



HUNTWOOD SUPERVISION, DIRECTION AND CONTROL POLICY

APPROVAL CONTROL

ROLE	NAME	DATE
People Director	Sara Robinson	04/02/2019

VERSION CONTROL

VERSION	AUTHOR NAME	VERSION CHANGES	DATE
1.0	Beccy Hazelden	New Policy	13/01/2020
1.1	Scarlett Campbell	Annual review – no changes	21/10/2020

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INTRODUCTION

The purpose of this document is to outline Huntswood CTC Ltd and its subsidiaries (“Huntswood” or “Group”) position on the impact of Supervision, Direction and Control across its associate population and provide context to aid understanding of our approach.

Minimum standards and guidance will be updated by the policy owner to reflect evolving risks and /or changes to legislation and regulation. Users must adhere to the current version on all occasions.

This information may be required for the purposes of IR35 determinations or on request from an umbrella company employing an individual.

DEFINITIONS OF SUPERVISION, DIRECTION AND CONTROL

Supervision over the manner in which the worker provides the services is the action or process of watching or overseeing what a person does or how something is to be done. If a person checks or has the right to check the work that the worker is doing to make sure it meets a required standard, the manner in which the worker provides the services is subject to supervision.

Supervision can involve helping the worker develop their skills and knowledge.

Direction over the manner in which the worker provides the services is making a worker do their work in a certain way by providing them with instructions, guidance, or advice as to how the work must be done. Someone providing direction will often co-ordinate how the work is done as it's being undertaken.

Control over the manner in which the worker provides the services is telling or instructing a worker about how they do the work. Control over how the person does work also includes someone having the power to move the person from one job to another. If someone can say ‘don’t do it like that’ or ‘do it like this’ then they have a right of control as to the manner in which a person works.

IDENTIFYING IF SDC TEST IS MET

Information you should gather is:

- the services the worker was originally contracted to provide and what they actually provide or do
- who the worker works with, why and when
- where the worker works, why and when
- who checks the worker’s work, when and why - establish what has been checked, by whom, why and did any work have to be re-done
- whether the worker has been moved from one job to another - when, why and by whom

- in what circumstances the worker can refuse to do work and whether they have done so
- who the worker reports to, when and why
- whether the worker has had to seek guidance from anybody to do the work and if they have had to what guidance was required, who gave it and when

Once you've gathered information from all relevant parties you then need to consider if the SDC is met.

Where there are procedures, methods, and instructions which must be followed, it is likely the test will be met.

REGULATORY ENVIRONMENTS

As a general rule HMRC considers that agency workers who personally provide services to work in industries where the manner in which they work is governed by regulations or some other statutory framework or standards, will be subject to the right of SDC, and it is likely that in practice, they will be subject to SDC.

That is because somebody will have the right to check that their work complies with those standards. To check that the workers are complying somebody will need to have the right to supervise their work and, if appropriate, direct or control how the worker does their work.

The types of workers Huntswood supplies into our Financial Services clients are likely to fall into this category.

ROLE TYPES SUBJECT TO SDC

Huntswood has reviewed the roles which the majority of our workforce fulfil and have agreed that the following roles will always meet the test for SDC.

Complaint Handling / Past Business Review Managed Service

- Team Leader
- OOT / QA / QC
- Case Handler
- Data Gatherer

All other roles must be assessed to ascertain SDC, this can be done using the questions within this policy or by using the CEST tool in line with the IR35 policy.

POLICY RESPONSIBILITIES

The following table defines the business roles and their responsibilities in regard of the policy document.

RESPONSIBILITY	ROLE	DEFINITION
Owner	People Director	Ensures the policy is reviewed and maintained on a regular basis
Reviewers	Head of Infrastructure	Ensure the policy document aligns with relevant legislation and company requirements. They will also reflect on progress made against Carbon Calculators and communicate this back to the wider business.
Author	Head of Risk	Shall update the policy document in a succinct time frame on receiving updates from the reviewer and in accordance with company policy writing guidelines
Policy Audience	Huntswood representatives	Must apply the business policy to the business they undertake on behalf of Huntswood

TABLE OF DEFINITIONS

The table of definitions provides definitions of terms used within the policy document

TERM	DEFINITION
Huntswood Representative	Anyone who works for or on behalf of Huntswood.