

Is It Legal To Take Money Up-Front?

BBC 'Inside Out' mentions in 2003: "Tighten up the law" and then states "The Government announced two years ago (2001) that it was going to change the law to stop agencies charging people before they found them work. This hasn't happened yet, but the Department of Trade and Industry (DTI) says the amendments are still planned."

As you may know, the DTI did actually amend the Employment Agency Standards (EAS) Conduct Regulations on 6 April 2004. Please read the following, to find out exactly what DTI Minister Gerry Sutcliffe promised the (new) regulations would achieve. But, the DTI promise, to ban all up-front fees – was bogus!

On 16th July 2003 the DTI EAS (Steve Keeler) stated to me: "The draft regulations clearly state that "any fee charged by the agency may consist only of a charge or commission payable out of the work seekers earnings. In my (DTIEAS) view this would mean that charges made to a work seeker by an employment agency, whether it is for registration, interviews, photographs, entry into a book/directory or commission for being found work, could only be charged to the worker after they have been found work by the agent (subject to any national minimum wage laws)."

On the 15th December 2003, DTI Minister Gerry Sutcliffe clearly and concisely, announced to Parliament: "I shall explain the specific benefits for workers that we are introducing. Under the regulations, entertainment agencies will no longer be allowed to charge up-front fees before they find work for actors, models and extras. That will stop the practice of agencies in the entertainment and modelling sectors charging the work seeker a fee, but providing little or no work-finding services. That is particularly heartless abuse whereby unscrupulous agencies prey on individuals who dream of working in those glamorous industries. The new starting point will mean that any fee will be chargeable only out of the earnings that the work seekers receive for the work that the agency finds them."

Gerry Sutcliffe's above speech - bears absolutely no resemblance to the actual DTI EAS Regulations that came into force from 6th April 2004. The DTI will not even enforce their existing regulations, anybody can charge any fee. The DTI will not force wrong-doers to refund such illegal fees. The DTI will take no legal action whatsoever, against such wrong-doers. No fines have ever been imposed.

Anybody can set up a (model) employment agency; there are no checks; no licensing; nothing whatsoever! I have been blowing the whistle on the DTI Ministers broken promises - for over two years now. DTI (EAS) can be likened to a fireman standing right outside a fiercely burning building; and uttering:

What fire...???