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# **Agency Workers Regulations (AWR) Policy**

## **March 2026**

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## Agency Workers Regulations (AWR) Policy

### Policy Brief & Purpose

This policy applies to all employees of Danny Sullivan Group Limited and its subsidiaries (Danny Sullivan & Sons Ltd, Diamond Construction & Engineering Recruitment Limited, and DSG Academy Limited).

The purpose of this policy is to ensure compliance with the Agency Workers Regulations 2010 (AWR), which provide temporary agency workers with equal treatment in respect of pay and basic working conditions after a 12-week qualifying period.

DSG is committed to ensuring that all agency workers supplied to clients are treated fairly and in accordance with AWR requirements, while protecting the business from legal and commercial risk.

### Scope

This policy applies to:

- All temporary agency workers supplied by DSG to clients (hirers)
- All DSG employees involved in the supply of labour, including commercial, operational, payroll and compliance teams

AWR applies where:

- An individual works as a temporary agency worker;
- DSG supplies the worker to a hirer; and
- The worker works under the supervision and direction of the hirer.

AWR does not apply to:

- Individuals operating via their own Limited Company/PSC genuinely in business on their own account
- Workers engaged under a Managed Service Contract where DSG retains supervision and direction
- Direct employees of a hirer (internal staffing banks)
- Individuals applying for permanent roles
- Secondments between organisations

## General Principles

DSG will ensure that:

- Agency workers receive Day 1 rights from the start of an assignment
- Agency workers receive equal treatment after 12 weeks in the same role
- Accurate information is obtained from hirers to enable compliance
- Appropriate records are maintained to demonstrate compliance and provide a legal defense where required

## Roles & Responsibilities

### DSG (Agency):

- Obtain AWR and comparator information from hirers prior to assignment
- Track qualifying periods for all agency workers
- Apply correct pay and working conditions after 12 weeks
- Maintain an audit trail of all AWR-related communications and decisions
- Escalate non-compliance risks internally

### Hirer (Client):

- Provide accurate and complete information on pay and working conditions
- Provide access to Day 1 rights (facilities and vacancies)
- Notify DSG of any changes to working conditions

### Agency Worker:

- Inform DSG of any breaks in assignments that may affect the qualifying period

## AWR Rights

### Day 1 Rights

From the first day of an assignment, agency workers are entitled to:

- Access to collective facilities (including but not limited to canteen, rest areas, transport, parking and similar shared facilities)
- Information on relevant job vacancies with the hirer

### Week 12 Entitlements

After completing the 12-week qualifying period, agency workers are entitled to equal treatment in:

- A. Pay:
- Basic pay
  - Overtime payments

- Bonuses directly attributable to work performed
- Vouchers or stamps with monetary value

#### Exclusions from Pay:

- Occupational sick pay
- Occupational Pensions
- Occupational maternity, paternity or adoption pay
- Redundancy pay
- Expenses (travel/accommodation)
- Benefits in kind
- Discretionary or loyalty-based bonuses
- Guarantee payments if laid off
- Advance in pay or loans
- Payments linked to financial participation schemes (e.g. shares/profit share)
- Payments requiring qualifying service (loyalty/length-based benefits)

#### B. Working Conditions:

- Working hours and rest breaks
- Annual leave entitlement above statutory minimum
- Night work arrangements

#### C. Additional Protections:

- Paid time off for antenatal appointments
- Suitable alternative work for pregnant workers where applicable

### Qualifying Period

#### The 12-week qualifying period:

- Applies when a worker completes 12 calendar weeks in the same role with the same hirer (Client)
- It is tracked by DSG using timesheet and assignment data
- May pause or reset depending on breaks (e.g. sickness, annual leave, role changes)

DSG is responsible for monitoring and applying qualifying period rules.

### AWR Compliance Process (DSG)

#### 1. Pre-Assignment

- Request AWR/comparator information from hirer
- Confirm pay rates and conditions
- Issue terms to the worker

## 2. During Assignment (Weeks 1–12)

- Ensure hirer provides Day 1 rights
- Track qualifying period

## 3. At Week 12

- Review applicable pay and conditions
- Apply equal treatment where required

## 4. Post Week 12

- Maintain compliance
- Update rates if hirer conditions change

## Establishing Equal Treatment

DSG will:

- Request comparator information from the hirer (e.g. comparable employee pay and conditions)
- Use a comparator matrix or written confirmation
- Retain all information as evidence of compliance

Where no comparator exists:

- Equal treatment will be based on the hirer's standard terms and conditions
- Pay parity may not apply, but other conditions (e.g. leave) may still be applicable

## Record Keeping

DSG will retain:

- Comparator and AWR data provided by hirers
- Written requests and responses
- Assignment and qualifying period records
- Pay rate justifications

Records will be stored securely and retained in line with DSG data retention requirements.

## Liability

- Hirers are responsible for providing accurate information and delivering Day 1 rights
- Liability for Week 12 entitlements may rest with DSG or the hirer

DSG will rely on a “reasonable steps” defense where:

- Information has been requested in writing
- Follow-ups have been issued
- An audit trail is maintained

Where hirers fail to provide required information, DSG may escalate or reconsider supply.

## Commercial Considerations

AWR may impact:

- Charge rates
- Pay rates
- Margins

DSG Commercial Teams must:

- Assess AWR implications at tender and onboarding stage
- Ensure pricing reflects potential Week 12 uplift

## Non-Compliance & Escalation

- Failure by hirers to provide AWR information will be escalated internally
- DSG may suspend or withdraw supply where compliance cannot be achieved
- Internal non-compliance may result in further training or disciplinary action



**Russell Deards**  
**General Counsel & Company Secretary**  
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