



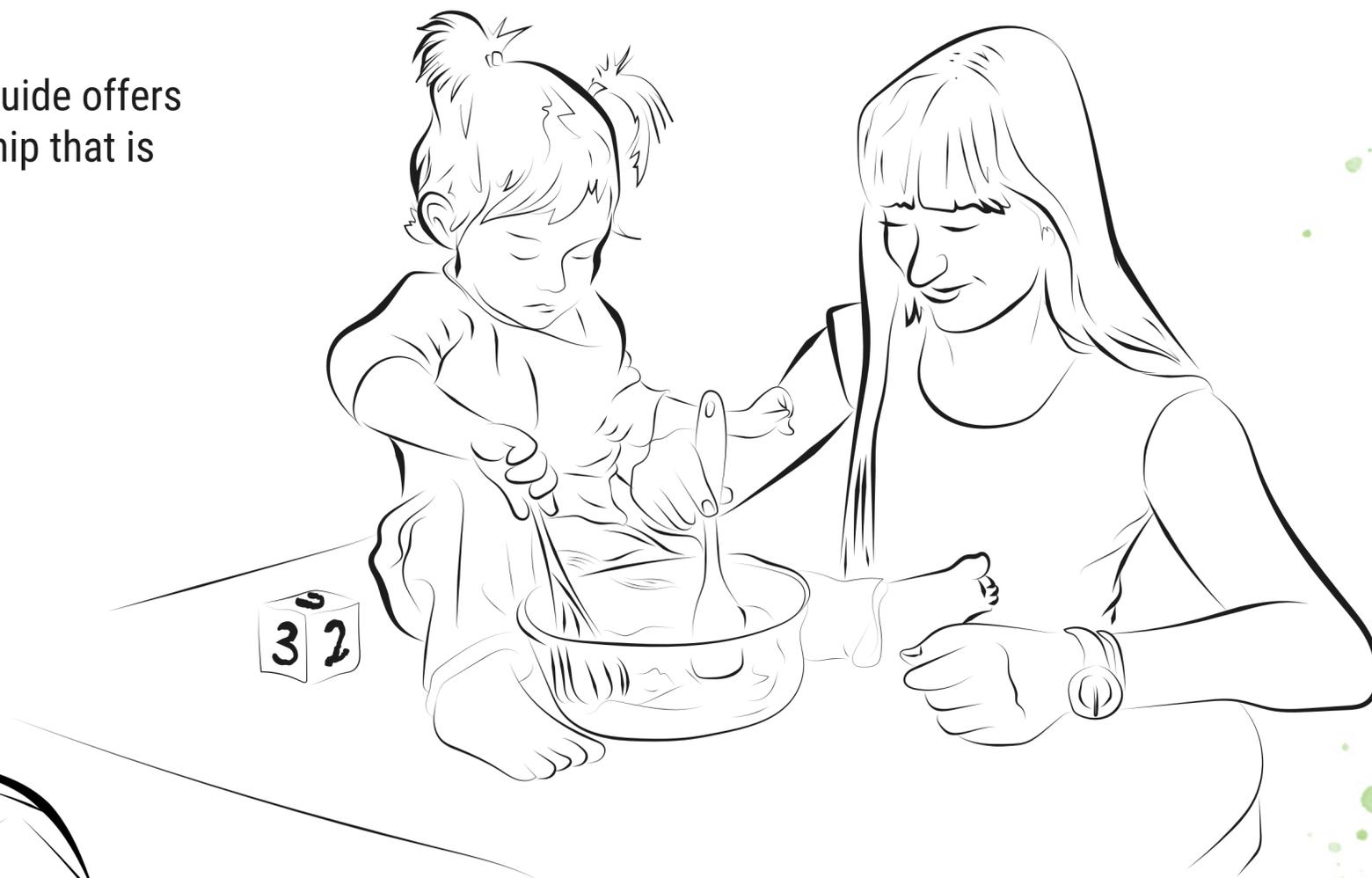
# Decent & Fair

Your Guide to Ethical  
Employment of a Domestic  
Worker in UK



**Domestic workers** are an essential part of helping families, communities and the economy thrive. They deserve decent, safe and fair working conditions.

If you want to hire help for your family or household, this guide offers specific details to help you build an employment relationship that is fair, ethical and responsible.



