**Guidance for Users and Suppliers of Agency / Temporary workers**

In many cases the employment business will be the employer of the temporary worker, since it retains ultimate control over their services.

In practice, the day-to-day responsibility for health and safety during the assignment will lie with the end user. It will be in the best position to manage the health and safety of the temporary worker as it will direct the worker’s activities and control the premises where that work takes place. The end user must ensure the safety of its temporary workers, as it does that of its own employees.

The employment agency and the employment business however, must take reasonable steps to identify any known risks concerning health and safety and satisfy itself that the end user has taken steps to prevent or control the known risks. This must be done before the work starts and must include obtaining the following information from the end user:

* What the worker will be required to do and any health and safety risks, including what steps the end user has taken to prevent or control such risks;
* What experience, training and qualifications are necessary for the job?

Co-operation and communication between all those involved in using and supplying temporary workers is key to protecting their health and safety. Continuing to do so throughout the period of the assignment, including with the workers themselves, will help ensure that responsibilities are clear. It is important to agree who does what and not assume the ‘other side’ will take responsibility. This will mean working together to ensure you:

* Provide the temporary worker with information on any risks of the work before the work starts, including the control measures in place and any health surveillance required;
* Make workers aware of and check they have the necessary occupational qualifications or skills required to do the job safely before they start work;
* Deliver adequate and sufficient information, instruction and training to enable temporary workers to work safely.  Health and safety training should take place during working hours and at no cost to the temporary worker, making sure they understand it;
* Provide protective equipment, at no cost to the temporary worker, agreeing arrangements for supplying and maintaining it;
* Ensure temporary workers know how to raise any health and safety concerns in the workplace.

If the end user provides the necessary information to the employment business, the employment business must pass it on to the worker. The employment business should not send the temporary worker to a job unless they are satisfied their health and safety will be protected.

All those involved should carry out their work in such a way as to ensure the temporary worker is not exposed to health and safety risks. This may mean obtaining appropriate assurance from others in the supply/user chain, or it may mean taking responsibility to ensure the temporary worker is protected at work

For basic health and safety information, see [Health and Safety Made Simple](http://www.hse.gov.uk/simple-health-safety/).

**Personal Protective Equipment (PPE)**

Employees cannot be charged for provision of protective equipment that is required to do the job. This includes agency workers, if they are legally regarded as your employees.  For temporary workers, in many cases the employment business would be the employer and would be responsible for ensuring any necessary protective equipment is provided.

**Accident Reporting**

Where a worker is not an employee, the duty to report an incident under RIDDOR is on the end user, as the person in control of the premises where an incident occurs.