

**Conduct of Employment Agencies and Employment Businesses Regulations 2003: A Consultation**

There are 23 questions to this consultation on five pages. You can follow your progress through the questionnaire using the status bar at the bottom of each page.

Once you have completed your online response survey, you will not be able to return to this questionnaire to edit your existing answers. If you have not completed the questionnaire, clicking on the questionnaire link will take you to the point that you left off.

**Your name:**  **What organisation do you represent (if any)?**  **\*E-mail address:**

**\*Please tick the box below that best represents you as a respondent:**  Individual

**\*We will publish all the responses received in this consultation unless we are asked to keep it confidential.**  No

**We would like to keep you informed of the developments of the legislation. If you wish to join the mailing list please indicate below:**  Please add me to the list (using the e-mail address above)

**1) How effective do you consider the cooling off period has been at preventing the unscrupulous practice of rogue recruitment agencies or individuals? Please give reasons.**

Very effective  quite effective  not effective

Comments

Many victims do not even know that there is a cooling off period and even if they did, they would not know it was a scam for possibly weeks/months or even year/s later. The EAS do not even enforce this regulation - by the demanding of refunds for victims. If the EAS do not get refunds for victims; then how can the EAS say - they enforce such regulations?

**2) If the regime were to be tightened which of the options outlined in the consultation document would be your preference? Can you explain why?**

Option 1a  Option 1b  Option 2

Comments

What is an up-front fee? It is any/all fees/charges - made through that agent or their third party - prior to paid work found, whether it be for portfolios, training, finding an agent etc. Neither should an agent be allowed to recommend any third party where a fee/charge is made by that third party - for any service - such as portfolios, training, CV's and showreels, finding an agent, etc.

**3) With respect to inclusion of information about the work-seeker in a publication, would the banning of taking upfront fees, damage legitimate firms/individuals working in the entertainment/modelling industry? If so, can you explain how?**

Yes  No  No view

Comments

Having to change the way the business operates, could be classed as damaging. Certainly the existing system has to change. There are just too many loopholes in the present system, where many casting directories are never actually seen or are seldom looked at. It is a license to print money; where nobody is ever prosecuted for wrong doing. This banana republic mentality cannot continue.

**4) If there were a ban on upfront fees, what revisions would you need to make to your current business model to take this into account? Please include timescales for making these revisions?**

**5) How effective do you think Option 1b would be at allowing legitimate directories in the entertainment industry to continue operating, whilst preventing the unscrupulous practice of rogue employment agencies or individuals? Please explain why.**

Very effective  quite effective  not effective

Comments

As long as those who are allowed to charge up-front are licensed to do so and there are no loopholes, then perhaps they will be effective... EAS must be made a statutory body that can impose fines - then and only then will scam agencies sit up and take notice. Currently no penalties take place, so no one takes any notice of any regulations regarding up-front fees. There has to be a penalty for law-breaking!

**6) Which do you think are the most effective or appropriate criteria for determining whether or not an organisation should be exempted from a ban on charging upfront fees? Can you explain why?**

1, If the only service - is a casting directory, 2, That such casting directories must receive (say) either 1/3 or 1/4 of their income - from numerous hirer's. That is the right test to ensure - that directories are being seen/used by hirer's. Hirer's will only pay for a service - they actually do use. They will not pay for a service - they do not use. That must be the test of legitimacy. Spotlight charge in this way.

**7) Do you have any alternative solutions on how the abuse of upfront fees could be stopped?**

Yes. All agents must be licensed in the entertainment industry. They must show proof of - clients (bank) account/identity/residency. Proof that they understand the regulations - by having to complete a questionnaire about EAS Regulations. Must, at the earliest opportunity - advise applicants of their rights (EAS Regulations) together with how to contact the EAS. NMW - after agents deductions.

**8) Would you like to see a ban on the taking of an upfront fee for photographic and show reel services provided by an employment agency or a person connected with the agency?**

Yes  No  No view

Comment

As we have seen, the name of the fee changes, but the scams do not. That is why no fee whatsoever must be allowed. Otherwise such a loophole - will be exploited. No agent should be allowed to recommend any third party, where a fee is involved, for anything/services. Otherwise, such scams will continue. Any regulation must be very simple - must not have loopholes. What I propose - will do this...

**22) We would welcome your views on how we could simplify or remove the requirement to state whether the services being advertised are those of an employment agency or employment business (Regulation 27), whilst ensuring the nature of the position was clear to the work-seeker.**

All agents or those deemed to be agents, must state this fact at the earliest opportunity - to any work-seeker. So applicants/workers can know at the outset, that such an agent - will help them find work.