**Taylor Review of modern employment practices**

LawWorks Policy

Consultation Response

Introduction

LawWorks is pleased to respond to this important review which may lay the groundwork for a new framework for employment rights in the next Parliament. With a rapidly changing labour market there is growing demand for greater transparency, clarity, information and advice about different work practices and the rights and obligations that they accrue. In addressing the questions posed by this review, we are limiting our response principally to issues concerning the legal and regulatory framework, and issues relating to access to justice and redress, rather than broader labour market policy issues. We are therefore focussing this response on the sections of the review concerning:-

* Security, pay and rights
* The balance of rights and responsibilities

About LawWorks

LawWorks is the operating name of the Solicitors Pro Bono Group, an independent charity which offers a range of consultancy and brokerage services to bring together lawyers who are prepared to give their time without charge and individuals and community groups in need of legal advice and support. LawWorks has 20 years of experience in supporting pro bono clinics and has seen the impact that good quality, timely legal advice has on clients’ wellbeing in dealing with employment issues and other related legal and money matters.

LawWorks supports a network of over 220 independent pro bono clinics across England and Wales, with several clinics providing specialist advice and support on employment matters. Over 17% of enquiries received by clinics in the network were employment law related, and in the previous year (April 2014 – March 2015) there was a near 50% increase in employment advice taking place at clinics demonstrating growing demand in this area.

LawWork’s overall view on employment rights

We welcome this consultation process and independent review, building on existing work undertaken by the Royal Society of Arts (RSA) on the changing labour market. Recent evidence from Citizens Advice shows that 4.5 million people in the UK are in insecure work including 800,000 with zero hours or agency contacts, 1.1 million with temporary contracts and over 2.3 million working variable shift patterns.[[1]](#endnote-1) The Citizens Advice briefing states that “despite record employment rates, the persistence of insecure work leaves many households at risk of economic shocks and unable to plan for the future.” This is a major challenge and points to the need to strengthen the framework of protective rights and standards around different models of employment.

At the same time the self-employed are a large and growing part of the UK labour force. Five million people—15% of workers—are now self-employed, and the expansion of self-employment has played a significant part in achieving current record employment levels.[[2]](#endnote-2) With new technology facilitating the growth of the so called “gig economy” (see DWP Select Committee definition),[[3]](#endnote-3) the nature of work in many sectors is changing which has led to both positive developments and opportunities with many of the benefits that go with flexible working, but often at the expense of security. There are now an estimated 1.1 million people in Britain’s gig economy.[[4]](#endnote-4)

Employment rights therefore need to strike the right balance between security, flexibility and innovation, recognising the structural changes that have taken place in the labour market but striving for higher standards and legal certainty. Whatever individuals’ precise status in the labour market, people need transparency, information and advice about what their rights and legal position may be in any particular context and relationship. With employment law issues having been virtually removed from the scope of legal aid (only cases involving human trafficking or a contravention of the Equality Act 2010 now qualify), such specialist advice is often in short supply. The information and support available through ACAS, whilst important and valued, can be insufficient to address the complexity of modern employment relationships.[[5]](#endnote-5) According to a recent report by the Universities of Bristol and Strathclyde on *Citizens Advice Bureaux clients and advisers’ perceptions of ACAS*, having independent legal advice is important for CAB clients to make the most of ACAS conciliation.[[6]](#endnote-6)

We would also like to highlight the huge injustice and barriers presented by the high tribunal fee levels for wronged employees seeking redress. Since 2013 employees who may have been wronged by their employer—underpaid or dismissed unfairly, for instance—have had to pay up to £1,200 to go to an employment tribunal, which was previously free.

The key issues that we would like to see the review address include:-

* The complexity of supply-chains leading to greater complexity of legal relationships -who is the employer and what rights follow or accrue?;
* The divergence of working practices across different sectors leading to a significant contrast between those employees enjoying a suite of rights and those working in the informal economy;
* The insufficient enforcement of existing rights and/or proactive action being taken against rogue employers and exploitative practices;
* The costs of redress and the challenge of access to justice;
* The strong case for better social protection for those with more precarious employment.

