

## Employment practices review

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**From:**  
**Sent:** 12 February 2017 16:05  
**To:** Employment practices review  
**Subject:** Employment Status Review - released last week - and references to online status tools  
**Attachments:** 20161215 - Future world of work and rights of workers inquiry - Response.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Panel,

We read with interest the excellent Employment Status Review report released last week:  
<https://www.gov.uk/government/publications/employment-status-review-2015>

The report very much aligns with our thinking and our submission last December to another inquiry (copy attached), "Future world of work and rights of workers inquiry launched".

Of particular interest in the report was the reference to the idea of developing online tools to help employers and employees assess their employment status.

Well, we built one of those 7 years ago, that's already been used 100,000 times. It's been refined many times since, and this week launched Version 2 of it to our sector – it asks 101 questions and covers all the expected areas of personal service, control, mutuality of obligation, and so on.

Our tool is pitched in the language of the self-employed contractor market and the IR35 tax legislation, hence being called [www.IR35Testing.co.uk](http://www.IR35Testing.co.uk). But under the bonnet, it's essentially an employment status test that aligns with the decades of employment case law referred to in the Employment Status Review. Credentials? BSc/Msc + 30 years blue-chip software development experience + followed status law for 18 years, and designed by employment status law experts.

Our tool delivers a verdict on IR35 status on a spectrum between pass and fail, which is the equivalent of "employee" and "self-employed". It's a 19-point spectrum. Since the rules for "Worker" status are a subset of the ones for employee, there really is no reason why we couldn't repurpose the tool along the lines suggested in the report. We've already done the ground work for the last 7 years. With our plans for implementing machine learning capabilities the advances that can be made here aren't as impossible as the report makes out. That's something for version 3 though.

If you would like an informal discussion surrounding the issues of automating this kind of decision making tool then please get in touch.

Regards

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