Life is busy. Many of us find it difficult to get everything done at work and at home and choose to hire a **domestic worker**. Doing so can give you more time for what matters most, while creating employment and livelihood opportunities for those who work as housecleaners, gardeners and caregivers.

Unfortunately, working in private homes, unseen, makes these workers vulnerable to exploitation and abuse. But this guide will help you offer employment that is ethical, responsible and fair, whether you need part-time, full-time or live-in help for your household and family.



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[More about this guide and decent work for domestic workers](#)



## Decent & fair work for domestic workers

This guide was developed in partnership with the **International Domestic Workers Federation (IDWF)**, which represents over 590,000 domestic workers worldwide. The IDWF grew out of a global movement of domestic workers who, in 2011, secured an international employment standard called the Domestic Workers Convention (C189) and accompanying recommendations.

This was an important step in the global fight to end the exploitation and maltreatment of domestic workers, who are among the world's most vulnerable workers. Like all workers, domestic workers have rights and should be treated with decency and respect.

C189 targets basic labour rights for domestic workers, including the freedom of association and a recognised right to collective bargaining. It calls for the elimination of forced or compulsory labour, and an end to child labour.

Although the United Kingdom has not ratified the Convention, it serves as an excellent set of *minimum* standards. That Convention and its recommendations, along with overarching UK laws and employment standards, were used to develop this guide.

In addition to the advice contained in the guide, please ensure that you follow all legislated employment standards and meet any obligations you have as an employer with HM Revenue & Customs (HMRC).

## Are you hiring an employee or a contractor?

Understanding the worker's status of employment will determine many of your (and their) responsibilities. Unfortunately, the difference is not always clear and straightforward, and to make matters worse, tax law and employment law can have different rules. Getting it wrong can have serious tax/legal consequences for both you and the domestic worker. Fortunately, the UK Government provides [oodles of information on how to determine employment status](#) on its website, along with contact information if you have questions.

Regardless of the employment status of your domestic worker, you must provide a respectful and [safe working environment](#).

You and the person you hire or contract must agree on which type of arrangement you have, and it must be clear in the [written contract](#) between you. (Even when you agree, HMRC may disagree. If you are unsure about your domestic workers' status, contact HMRC for a determination.)

### Employees

In most cases, if you hire someone to work in your home on a regular basis, whether cleaning, cooking or caring for a family member, **you are an employer and they are your employee**. In cases where the work will be less than full-time, their status may be as a [worker](#) rather than an employee, but many of the same rules apply.



## You are hiring an employee if:

- you set the hours of work, assign and supervise tasks and control how the work is done
- the work is done on your premises and you provide the equipment and tools to do the job
- they cannot send someone else (an assistant or subcontractor) to do their work
- they only work for you (or if they have other work, it is a different sort of work)
- you pay them for holidays, sick time and other statutory leave time
- their **written contract** uses terms like “employee” and “employer”

Even if you receive funding from a public agency (such as NHS) to pay them, you are an employer.

If you are hiring an employee, you must register as an employer and set up PAYE so that you can meet your payroll obligations. The UK Government has a website that will **walk you through the steps to becoming an employer**. This includes making sure you can afford to pay the required wages, holiday time, leave benefits and to secure the necessary employer’s liability insurance.

If you are hiring someone for occasional work, they may be self-employed, or **employed through an agency**.

Someone is **self-employed** if they run their own business and take responsibility for its success or failure. Generally, they establish when and how they will do the work to meet your requirements. They are not financially dependent on you and can have multiple clients. Once you have agreed on the terms of the job and payment, they should issue an invoice for you to pay.



## The written contract

**When you hire a domestic worker, a written contract is absolutely necessary.** Clear, agreed-upon terms of employment should be established at the time of hiring. You and the person you hire must both sign the contract, and you should both retain a signed copy.