In taking these issues forward we believe that the review should be taking the following overall steps and approach:

* Establishing a baseline of minimum standards to achieve more equalised treatment across the various working arrangements;
* Taking an overall view of the share of the labour market that should be covered by employment law protection, and promoting transition from insecure to secure work;
* Reviewing statutory presumptions as to “worker” status;
* Considering approaches to self-regulatory best practice and standards or ‘kitemarks’ for informal work, and look at different approaches and options for regulating zero hours contracts;
* Building on the new arrangements and opportunities offered by the new Directorate of Labour Market Enforcement so that early action can be taken and exploitative practices can be [addressed?] as they emerge.

The balance between security and flexibility, and rights and responsibilities will always be a difficult one for policy makers concerned with the labour market to get right. An important principle though is that where there are rights there must be remedies, and the capacity and channels for the working population to be able to enforce those rights – that principle should be writ large in this review.

Finally, as an overall comment on the review, in moving towards a final report and set of recommendations the review team should pay particular attention to the use of language and terminology, especially in respect of the legal context. Often the review uses terminology like “non-standard forms of employment” or “non-traditional” employment, flexible work and the “gig economy” that can lack precision.

 **Security, pay and rights**

**Consultation questions**

***To what extent do emerging business practices put pressure on the trade-off between flexible labour and benefits such as higher pay or greater work availability, so that workers lose out on all dimensions?***

***To what extent does the growth in non-standard forms of employment undermine the reach of policies like the National Living Wage, maternity and paternity rights, pensions auto-enrolment, sick pay, and holiday pay?***

The review is interested in what new, non-traditional, ways of working have on the rights and benefits of those involved, the reach of traditional employment protections and different approaches to securing higher labour market standards. We address these issues with particular reference to security, pay, and options for redress.

***Security***

It is difficult to separate the issues of ‘security’ from ‘status’, as the legal status of all work and labour-related transactions (whether between individuals, legal entities, or both) affect tax, redundancy rights, national minimum wage entitlement, benefits and tax credits, pensions auto-enrolment and other matters relating to security in the labour market. In 2014 the Government commissioned the Office of Tax Simplification (OTS) to examine the dividing line between employment and self-employment and whether the line is drawn in the right place and in the right way. It concluded that given the myriad of new working arrangements it was no longer as simple as a binary divide (employed versus self-employed) and that there is a growing problem of lack of legal certainty. It also concluded that whilst there could be some better definitions of employment status, there were no easy or tidy solutions.[[7]](#endnote-7) We address some of the issues about rights and status in the section on the balance of rights and responsibilities below.

‘Security’ also captures a range of issues faced by workers (whether agency workers, workers on zero-hours contracts or otherwise) including their awareness of existing rights, ability to identify and enforce accrued rights (including pay), family and pregnancy rights and certain rights not to suffer a detriment. Currently “workers” do not enjoy a whole raft of rights and entitlements as compared to employees.[[8]](#endnote-8) Evidence submitted to this review shows that the absence of such rights has given rise to unacceptable levels of insecurity for some workers. Some of the rights not currently enjoyed by “workers” include:

* Written particulars of employment
* Itemised pay statements
* Maternity, paternity, adoption and parental absence pay
* Statutory sick pay
* Time off in respect of partners, adoption, family and dependents
* Termination rights (except by analogy to the right of workers not to suffer a detriment in connection with the ban on exclusivity in zero-hours contracts)
* The right not to be refused employment because of membership or non-membership of a trade union and other rights connected with trade union activity and support
* Not to suffer detriment for exercising rights in respect of taking time off for study or training, health & safety or jury service

We believe that transparency is a key driver for greater security and predictability. There can and should be greater transparency for all workers as to the terms of their engagement and accrued rights, such as pay. Extending to “workers” similar rights of employees as regards particulars of engagement, as well as itemised information regarding pay and other accrued entitlements, could be the first step to informing workers on the most basic level about their rights and obligations. Self-evidently, in the absence of a basic level of readily available and intelligible information, workers’ ability to understand their entitlements and to plan ahead is severely limited and the ability to enforce rights is curtailed.

