



ABOUT THE COMPANY

A global provider of Software/SaaS solutions for public Sector, helping organisations around the world to deliver better outcomes for people and places.

The Challenge

With IR35 legislation due to come into effect on the 6th of April 2021 in the private sector, our client had 276 contractors who had no specific determination prior to this date.

DataCareers were engaged in January 2021 to undertake and audit all IR35 assessments for all candidates and design a process for all new / future contractors coming into the organisation. All contractors and stakeholders were communicated with and informed of the decision, and a process was put in place to deal with any disputes around the IR35 decision.

The Solution

- ✓ We identified all contractors affected by IR35 (276 contractors supplied by 15+ suppliers and agencies).
- ✓ We put together an IR35 project team consisting of DC, HR, Payroll Manager and group finance to ensure that all stakeholders were kept updated and nothing was missed. This included weekly stakeholder meetings.
- ✓ We then audited and reviewed all contractor and agency contracts to ensure IR35 compliance, legal obligation, and applicable clauses to IR35 legislation.
- ✓ In conjunction with the hiring manager, we conducted HMRC CEST tests for all 276 contractors, whereby we were engaged as the IR35 experts whilst the client looked at real life working practices / how the contractor operated.



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Key stats

276 current contractors, from 15+ suppliers and agencies were assessed, and solutions identified. Of those:

1.4%

Were found to be unaffected by IR35 as they were either permanent employees of their supplier or intl contractors.

0.8%

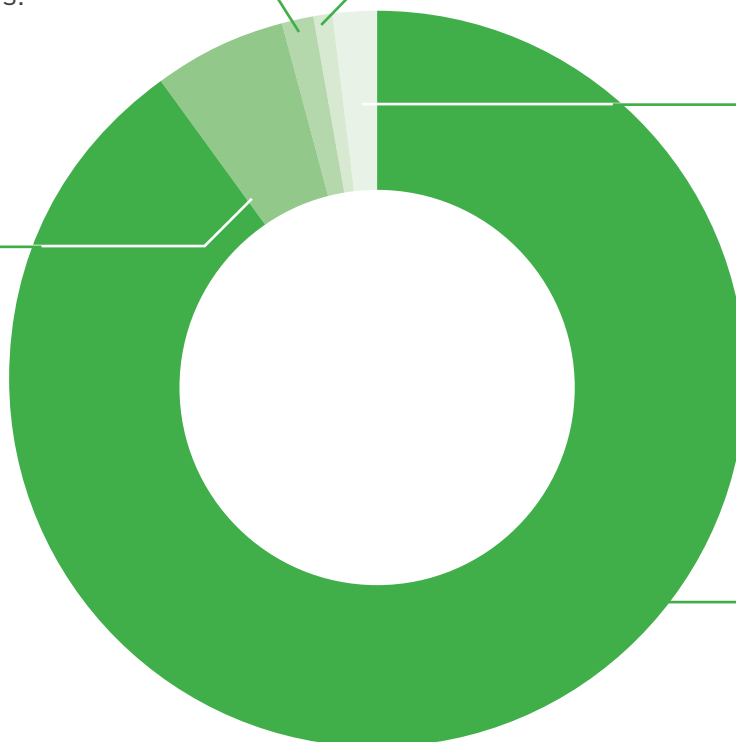
Were deemed to be self-employed.

1.8%

Were deemed as unable to determine so we used Kingsbridge to class them as outside and insurance put in place.

6%

Were deemed as outside.



90%

Were deemed inside, and we ensured compliance for all of them.

Key Elements

- ✓ HMRC CEST Test
- ✓ Kingsbridge portal
- ✓ Kingsbridge Insurance
- ✓ MS Teams for IR35 project team meetings

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Summary Results

- ✓ We provided full reports back to the IR35 project team of assessment outcomes:
 - For all contractors that were deemed “inside IR35” we communicated this outcome with the contractors and ensured compliance with their payment method.
 - For all contractors that were deemed “outside ir35” we communicated this outcome with the contractors and informed them that no changes needed to be made.
 - For all contractors that were deemed “unable to determine” we consulted with the IR35 project team and relevant stakeholders to discuss and identify the level of risk to the business before deciding on the best solution.
- ✓ We consulted with the client and their payroll team to put a contractors payroll in place for all contractors that had their own ltd company but were inside of IR35 so that tax and NI could be deducted prior to the contractor receiving net funds.
- ✓ Working in partnership with a trusted IR35 specialist insurer, we consulted with them whenever there was a dispute or an “unable to determine” outcome. In most instances this enabled us to class these contractors as outside of IR35 but with insurance in place against that status determination (covering all parties in the supply chain).

Data Careers supported a full end to end review of our contractor base, working with our internal People and Finance teams and advisors to ensure the contractor population was identified, assessed in line with HMRC guidance, and practical solutions implemented for ongoing compliance. It was significant undertaking, delivered in a timely and effective manner, successfully balancing the critical importance of full compliance along with the inherent commercial sensitivities.

Group Financial Controller



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