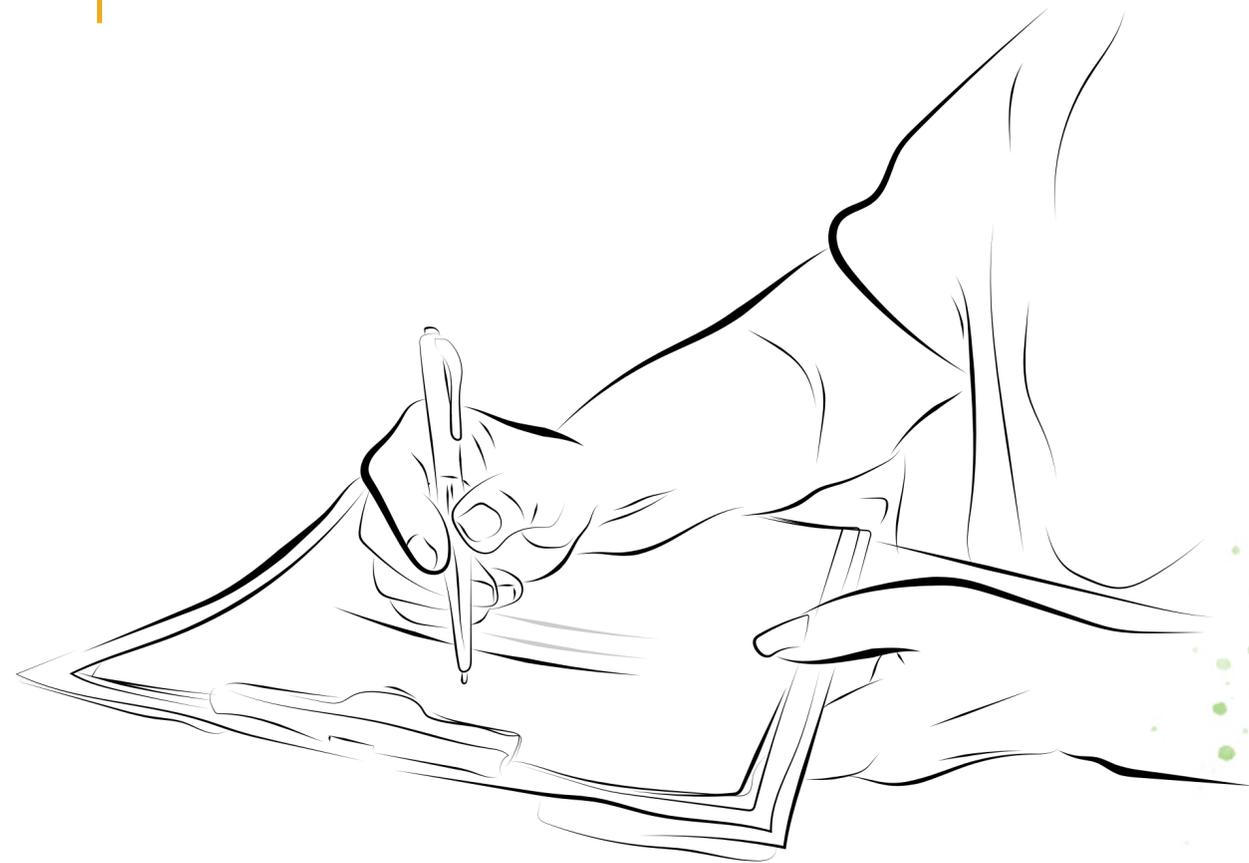
If the worker's mother-tongue is a different language, ensure they have the support to fully understand the written contract.

### The contract should clearly state:

- the name and address of the employer and of the worker, and the address of the usual workplace
- the starting date and, if the contract is for a specific period of time, its duration, as well as any probation or trial period
- the job description and details of tasks involved in the role
- all specific **terms and conditions of employment**, including fair pay, required hours, breaks and rest periods, and
- details relating to termination of employment, including any period of notice required from the domestic worker or the employer.

### Changing the contract

Once signed, the contract can only be changed by mutual agreement or to comply with updated labour laws. If any changes to the contract terms are made, these should be put in writing, signed by both parties and amended to the contract.



## Terms of employment

Labour standards, whether established in national law or recommended through the ILO standard on decent work for domestic workers, provide clear guidance on fair and decent working conditions. Note: there can be specific requirements [if a domestic worker is under age 18](#).

These terms should be outlined in the [written contract](#) between you and your domestic worker.

