

Questionnaire to determine Self Employment status

To be completed by the self employed individual only - do not complete this form if you are a Personal Services Company that is subject to IR35 checks or if you are based overseas or supplying goods)

Department:

Please forward the self employment questionnaire to the person you are proposing to engage on a self employed basis. The fully completed questionnaire will then need to be returned to your department to sign before forwarding to the Payroll section to assess the contractual relationship to determine whether payment can be made as self employment or via the University's payroll. The department will also be required to complete the HMRC questionnaire at:

<https://www.gov.uk/guidance/check-employment-status-for-tax#history>

Individual's/ Trading Name	
Address	
Email Address	
Company website (if applicable)	
NI Number (mandatory)	<input type="text"/>
Self Employment Tax Number or Unique Tax Reference number (mandatory)	
VAT Number (if applicable)	

1) How long will you work (i.e. duration) and state date(s), hours, days etc. Will you be working set hours?						
2) If the work is continuous, which of the following best fits the work;						
<table border="0"> <tr> <td>a. Regular working pattern e.g. 9-5 Monday to Friday</td> <td><input type="checkbox"/></td> </tr> <tr> <td>b. Freedom to work whenever based on demands</td> <td><input type="checkbox"/></td> </tr> <tr> <td>c. No specific hours but within agreed deadlines</td> <td><input type="checkbox"/></td> </tr> </table>	a. Regular working pattern e.g. 9-5 Monday to Friday	<input type="checkbox"/>	b. Freedom to work whenever based on demands	<input type="checkbox"/>	c. No specific hours but within agreed deadlines	<input type="checkbox"/>
a. Regular working pattern e.g. 9-5 Monday to Friday	<input type="checkbox"/>					
b. Freedom to work whenever based on demands	<input type="checkbox"/>					
c. No specific hours but within agreed deadlines	<input type="checkbox"/>					
3) Who engaged you & did/will you sign a contract/letter of appointment (please forward a copy if applicable) ?						
4) How did you obtain the appointment/engagement (do you advertise for work)?						
5) Was there anything expressed between you & the University that the work should be carried out on a self employed basis?						
Yes <input type="checkbox"/> No <input type="checkbox"/>						
If no, please explain:						
6) Please provide full details of the work being carried out and please state whether the work is specialised?						

<p>7) Does the work involve teaching of students?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>8) Will you be covering the role of an existing employee?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>9) Who decides what work is to be done - do you know what to do to get the work done & not be told what to do (i.e. not under University management)?</p>
<p>10) If under University management, are you issued with instructions/guidance and is your work checked by a manager?</p>
<p>11) Are you responsible for anyone else's work while at the University (do you manage any staff at the University)?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>12) If the work has not yet started, will you do the work personally or can you delegate a person (or subcontract/substitute) to perform the duties at your own expense without the University having veto?</p> <p>Personally <input type="checkbox"/> Delegate <input type="checkbox"/></p> <p>If personally, what course of action would you take if you were unable to carry out the work e.g. sickness, commitment to other clients etc.?</p>
<p>13) What main equipment is required to perform the role and who supplies this (not including own laptop and mobile phone)?</p>
<p>14) What is the financial risk attached to the engagement i.e. is payment on satisfactory completion of work and will you be required to meet the costs of materials, unfinished work, error corrections etc (if applicable) at your own expense before being paid?</p>
<p>15) Will the work be performed at the University or off site and who decides this?</p> <p>University <input type="checkbox"/> Off site <input type="checkbox"/></p> <p>If the University decides the location, please explain</p>
<p>16) How much will be paid for the work (state rate/fee) and frequency (one-off, monthly) and how this was agreed (e.g. your standard rate, University rate)?</p>
<p>17) Will there be any benefits provided for you e.g. overtime, holiday, expenses if so please state?</p>
<p>18) Are you entitled to a notice of dismissal (contractually or verbally)</p>

19) Do you have Public Liability Insurance/Professional Indemnity Insurance (if yes, please include a copy of the certificate)? Yes <input type="checkbox"/> No <input type="checkbox"/> If no, please explain
20) Will you be working for the University of Warwick again?
21) Are you currently working as an employee <u>or</u> are you an ex-employee of the University of Warwick and if so, please provide details of the work and how this differs from the proposed engagement?
22) Do you carry out other similar work to this for other organisations (i.e. do you regularly work for different clients)?
23) Are there any other relevant details in determining your status?

Please read notes below and ensure the questionnaire is signed

Notes:

The following factors also need to be considered when completing the questionnaire:

- Being registered as self employment does not determine status. The nature of the work and any pre agreed contractual arrangements are primary factors. Letters from Accountants are not acceptable proof of non-employment.
- Written contracts (as opposed to verbal agreements) can strengthen a case for non-employment (if other factors also meet the non-employment criteria). Contracts in excess of £10,000 will require the University's Service Procurement Agreement as mandatory.
- A non-employed person usually has a fixed fee, an hourly rate (if applicable), is usually the arrangement for an employee.
- Who exerts control over the duties i.e. is there a Line Manager? Is the work normally carried out by an employee? Who decides where the work is carried out?
- Who has the right of control over discipline, absence through sickness and hours of work and can a substitute be provided?
- How was the self employed individual approached for the engagement i.e. was the contract advertised as would be the case with an employee?
- A non-employed individual provides their own equipment.
- Is the work genuinely specialised and if so, how?

Declaration;

I confirm the responses are factual in relation to my self employment status and contractual arrangements with the University of Warwick.

Signed: _____ Date: _____

Please return this form to your contact at the University of Warwick (please do not return to Payroll).

Contact/Department (at University of Warwick);

Please provide the name & job title of the contact in your department for this engagement and sign the declaration below to agree with the responses provided.

Name: _____ Job Title: _____

Signed: _____ Date: _____

Please submit this to Tal Dhaliwal (Head of Payroll) at t.dhaliwal@warwick.ac.uk for assessment along with any supporting documents stated above and the completed HMRC questionnaire.

Payroll Use Only:

PSE checked:

Comments: