

# REC Compliance Assessment

## FAQs for REC Members and Applicants

The Recruitment and Employment Confederation's online compliance assessment will assess your knowledge of the relevant industry legislation and the REC Code of Professional Practice (REC Code).

The purpose of this assessment is to help demonstrate that you have an understanding of, and comply with the REC's Code of Professional Practice and relevant legislation - particularly the Conduct of Employment Agencies and Employment Businesses Regulations 2003 and amendments (the Conduct Regulations).

It will also enable you to demonstrate to **clients** and **candidates** that you are committed to professional standards and ultimately support the raising of standards within the industry,

The assessment will determine if new applicants for membership can become REC members and whether existing REC members can renew and retain their membership.

Every REC member must take the assessment every two years, and if you haven't taken the assessment recently (e.g. on joining), members have until **June 2021** to retake the assessment.

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## 1. How often do I need to take the Compliance Assessment?

### [New Applicants to REC](#)

The Compliance Assessment must be taken upon entry into the REC. You will have a maximum of three attempts and need to pass the Assessment within three months of submitting your application for membership. The first attempt must be within the first month, otherwise this attempt will be forfeited. Once you have become a full member you are required to retake and pass the compliance assessment once in each 2-year cycle.

At the beginning of the assessment you will be asked to indicate whether you have adopted the REC model contracts. If you would like to use your own contracts, you will be asked to upload these to the assessment site and they will be checked for compliance by REC staff. Please upload your terms as early as possible so that we can review and request any changes within the three month timeframe.

You will not be eligible for full membership until you have passed the compliance assessment and have had your terms confirmed as compliant.

### [Existing Members](#)

The Compliance Assessment must be taken and passed once in each two year cycle in order to renew your membership. **For existing members, you will need to take the assessment again by June 2023 at the latest.**

You will have three attempts to pass the assessment and will receive regular email reminders from the REC. We would ask members to complete the assessment as soon as they are able during the cycle. Leaving the assessment until the final month of the cycle may mean that we are unable to provide you with the support you need as quickly as we would like.

## 2. How long does it take to complete?

On average, it takes 45 minutes to complete. Once you start the assessment, you must complete that attempt within a 24 hour period. That means you can stop and start as necessary and your work will be saved after each question. We have done this so you can deal with any urgent business needs, research the questions or call a member of our compliance team for advice. Please note that you are unable to go back to previous questions.

### 3. Who should take the assessment in my company?

The assessment should be taken by a member of staff who is responsible for compliance. In a small company this may be the MD, in a larger company this may be an Operations or Quality Manager. It may even require the input of several people. It is up to each company to decide who should actually take the assessment but it should be someone who has responsibility for your standards and can ensure that compliant practices are cascaded throughout the company.

Passing the Compliance Assessment means you are able to obtain full REC membership (if you are a new member) or renew your REC membership (if you are an existing member) so whoever takes the assessment should have an appropriate level of authority within the company.

### 4. How many questions are there?

The number of questions you need to answer will depend on the type of business you run, e.g. temporary, permanent, limited company contractors/umbrellas (Remain Within or Opted Out of the Conduct Regulations) or a combination of these.

You will need to answer around 59 questions if you specialise across all areas listed above and 30 if you only do permanent placements.

The questions are broken down into eleven sections. The assessment will be updated and reviewed in line with changes to legislation and the REC Code.

### 5. How will the assessment know what type of business I operate?

At the beginning of the assessment you will be asked to indicate the type(s) of business you run. The assessment will then ask you questions that are relevant to your selection, e.g. if you only act as a permanent recruiter you should indicate this and will only be asked questions that relate to permanent recruitment. We will review selections made by members to ensure compliance.

Business types are as follows:

- [Permanent candidates](#) – you introduce candidates to work directly for a client either on a permanent or fixed term basis. The client is responsible for the payroll for the candidate and the candidate has a contract with the client
- [Temporary workers](#) – where you supply PAYE temporary workers to work for a client but you pay the temporary worker and have a contract with them

- [Limited Company Contractors including umbrella companies \(LCC's\) who have opted out of the Conduct Regulations](#) – where you supply LCC's who have chosen to opt out of the Conduct Regulations and therefore, the requirements of the Conduct Regulations do not apply to the supply of that LCC
- [Limited Company Contractors including umbrella companies \(LCC's\) who have not opted out of the Conduct Regulations](#) – where you supply LCC's who have not opted out of the Conduct Regulations and therefore remain within the requirements of the Conduct Regulations
- [RPO \(Recruitment Process Outsourcing\)](#) – for an RPO to be eligible for REC membership you must have a relationship with clients and candidates and introduce permanent candidates and/or supply temporary workers (as outlined above)
- [Interim Manager Recruiters](#) – the IMA is a specialist sector group of the REC and sets out standards for the interim management industry. For the purposes of the Conduct of Employment Agencies and Employment Businesses Regulations 2003, IMA members operate as an employment agency.

