for the hirer in the position which the hirer seeks to fill; and
- (b) without prejudice to any of its duties under any enactment or rule of law in relation to health and safety at work, made all such enquiries, as are reasonably practicable, to ensure that it would not be detrimental to the interests of the work-seeker or the hirer for the work-seeker to work for the hirer in the position which the hirer seeks to fill.

(2) Where an employment business receives or obtains information, which gives it reasonable grounds to believe that a work-seeker is unsuitable for the position with a hirer for which the work-seeker is being supplied, it shall, without delay—

- (a) inform the hirer of that information; and
- (b) end the supply of that work-seeker to the hirer.

(3) Where an employment business receives or obtains information which indicates that a work-seeker may be unsuitable for the position with a hirer for which the work-seeker is being supplied, but where that information does not give it reasonable grounds to believe that the work-seeker is unsuitable, it shall, without delay—

- (a) inform the hirer of that information; and
- (b) commence making such further enquiries as are reasonably practicable as to the suitability of the work-seeker for the position concerned, and inform the hirer of the enquiries made and any further information it receives or obtains.

(4) Where, as a result of the enquiries made under paragraph (3) an employment business has reasonable grounds to believe that the work-seeker is unsuitable for the position concerned, it shall, without delay—

- (a) inform the hirer of that information; and
- (b) end the supply of that work-seeker to the hirer.

(5) Where an agency, having introduced a work-seeker to a hirer, receives or obtains information, which indicates that the work-seeker is or may be unsuitable for the position in which the work-seeker has been employed with that hirer, it shall inform the hirer of that information without delay.

(6) Paragraph (5) shall apply for a period of 3 months from the date of introduction of a work-seeker by an agency to a hirer.

(7) In this regulation, “without delay” means on the same day, or where that is not reasonably practicable, on the next business day.