- **Rate of pay:** You should pay your domestic worker at least the National Minimum Wage if they are under age 23 for each hour of service, and the National Living Wage if they are age 23 or older. You should pay overtime at a rate at least 1.5 times the hourly rate. Minimum wages are set in April; you can [find the Minimum Wage amounts on this website](#). Keep in mind this is a minimum, and that a true living wage, especially in more expensive centres, will be higher. Offering better pay can make it easier for you to attract and retain domestic workers.
- **Hours:** A regular workday is 8 hours, and a maximum workweek is usually 48 hours, averaged over 17 weeks (in other words, if some weeks are over 48 hours, others should be less to compensate). Although workers can agree to [“opt out”](#) of this maximum, you cannot require or coerce them to do so. To be respectful and ethical, you should set reasonable daily and weekly limits together with your domestic worker. On-call hours (when a domestic worker must be on the premises and available) should be treated as work hours and compensated with rest periods of the same duration.

- **Rest periods:** Domestic workers are entitled to breaks during the workday and to weekly rest. During rest periods, they must be free to leave the house. The minimum is a consecutive 24-hour break every week. Two full days of rest per week is the ethical choice. The worker should, as much as possible, be able to choose days-off based on their cultural and religious requirements.
- **Paid sick leave and maternity/paternity/adoption leave:** UK employers are required to pay these benefits. Learn more about [statutory leave and time off requirements](#).
- **Payment schedule:** Commonly, employees are paid every two weeks on a specific day, but you can agree to a more or less frequent schedule, as long as the pay period is no longer than one month.
- **Form of payment:** Agree on how payment of funds will be made. Some options are cheque, direct deposit, e-transfer of funds and money order.
- **Pay slips:** Each pay period, you must provide an employee with a record of their payment showing hours worked, all amounts withheld (such as income tax, NI, accommodations fees, etc.) and any other details that reflect the amount being paid.
- **Equipment and supplies:** If the domestic worker is your employee, it is your responsibility to supply and pay for all necessary equipment, supplies, uniform requirements, and safety equipment (see [Health and Safety section](#)). If the domestic worker is a self-employed contractor, it is their responsibility to supply these materials.