We believe that ‘rights voices’ at work generate higher levels of security and should be enhanced. This could include enhancing trade union voices and collective bargaining regarding specific working conditions in industries where there is a high level of flexible or other atypical work.

Rights voices can also be enhanced by industry bodies, trade associations, codes of practice and other forms of self-regulation backed up by duties on regulators to work in partnership with sectoral bodies and encourage best practice.[[9]](#endnote-9) Industry bodies are often well placed to gather information about current practices among members or within the industry, and analyse information about industry practice and sector-specific workforces. Membership criteria of trade bodies can also help to develop best practice businesses and tackle the more egregious practices within an industry. Self-regulation, in whatever form, often works best alongside an implied threat of government to legislate in the absence of evidence of improved circumstances over time. Alternatively, self-regulation can work alongside legislative intervention and include a role in policing, monitoring and enforcing employment protections.

We do recognise the many benefits arising out of new forms of working for both businesses and workers. The focus of any reform must be to strike a balance between innovation and job creation and achieving greater security for workers. This includes considering the case for equalisation of rights at the legislative level, such as sick pay and other rights, as between ‘employees’ and ‘workers.’ Issues around sickness and family can generate unmanageable risks for some workers, leading to high levels of insecurity. Government has already shown a willingness to intervene in some areas of the so called “gig economy”, especially where egregious practices have been identified. The Exclusivity Terms in Zero Hours Regulations 2015 (“The 2015 Regulations”) is an example of legislative intervention into the job market with the aim of protecting workers against some practices leading to very low levels of security; however we urge the review to go further towards more meaningful equalisation of rights rather than just focusing on bad practices. For example, in respect of zero-hours contracts schedules of ‘expected’ work or guarantees as to minimum hours, whether negotiated through trade unions or otherwise, would go some way to meaningfully redressing an imbalance unduly favouring some employers and creating insecurity for workers.

***Pay***

One question that the review needs to probe is whether the growth of more flexible employment patterns may be encouraging employers to shirk on their responsibilities in managing effective payroll systems. In a report last year Citizens Advice provided evidence that the number of issues they dealt with about unauthorised deductions at work (i.e. the non-payment of wages owed) had nearly doubled in a single year. For the quarter to March 2016, in the charity’s Advice Trends publication, the number of enquiries for problems with unauthorised deductions increased by 84%, prompting concerns from Citizens Advice that there is an emerging trend of “wage theft” where people are not getting paid in full for the work they do.[[10]](#endnote-10) In some cases “employers are deliberately underpaying people including taking money from their wages without good reason; misrepresenting people’s working hours; paying below the national minimum wage and not paying wages for a long period of time or at all.”

Employees often have difficulty finding out from their employers exactly how many hours they have worked which can present a significant problem when trying to bring a claim. Often the amounts of money they are owed is modest compared to the fees involved should the case be taken to tribunal, which is another reason why redress not pursued, in addition to the transient nature of the work done by many employees.

Remedies open to workers who face this issue include using ACAS dispute resolution or, if that fails, taking an employer to an employment tribunal – however access to employment tribunals has been significantly curtailed by the high application fees. In respect of pay disputes, we believe that it is unrealistic to expect many potential claimants to pay up-front tribunal fees which exceed the value of the underlying claim even where employers would be ordered to pay successful claimants’ fees. Indeed, there is evidence suggesting that some workers, if not deterred from bringing claims for unlawful deduction from wages entirely, prefer to issue County Court claims over Employment Tribunal claims.[[11]](#endnote-11) The prospect of recovering the costs associated with bringing a claim in the courts is a relative advantage over tribunal claims. However introduction of tribunal fees has reduced the number of pay claims brought before the Employment Tribunal, including meritorious claims.