When completing the assessment during a new assessment cycle please review and ensure that you have selected the correct placement types that reflect your current business operations. You can amend your placement types by clicking on 'My Account' beneath your company details and then clicking on the 'Account Details' tab.

## 6. What is the pass mark?

Currently, to pass the assessment you must correctly answer **80% of the questions** and you must correctly answer any 'red flag' questions. Depending on the sectors in which you operate, there may be up to three red flag questions - which you must answer correctly. The red flag questions relate to working with vulnerable persons. If you do not work with vulnerable persons, you can skip these questions. When skipping questions these will be removed from the total number of questions so will not be included when calculating the 80% pass mark. The pass mark is reviewed regularly.

## 7. What support is available?

The Compliance Assessment slides are available to download from the assessment site (see Resources) and the [REC website](#).

The slides, along with the [REC Code of Professional Practice](#), contain all the information you need to complete the assessment.

However, if you need a little help along the way, the REC's Compliance Executives are happy to provide support and guidance. But no, we won't take the assessment for you!

## 8. What happens if I fail?

### New Applicants

You have three attempts to pass the assessment.

Full REC membership (including use of the REC logo) is granted upon successful completion of the Compliance Assessment and having compliant contracts - either by adopting the REC model contracts or, where you choose to retain your own versions, having them reviewed for compliance. Where necessary, we will work with you to make your contracts compliant.

The first Compliance Assessment must be taken within one month of the completion of the initial membership checks. If you do not take your first attempt within the required period, you will forfeit this and have only two remaining attempts. Your status will be that of Unqualified Member until you pass and, if applicable, have your contracts approved. As an Unqualified Member you will have access to all REC services but not the REC logo.

If you fail the Compliance Assessment on your first attempt, you will have a further two opportunities to take and pass the assessment and these must be taken within three months of joining the REC. If you are not successful on either your second or third attempts you cannot enter full REC Membership and your unqualified status will end. You will need to wait a further six months until you can apply again.

### Existing members

You will need to pass the Compliance Assessment once every two year cycle in order to renew your REC membership. If you significantly fail the Compliance Assessment on your first attempt and/or if you fail the Compliance Assessment on your second attempt, the assessment account will be "locked" and you will not be able to take the assessment again until the REC has provided any additional support.

The type of support you receive will be determined by the REC and will depend on whether you have significantly failed the Compliance Assessment, or if it is a more minor failure. Support available to existing REC Members includes:

- [Compliance Review](#) - we will visit your office and check through your processes/procedures, contracts, candidate/client files, and provide supporting guidance to help you pass the Compliance Assessment
- [Telephone support](#) - we will contact you and talk you through areas where you may need further support

If you pass on your third attempt, you will be able to renew your membership. However, if you do not pass it will be necessary to refer you to the REC's Professional Standards Committee and you may not be able to renew your membership. Please see Clause 3 of the REC's [Complaints and Disciplinary Procedure](#) for further details.

## 9. How will I know what areas of the assessment I've failed?

Upon completion of the Compliance Assessment you will be provided with a report.

This report will tell you your overall score (as a percentage) followed by details of the sections where you have answered questions. The report will break down what questions were answered incorrectly in each section and provide you with the correct answer. The report also includes links to the REC's online Legal Guide so that you can review guidance on the specific areas which you have failed.

## 10. What happens if I don't complete the Compliance Assessment?

All REC Members and new applicants will receive communications to inform them of the deadlines for completing the Compliance Assessment. We give plenty of time to all organisations to take and complete the Compliance Assessment, and we will send regular reminders of the deadline.

If the Compliance Assessment is not completed within the allotted time period, you will be refused entry into REC Membership or will be unable to renew your membership at the end of the current two year assessment cycle.

The REC wants you to be the best you can and we will help you wherever possible to achieve this.

Our resources for members include:

- REC's Legal Helpline – call 020 7009 2199 or email [Legal@rec.uk.com](mailto:Legal@rec.uk.com) for questions about recruitment legislation
- Your REC Account Manager – can discuss any questions you have about the REC and our services
- We provide [Qualifications and Training](#)
- The REC website includes the REC's comprehensive [Legal Guide](#)
- REC Compliance Executives – happy to answer any questions about the assessment or guide you through the assessment site
- REC Customer Engagement Team – if you are not sure who you need to speak with, please contact 020 7009 2100 or [info@rec.uk.com](mailto:info@rec.uk.com)