Introductory Agencies?

An introductory agency is a business that introduces you to self-employed care workers, often called "self-employed carers" or "personal assistants."

- The agency does not employ the carers.
- The agency does not manage or supervise the care.
- Their role is simply to match you with a suitable carer, and then you take over from there.

These agencies are not regulated by the CQC because they do not provide or manage ongoing care, they only introduce you to carers.

What to look out for

Introductory agencies can be a helpful option, but there are risks. You must make sure you're not accidentally breaking CQC regulations, HMRC rules, or your Direct Payment agreement.

Avoid Circumventing CQC Regulations

Introductory agencies must only introduce carers.

They must NOT:

- Arrange care rotas or schedules.
- Supervise the carer.
- Provide training or direct oversight.
- Tell the carer how to deliver the care on a day-to-day basis.
- Step in and manage your care if issues arise.

If an agency starts doing these things, they are effectively providing a regulated care service without CQC registration, which is illegal.

Red flags:

- The agency tells the carer what tasks to do or when.
- The agency organises the shifts for you.
- The agency says they "manage your care".
- The agency offers to send replacement carers without your instruction.
- They say "we operate just like a care agency" but are not CQC-registered.

If you see these signs, avoid using that agency.

Avoid Issues With HMRC (Employment Status Risks)

Introductory agencies normally supply self-employed carers.

However, a carer cannot legally be treated as self-employed if you control their work like an employer.

A carer might be considered employed (by you) if:

- You set fixed hours or a rota.
- You give detailed instructions about how every task must be done.
- They only work for you.
- You provide equipment, training or uniforms.
- You expect them to follow your rules like an employee.

If HMRC believes the carer is actually an employee, you could be responsible for:

- PAYE.
- National Insurance.
- Holiday pay.
- Employer's liability insurance.

To stay safe, always check the carer's employment status, and keep clear boundaries with self-employed workers.

Things to Ask an Introductory Agency

Support Networks

Before you sign up with an introductory agency, it is important to ask the right questions to keep yourself safe and to make sure the agency is operating legally. Here are key questions to ask, along with what you should expect:

Are the carers genuinely self-employed?

Why ask this?
Introductory agencies typically work with self-employed carers. If the carer is not genuinely self-employed, you could accidentally become their employer meaning you could be responsible for tax, National Insurance, holiday pay, and employment law.
What you want to hear:

- "Yes, they are self-employed and responsible for their own tax and insurance."
- The agency should be able to explain how they check this.

Do you step in and manage the care once the carer starts?

Correct answer: "No."
Why ask this?
If the agency manages rotas, oversees care, or directs the carers, they are effectively acting as a care provider. This is a regulated activity that requires CQC registration.
What you want to hear:

- "No, we only introduce carers. You manage the care directly with them."
- Agencies must not control how care is delivered.

Do you run DBS checks on carers?

Why ask this?
A DBS (criminal record) check helps ensure your safety. Introductory agencies are not legally required to run them but reputable ones do.
What you want to hear:

- "Yes, carers have up-to-date DBS checks."
- Or: "Yes, we can support you to obtain one for them."

What happens if a carer is sick, unavailable, or doesn't turn up?

Why ask this?
Introductory agencies are not CQC-regulated, so they cannot manage your care or automatically supply replacements like a care agency would.
What you want to hear:

- "We can provide a list of alternative self-employed carers you can contact."
- Not: "We will send someone else to cover shifts" as this means they are operating like a care provider and may be breaking CQC rules.

Things to Ask an Introductory Agency

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Do you provide contracts ?

Why ask this?
You must have a clear written agreement outlining:

- The tasks the carer will perform.
- Payment terms.
- Responsibilities.
- Cancellation terms.
- Written contracts protect both you and the carer and help prevent misunderstandings.

What you want to hear:

- "Yes, we provide a contract between you and the carer."
- The contract should come from the agency but must be between you and the carer—not the agency acting as an employer.

Using Introductory Agencies and CQC

Some agencies introduce you to self-employed PAs. These agencies are not providing care themselves, so they do not need to be CQC-registered, as long as:

- They only introduce carers, without managing or directing care.
- They do not supervise rotas, assign tasks, or step in to manage care.

Red flag:
If the agency tries to manage or supervise the PA, it may need CQC registration, and using them incorrectly could affect your Direct Payment.

What happens if a carer is sick, unavailable, or doesn't turn up?

Why ask this?
Introductory agencies are not CQC-regulated, so they cannot manage your care or automatically supply replacements like a care agency would.
What you want to hear:

- "We can provide a list of alternative self-employed carers you can contact."
- Not: "We will send someone else to cover shifts" as this means they are operating like a care provider and may be breaking CQC rules.