**National minimum wage in the “gig economy”**

Whilst innovation and job creation should be fostered and not put in jeopardy by government policy, there are concerns put in evidence to this review, and arising from recent litigation (eg the *Uber* case), that certain employment practices in the “gig economy” can in some cases undermine the operation of national minimum wage (NMW) legislation.[[12]](#endnote-12) There have since been calls, including from the Chair of the DWP Select Committee, for Government to guarantee the national minimum wage for gig economy workers and a “national standard of fair work in the gig economy.”[[13]](#endnote-13)

In 2015 Government undertook consultation on the draft National Minimum Wage (Consolidation) Regulations. [[14]](#endnote-14) A subsequent and wider consultation of policy and guidance on the NMW was at that stage proposed by the government but not taken further at the time. The Taylor review is a good opportunity to revisit those issues. Proposals arising from the government’s consultation included:

* Increasing enforcement of the NMW, including more proactive enforcement and increased fines in cases of prosecution and repeat offenders;
* Requiring employers to provide workers with a statement that clearly sets out how the NMW is calculated;
* Addressing issues relating to "bogus self-employed" in some sectors.

We urge the government to undertake further consultation and reform in relation to the NMW, especially its application to the “gig economy”. The Low Pay Commission could be given a more proactive role monitoring the so-called “gig economy”, particularly in relation to practices in certain industries, such as the hospitality industry which has complex supply chains and a high prevalence of agency workers. The Commission’s role would be especially useful in situations where it is unrealistic to expect individuals to assert rights; we envisage that the Low Pay Commission should work with the Directorate of Labour Market Enforcement (DLME) to identify and highlight unlawful industry-wide practices.

The trade union, Unite, and the TUC have both reported that some employers have responded to an increase in the NMW by employing more workers under precarious working arrangements, such as zero contract hours and agency work, as a mechanism to, in effect, compensate for increases to the NMW.[[15]](#endnote-15) Such avoidance strategies can make it impracticable or unrealistic to tackle the through Employment Tribunals, hence we believe that bodies like the Low Pay Commission and the DLME are best placed to gather and analyse industry data, alongside other organisations such as trade unions, Citizens Advice and other stakeholders, with a view to informing government policy and legislation.

***Rights and redress***

The degree to which a right is effective is self-evidently linked with the ability to enforce it. It is in this context that we hope the review will address to extent which access to justice has been excessively curtailed following the introduction of the Employment Tribunals and the Employment Appeal Tribunal Fees Order 2013.[[16]](#endnote-16)

The Government in its 2011 consultation claim that prior the introduction of fees the Employment Tribunal service was not fit for purpose, leading to too many frivolous or unmeritorious claims being brought.[[17]](#endnote-17) We question the evidence behind this and believe that a more effective balance can be struck between greater access to the Employment Tribunals on the one hand and greater case management powers to deal with unmeritorious claims on the other hand. The government’s reasons for introducing the Fees Order 2013 were said to be to avoid “drawn out disputes” which are “very emotionally damaging for workers and employers, as well as being financially damaging for employers”. Whilst we understand these aims, we believe that tribunal fees should not deter meritorious claims and a greater focus should be placed upon reform of the Employment Tribunal case management powers to address many of the issues raised by the government, rather than an over reliance upon tribunal fees. The reforms to the Employment Tribunal’s case management powers, following the review of Mr Justice Underhill in 2012, show that changes to the procedures can be used to address many of the issues identified by the government.[[18]](#endnote-18) Further, the joint MoJ and BEIS review, *Reforming the Employment Tribunal System,* is another opportunity to address the issues raised by the government.[[19]](#endnote-19)

The fees payable under the Fees Order 2013 range from £390 to £1600. Official statistics show that the number of issued claims has fallen in the region of 80%.[[20]](#endnote-20) In January 2017 the Ministry of Justice belatedly published its review of the fees regime, concluding that the regime has broadly worked well, discouraging individuals from bringing claims rather than preventing them.[[21]](#endnote-21) Despite this the MoJ recognises that some action is necessary, including a consultation around fees remission with a view to increasing thresholds.

We believe that this review should go further than the recommendations in the MoJ’s review. Indeed, the appeal pending in the Supreme Court, arising out of a judicial review of the fees regime brought by Unison in 2014, paints an altogether different picture of the sorts of claims that are no longer brought following the introduction of the Fees Order 2013. Further, in June 2016 the House of Commons Justice Committee reported on changes to court and tribunal fees, including the Fees Order 2013.[[22]](#endnote-22) The Justice Committee Report concluded that the introduction of tribunal fees had, contrary to the MoJ’s findings, adversely impacted access to justice for meritorious claims.

