

What are the Conduct Regulations?

The Conduct Regulations and Opting Out – What Umbrella Workers Need to Know

In brief:

The Conduct of Employment Agencies and Employment Businesses Regulations 2003 (“Conduct Regulations”) are UK laws that set standards for how agencies and umbrella companies work with temporary workers.

- **Opting in:** You are covered by the protections of the Conduct of Employment Agencies and Employment Businesses Regulations 2003, meaning the agency must follow rules on matters like providing clear terms, limiting fees, and offering certain worker safeguards.
- **Opting out:** Where legally permitted, you can choose not to be covered by the Regulations, allowing more commercial freedom and flexibility in how you contract with the agency. Opting out is not allowed if the work involves vulnerable people (such as children or adults in care).

Conduct Regulations – FAQs

The Conduct Regulations are UK rules that sit around agency work and contracting. Their main job is to make sure people are treated fairly and know what they are signing up to before starting a role

If you work through an umbrella company, these regulations usually apply to you automatically.



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Why do they exist?

They are there to:

- Make sure you are told what the role is, who you will work for, and what you will be paid
- Stop agencies from being unclear or misleading
- Ensure basic checks are done before you start

Do they apply to umbrella workers?

Yes — by default.

When you start an assignment through an umbrella company, you are opted in to the Conduct Regulations unless you choose otherwise.

What is “opting out”?

Opting out means you give up certain protections under the Conduct Regulations.

Some contractors choose to opt out because:

- They negotiate their own terms directly
- They don't need the extra protections
- It can simplify admin, speeding up the process

However, opting out is optional, and:

- You cannot be forced to opt out
- You must agree to it in writing

When you cannot opt out

You cannot opt out of the Conduct Regulations if your role involves working with:

- Vulnerable adults, or
- Anyone under the age of 18

In these situations, the law requires that the full Conduct Regulations must apply to protect the people involved.

What this means for you

If your assignment involves vulnerable adults or under-18s:

- You will automatically remain opted in
- Agencies and umbrellas must follow all Conduct Regulation requirements
- Opt-out forms cannot be used or accepted

This rule exists to ensure safeguarding, suitability checks, and clear accountability are always in place.

Should you opt out?

There is no one-size-fits-all answer.

If you are unsure, new to contracting, or want maximum protection, staying may be best.

If you are experienced and understand how your contracts work, opting out may suit you – but it is always your choice, unless safeguarding rules apply.

Should you opt out?

The Conduct Regulations exist to protect you and give clarity.

If anything about your role, pay, or contract is unclear, you should ask questions before agreeing to anything – whether you opt in or out.