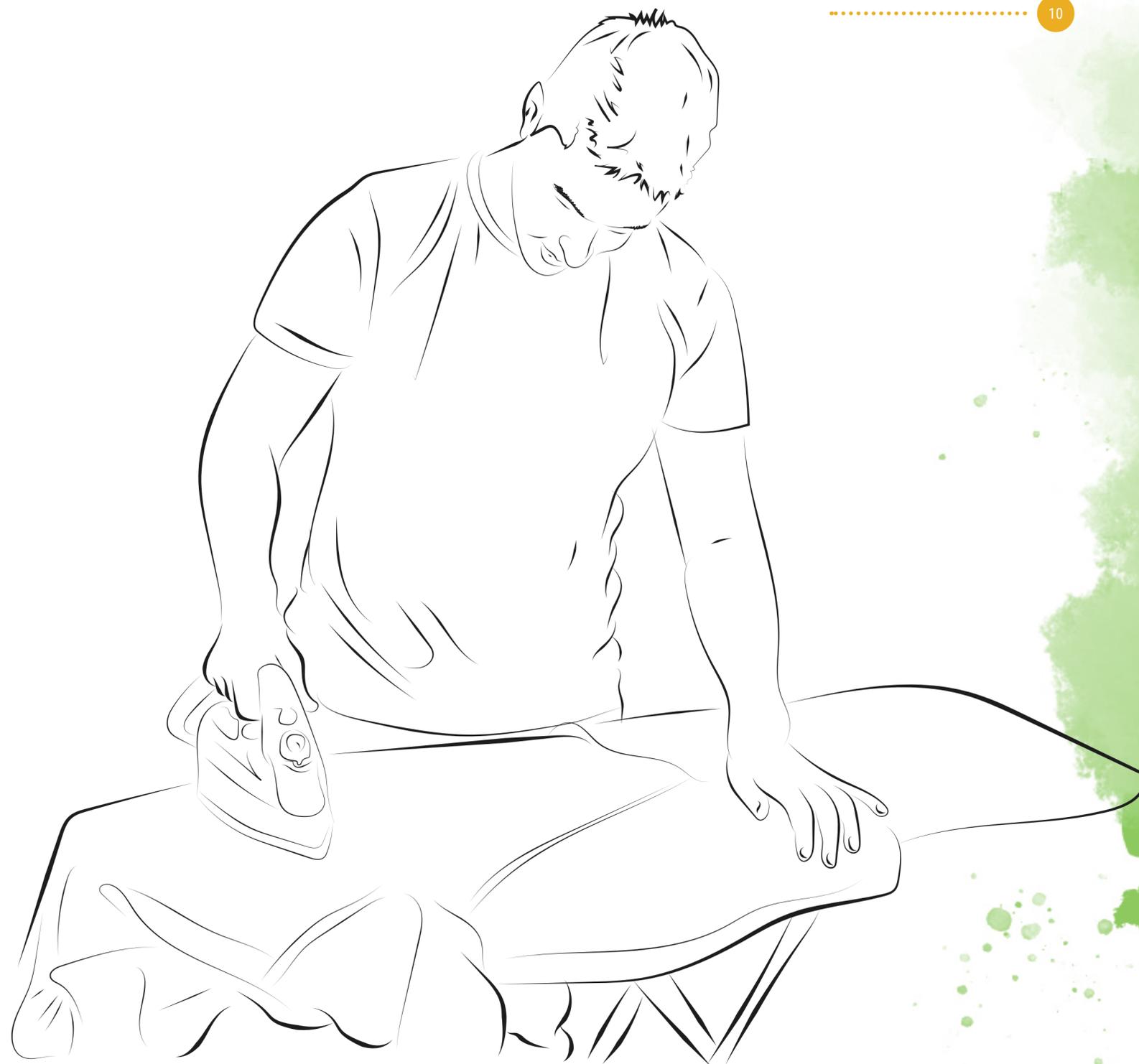
## Record keeping

Good record keeping is essential to fair treatment and will ensure everything from payday to tax time goes more smoothly.

You should establish a record-keeping procedure with the domestic worker to record hours worked (including starting/stopping times and breaks), overtime, and holiday pay.

Ensure that the domestic worker understands the record keeping requirements. If there are language or literacy barriers, you may have to spend time working on this together.

All records should be easily accessible to both you and the domestic worker.



## Workers under age 18

We all have a high duty of care to prevent exploitation of young people and to ensure their safety.

Workers under the age of 18 are not allowed, by law, to work more than 8 hours a day or 40 hours a week. If you hire a teenager to provide regular domestic or childcare services, you must ensure that their work hours do not interfere with their schooling, and that the tasks requested of them are appropriate for their mental, physical, and emotional capacity.



## Live-in domestic workers

When a domestic worker resides in your home, they must have suitable accommodations, privacy and freedoms. They should be free to come and go on their “off time”. And they must always have access to their own travel documents (passports/visas), work permits or other official papers. It is unlawful to make these documents inaccessible to their owner.

In the UK, the maximum number of hours that workers are expected to put in is 48/week (averaged over, typically, 17 weeks). While regulations may differ for live-in domestic workers, it is not ethical to require them to work around the clock or very long hours. Hours should be agreed upon at the time of hiring and included in the **written contract**. You must pay them at least the minimum wage for the first 8 hours of work each day, and a higher overtime rate thereafter.

Domestic workers are entitled to breaks during the day, should be compensated for all “on-call” time (when they are not working but could be called upon to work at any moment), and must be allowed days of rest each week (a minimum of 24 consecutive hours, though 48 hours is recommended). They must be free to leave the premises during their rest periods.

## Accommodations & Meals

Ensure that workers have a private room with suitable furniture, windows, adequate lighting and appropriate temperature (heating/cooling). A bedroom must have exits (doors/windows) that meet egress codes to ensure safe escape in case of fire. The room should have a lock, and the worker must have their own key. And, of course, the worker must have access to a bathroom and toilet.

If you provide meals to your employee, you should ensure that they are both nutritionally adequate and appropriate to the worker’s religious and cultural needs.

You can deduct a reasonable portion of pay for accommodations. This amount, too, should be agreed upon and included in the contract, and reflected in the payslips and records you keep.

The maximum you can deduct for accommodation is £58.52 per week against the National Minimum Wage (as of April 2021). This applies only if the domestic worker is a full-time resident in your home; for part-time residence, the amount would be less.

## Health and safety in your home

Your home is their workplace. It is up to you to ensure it's a safe environment.