The Justice Select Committee Report made a number of proposals, including:

* very substantially reducing the level of fees;
* introducing a more proportionate and sophisticated fee structure, replacing the current Type A and Type B claims;
* simplifying and increasing the financial thresholds for fee remission; and,
* adapting procedures to the special position of women who allege maternity or pregnancy discrimination.

We support the Justice Committee Report’s proposals. We believe that proper procedures could be in place once claims have been brought to disincentivise certain claims or claimants, including striking claims out and managing mutually damaging or drawn out claims better.

**Information, advice and early redress**

We would especially like to see the review take up the issue of the link between advice, rights and redress. Many local Citizens Advice and Law Centres don't have the capacity they used to have to deal with employment law problems since the abolition of legal help for employment law issues in 2013. Whilst this was only a relatively small amount of funding - approximately £3 million a year - it enabled a network of employment rights advisers to operate across the country embedded in the advice sector and local law firms.

Under the Legal Help Scheme public funding for advice and assistance for the preparation of

tribunal claims up to, but not including, representation at the Tribunal was available with some 179 legal and advice providers' offices franchised to provide this service, dealing with around 20,000 cases annually.[[23]](#endnote-23) At the same time that funding for employment rights legal aid was removed, many other rights-based information and advisory services also faced cuts to their specialist help - for example the Equality and Human Rights Commission's casework service and helpline.

Pro bono projects can help to plug some of these gaps, as evidenced by the growing appetite for Law Schools to do more in this space. For example in response to a recent case involving the closure of a steelworks in Middlesborough, the students at Teesside Law Clinic assisted those employees not represented by a union. The employees had been informed they would not be entitled to a ‘protective award’ as a result of the closure in respect of a failure to consult on redundancies. The clinic advanced claims on behalf of over 300 ex-employees, and submitted an application to the Employment Tribunal resulting in each client receiving £3,600 in respect of the protective award. These pay-outs went someway to assisting those affected to seek alternative employment, start businesses and look forward to a more positive future. The efforts of the students and Law School were recently recognised in a pro bono award presented by the Attorney General. [[24]](#endnote-24)

However, we would emphasise that pro bono alone cannot take on the unmet need for employment advice and that there is a strong case for the restoration of some public funding in this area. As was pointed out during the passage of the legal aid reform legislation, this was only aminimal sum of the overall legal aid budget.

**The balance of rights and responsibilities**

**Consultation question**

***Do current definitions of employment status need to be updated to reflect new forms of working created by emerging business models, such as on-demand platforms?***

The review is interested in whether the current categories of employee, worker and self-employed, operate effectively for those in the gig economy, and the appropriate balance between rights and responsibilities. The problem of employment status is also exacerbated by the complexity of supply chains and multiple tiers of sub-contracting which has become a particular feature of some sectors such as construction. As the BEIS Independent Review of self-employment concluded: “the self-employed” are an incredibly diverse group, covering a wide range of occupations sectors, industries and trade occupations from construction, taxi and cab drivers, own businesses, freelancers and contractors and that "there is no clear understanding of the employment status within many of these groups."[[25]](#endnote-25) However, Julie Deane who undertook the review, did consider that "simplification and clarification of a single definition for tax and employment law is highly desirable," and also suggested in her report ways in which some rights could be aligned such as bringing Maternity Allowance (for the self-employed) into line with Statutory Maternity Pay.[[26]](#endnote-26)

The Office of Tax Simplification (OTS) also concluded that there needed to be "third way" between employed and self-employed status to better reflect the balance of rights and responsibilities for quasi employed freelancers and the people and organisations that they work with.[[27]](#endnote-27) The OTS has suggested various possible models drawing from other countries employment law regimes, and ways to make it easier for freelancers to be single person limited companies possibly, with certain rights attached, and a more seamless process for tax administration. We would like to see the recommendations of the OTS and the independent review taken forward.

Taking forward these ideas will involve revisiting some of the definitions used in the Employment Rights Act 1996. However, the challenge is to ensure that any new definitions of employment status are workable on a contractual basis. Ultimately employment status is not an attribute of any individual, but an attribute of an individual’s contractual arrangements with their work engager. There are more than 12 tests of employment status within the law, and (as many reports we have referenced in this response highlight) there are no easy solutions to tidying up employment law, given the way that contractual obligations can be interpreted by the courts and tribunals.

**Conclusion**

In conclusion, the key issues we would like to see the review address with clear recommendations are around

* Establishing an employment rights framework underpinned by legal certainty and fairness in dealing with different types of worker;
* Greater transparency on rights and obligations for all parties and dissemination of better legal information;
* Improved access to justice and redress starting by reviewing tribunal fee levels and supporting capacity for employment rights advice;
* More proactive enforcement of basic rights for example in respect of unpaid wages and defaulted contracts.

We also acknowledge that whilst government has an important role in shaping the labour market, and the public sector itself should aim to be an exemplar of good practice, it cannot do everything that is required to improve standards. We therefore endorse the conclusions and recommendations of the DWP Select Committee's recent inquiry which urged Government "to adopt an approach of shared regulation, which will require government to work in a more collaborative way and appeal to a range of stakeholders to help establish key tenets and principles of good work in the gig economy. Government may take the lead in distinguishing what good work looks like, but businesses and civil society are crucial in making good work a reality. We recommend that government collaborate on a “Charter for Good Work in the Gig Economy**”**.[[28]](#endnote-28)

The RSA has also presented ideas around ‘shared regulation’ as an option for shaping a "sharing economy". Shared regulation is similar to self-regulation in the sense that it aims to redistribute regulatory responsibilities to parties other than government, but it goes beyond the inclusion of businesses as key actors in the regulatory framework.

We hope that policies to strengthen employment rights can be taken forward in the next Parliament. This agenda may also of course be affected by Brexit. A recent Price Waterhouse Cooper (PCW) study for the European Commission has shown that the UK has emerged as a hub for the “sharing economy” within Europe and contributed to around a third of this activity in 2015. Sharing economy activity across Europe has accelerated over the past few years, with its five key sectors generating revenues of €3.6bn and facilitating €28bn of transactions in 2015.[[29]](#endnote-29) Whilst UK’s contribution to the sharing economy has been grown the fastest in Europe alongside Southern European Countries like Spain and Italy, a paper prepared by BIS in 2015 suggested this has much to do with the free movement of services as embedded in EU policies like the digital single market strategy.[[30]](#endnote-30) There are also concerns that Brexit could potentially lead to a significant structural shift in the labour market. Whilst it is beyond our expertise to comment on these matters, we would simply re-enforce our points about transparency and certainty in employment rights and the importance of access to redress to make those rights effective.

**For more information from LawWorks on employment law and policy please contact:-**

**James Sandbach, Director of Policy and External Affairs**

**james.sandbach@lawworks.org.uk**

**Richard Pitkethly. Head of Learning and Practice**

**richard.pitkethly@lawworks.org.uk**

**Endnotes**

1. <https://www.citizensadvice.org.uk/about-us/how-citizens-advice-works/media/press-releases/45-million-people-in-insecure-work-reveals-citizens-advice/> [↑](#endnote-ref-1)
2. ONS, Trends in self-employment in the UK, 2001–2015, July 2016 [↑](#endnote-ref-2)
3. The term “gig economy” is used to refer to a wide range of different types and models of work, sometimes involving intermediary digital platforms or apps to connect self-employed workers with work. See DWP Select Committee Report <https://www.publications.parliament.uk/pa/cm201617/cmselect/cmworpen/847/84702.htm> https://www.publications.parliament.uk/pa/cm201617/cmselect/cmworpen/847/847.pdf