Household cleaning products can be dangerous, especially if mixed or used in an unventilated space. If you supply the cleaning products, make sure that they are clearly labelled and that your domestic worker understands the proper, safe use of all products you supply. If language or literacy are an issue, this will require special efforts on your part.



If you supply equipment (for example, a vacuum or lawnmower), ensure that these are in good, safe working condition. Periodically inspect equipment for wear or breakage that has resulted in danger (loose parts, sharp edges, exposed wires, etc.)



Workers in your home should have access to and wear appropriate protective equipment, including, when warranted, gloves and masks to protect against contaminants.



A worker must be protected from all forms of physical, sexual and psychological abuse while working in your home. As the employer, it is your responsibility to ensure that no member of your household, visitor or neighbour can pose a risk to your domestic worker. This includes ensuring the worker is not subjected to inappropriate language or nudity.

## Foreign and migrant domestic workers

Foreign and migrant domestic workers are entitled to the same wage and working standards, holiday pay, and decent living conditions that apply to all domestic workers.

You cannot bring someone into the UK to work in your household as a domestic worker unless you are a diplomat or a visitor coming to the UK for an extended period. In the latter case, a domestic worker can accompany you if they have been in your employ already for a full year and if they successfully apply for a visa. However, this visa is only valid for 6 months, and is non-renewable. Find out more about the Overseas Domestic Worker visa on the [UK Government website](#).

You can hire a foreign worker who is already in the UK on a valid Overseas Domestic Worker visa (provided they will work in your private home for at least 30 hours/week). These domestic workers are able to change employers after they have arrived in the UK. However, only visas issued **before the 6th of April 2012** can be extended or renewed. For those issued after this date, the visa cannot be renewed or extended beyond its original 6 months. (Domestic worker advocates are working hard to change this onerous limitation, which can trap individuals in exploitive or abusive relationships.)

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Many immigrants who already legally live and work in the UK turn to domestic work to earn a livelihood. It is your responsibility to make sure any individual you hire is legally allowed to work in the country.

Law enforcement agencies have found that migrant domestic workers are often the victims of human trafficking/modern slavery. Learn [what to do if you believe a domestic worker is in danger](#).

Organisations like The [Voice of Domestic Workers](#) and [Kalayaan](#) offer information and support services to migrant domestic workers in the UK regardless of their circumstances.

Au pairs are not considered domestic workers; the UK Government has established a [different set of rules for au pairs](#).



## Using an agency

Hiring a domestic worker from an agency is often the simplest route, especially if you need only part-time or occasional help. (If you use an agency to find and hire a permanent worker for your home, they then work for you, not the agency.)

Many companies are highly ethical in their treatment of workers and offer decent working conditions. Some, however, can be exploitive.

It is incumbent on you to ensure that anyone working in your home can legally work in the UK, is treated with respect and dignity, and that they are paid fairly and afforded the appropriate breaks, etc. Ask enough questions of the agency to be certain this is the case.

Learn more: Agencies, called **employment intermediaries** by the Government, must adhere to a specific rules and obligations. **Agency workers have specific rights** in the UK.

**What to do if you think a worker is being exploited, trafficked or abused**



## If a domestic worker is in danger

We all have an ethical responsibility to help ensure that everyone is safe and that their human rights are protected.

Law enforcement agencies have found instances of human trafficking and of abuse and harassment among domestic workers. If you sense that someone working in your home could be a victim of trafficking, is being abused or threatened, or is otherwise being exploited, please don't ignore it.

Start by gently talking with the worker. Keep in mind that fear—whether of being punished, brutalised or deported—is very real.

You should help the worker seek out support services in your community. For migrant workers, organisations like The [Voice of Domestic Workers](#) and [Kalayaan](#) offer information and support services to migrant domestic workers in the UK regardless of their circumstances.

The UK government also provides some [support to migrant domestic workers who are victims of modern slavery](#).

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## IDWF & the global movement of domestic workers

**The International Domestic Workers Federation (IDWF)** is a membership-based global organisation of domestic and household workers. As of November 2021, the IDWF has 82 affiliates from 64 countries, representing over 590,000 domestic/household workers' members.

We believe domestic work is work and that all domestic and household workers deserve to enjoy the same rights as all other workers.

To support the global movement that is helping domestic workers in peril, visit <https://supportdomesticworkers.org>