The dictionary definition is “*A way of working that is based on people having temporary jobs or doing separate pieces of work, each paid separately, rather than working for an employer.”* [↑](#endnote-ref-3)
4. <https://www.thersa.org/discover/publications-and-articles/rsa-blogs/2017/04/making-the-gig-economy-work-for-everyone> [↑](#endnote-ref-4)
5. <https://pure.strath.ac.uk/portal/files/62580788/Sales_2015_Citizens_advice_bureaux_clients_and_advisers.pdf> [↑](#endnote-ref-5)
6. *Ibid* [↑](#endnote-ref-6)
7. <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/537432/OTS_Employment_Status_report_March_2016_u.pdf> [↑](#endnote-ref-7)
8. Under the **Employment Rights Act 1996**, a worker is defined as an individual who has entered into a contract to personally perform work or services for the other party to the contract, where the other party is not a client or customer of the individual's business. An “employee” is defined as an individual who has entered into, or works under, a contract of employment under the control of the employer. All employees are workers, but employees have extra rights and responsibilities that don’t apply to workers who aren’t employees. The broad distinction is that ‘employee’ is an individual who works under a ‘contract of service’ (ie a contract of employment, whilst a worker delivers a ‘contract for service’; however the question of status complex and subject to court and tribunal jurisdiction. [↑](#endnote-ref-8)
9. Baldwin, Cave and Lodge*. Understanding Regulation, theory strategy and practice* OUP 2013 [↑](#endnote-ref-9)
10. <https://www.citizensadvice.org.uk/Global/Public/Advice%20trends/Advice%20trends%202016-17/Advicetrends201617Q1.pdf> [↑](#endnote-ref-10)
11. <http://www2.cipd.co.uk/pm/peoplemanagement/b/weblog/archive/2013/11/25/employment-claims-find-a-different-route-to-justice.aspx> [↑](#endnote-ref-11)
12. <https://www.leighday.co.uk/News/News-2016/October-2016/Historic-victory-for-Uber-drivers-as-Tribunal-find> [↑](#endnote-ref-12)
13. <https://www.theguardian.com/business/2017/jan/31/gig-econoomy-guarantee-minimum-wage-frank-field> [↑](#endnote-ref-13)
14. <https://www.gov.uk/government/consultations/national-minimum-wage-draft-consolidated-regulations> [↑](#endnote-ref-14)
15. <https://www.tuc.org.uk/sites/default/files/Casualisationandlowpay.docx> [↑](#endnote-ref-15)
16. (SI 2013/1893) (“Fees Order 2013) [↑](#endnote-ref-16)
17. <https://consult.justice.gov.uk/digital-communications/et-fee-charging-regime-cp22-2011/supporting_documents/chargingfeesinetandeat1.pdf> [↑](#endnote-ref-17)
18. <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/32696/12-1039-employment-tribunal-rules-underhill-review.pdf> [↑](#endnote-ref-18)
19. <https://www.gov.uk/government/consultations/reforming-the-employment-tribunal-system> [↑](#endnote-ref-19)
20. [↑](#endnote-ref-20)
21. <https://consult.justice.gov.uk/digital-communications/review-of-fees-in-employment-tribunals/> [↑](#endnote-ref-21)
22. <https://www.publications.parliament.uk/pa/cm201617/cmselect/cmjust/167/16702.htm> [↑](#endnote-ref-22)
23. [http://webarchive.nationalarchives.gov.uk/20111121205348/http:/www.justice.gov.uk/consultations/legal-aid-reform.htm](http://webarchive.nationalarchives.gov.uk/20111121205348/http%3A/www.justice.gov.uk/consultations/legal-aid-reform.htm) [↑](#endnote-ref-23)
24. <https://www.lawworks.org.uk/about-us/news/lawworks-attorney-general-student-awards-2017> [↑](#endnote-ref-24)
25. <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/529702/ind-16-2-self-employment-review.pdf> [↑](#endnote-ref-25)
26. *ibid* [↑](#endnote-ref-26)
27. *ibid* <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/537432/OTS_Employment_Status_report_March_2016_u.pdf> [↑](#endnote-ref-27)
28. <https://www.publications.parliament.uk/pa/cm201617/cmselect/cmworpen/847/84702.htm> [↑](#endnote-ref-28)
29. <http://www.pwc.co.uk/issues/megatrends/collisions/sharingeconomy/outlook-for-the-sharing-economy-in-the-uk-2016.html> [↑](#endnote-ref-29)
30. <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/448442/BIS-15-434-UK-non-paper-on-sharing-economy.pdf> [↑](#endnote-ref-30)