



# WORKING FOR YOU

A PROGRESSIVE MANIFESTO FOR  
THE SELF-EMPLOYED

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## ACKNOWLEDGEMENTS

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This manifesto for the self-employed is a collaboration between the Fabian Society and Community and Prospect/Bectu, the UK's self-employment trade unions. It draws and builds on proposals developed by the three organisations, as well as ideas from trade bodies, public bodies, policy experts and political parties.

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# INTRODUCTION

Self-employed workers are a powerful force for good. In 2019 they contributed £305bn to the UK's economic output – 14 per cent of GDP.<sup>1</sup> They bring the vision and expertise that makes the UK a global leader in technology and innovation.<sup>2</sup> They are the lifeblood of our creative industries and the backbone of the vital construction sector.<sup>3</sup> Self-employed workers are found in every sector of the economy and come from every sort of background. Since 2008 the number of self-employed mothers has increased 55 per cent and the number of disabled self-employed people has doubled.<sup>4</sup>

Despite their contribution, self-employed people get a raw deal. They are more exposed to the ebbs and flows of the business cycle, difficulties with customers such as late payment or underpayment, and the challenges of life events. They lack the protections employees rightly expect, such as sick pay, parental rights and pensions; unsurprisingly, three-quarters don't believe they have sufficient workplace rights compared with employees.<sup>5</sup> This disquiet came to a head during the pandemic: 88 per cent of self-employed workers did not feel the support they received fairly reflected their tax contributions,<sup>6</sup> and half say their experience during the pandemic has made them less likely to want to be self-employed.<sup>7</sup>

Many self-employed people are now struggling. In recent years the incomes of the self-employed have fallen further behind those of employees. Over the last decade full-time median net earnings have increased in real terms by 11 per cent for employees and just 3 per cent for the self-employed – just £500 per year (2021/22 prices). In 2021/22 median net earnings for full-time employees (£23,900 per year) were more than one third higher than for the full-time self-employed (£17,300 per year).<sup>8</sup> On top of this, one third of people who are self-employed have trouble covering basic expenses.<sup>9</sup> Income gaps for women and disabled people are more pronounced amongst the self-employed than the rest of the workforce.<sup>10</sup> And self-employed workers are more vulnerable than employees to stopping work altogether.<sup>11</sup>

Any party with ambitions to govern should have a plan to meet these challenges. There could be approaching five million self-employed voters in the next general election, with around a million in the marginal constituencies that will play a decisive role in the outcome.<sup>12</sup> Self-employed people are often swing voters: they backed the Conservatives over Labour in 2019 by a decisive margin, but by 2022 they were favouring Labour. Nearly half are not minded to vote for either of the two main parties.<sup>13</sup> They are also

overrepresented in voter segments that will decide the next election, such as people aged between 50 and 69, who account for half of the self-employed population.<sup>14</sup> Politicians intent on winning need to show they are tuned-in to the needs and aspirations of the self-employed.

This manifesto proposes policies to improve working conditions, financial security, and business support for the self-employed and microbusinesses. It covers those who operate under a range of statuses and designations including sole-traders, limited companies, partners, freelancers, sub-contractors, fixed term contractors and 'limb b' workers – essentially everyone in work who is not an employee under both employment and tax law.

### The proposals

#### *Good work*

1. Create a champion for the self-employed
2. Support health, safety and wellbeing at work
3. Establish parity for the self-employed on key rights and entitlements
4. Empower self-employed workers to act collectively to improve their working conditions
5. Support the self-employed to upskill and reskill throughout their career

#### *Financial security*

6. Equalise sick pay for the self-employed, as part of wider reforms to financial support during illness
7. Bring leave and flexibility entitlements for self-employed new parents into line with those enjoyed by employees
8. Provide income security that reflects the risks faced by the self-employed
9. Modernise the pensions system to meet the needs of self-employed people

*Business support*

10. Develop an ecosystem of business support and financing that creates inclusive access to self-employment
11. Ensure contracts are respected and businesses are paid on time
12. Level the playing field for the self-employed in the digital economy
13. Use public procurement to drive up standards and level the playing field for the self-employed and microbusinesses

## **BOX 1: EXISTING LABOUR PARTY COMMITMENTS**

The Labour party has committed to “strengthen protections for the self-employed”<sup>15</sup> and to make Britain “the best place to start, and to grow, a business”.<sup>16</sup> The party has made specific commitments to the self-employed, while some of its plans to enhance workers’ rights and support small businesses should benefit the self-employed. Some of Labour’s most important commitments are set out below.

### **Good work**

Labour has committed to providing clarity on the boundary between employment and self-employment and ending ‘worker’ status so that contractors dependent on an employer have the same right as employees.<sup>17</sup> Self-employed workers will have the right to a written contract.<sup>18</sup> The self-employed will receive health and safety protections, including whistle-blower safeguards, health and safety reps and the right to withdraw labour if there is an immediate risk.<sup>19</sup> A single enforcement body will ensure all workers are empowered to exercise their rights.

### **Financial security**

Labour has committed to equalising protections for those who are not well enough to work by extending statutory sick pay to the self-employed. The party has also committed to increasing the value of statutory sick pay for all workers. It has committed to extending statutory maternity pay to more workers but has not said what equivalent measures would be introduced for self-employed mothers. It has promised to review the underperforming shared parental leave system and explore how to increase paternity leave takeup, neither of which are currently available to the self-employed.<sup>20</sup>

### **Business support**

Labour has made a series of commitments to help SMEs succeed and scale up. These include a plan to tackle late payments, which would benefit self-employed workers as well as larger SMEs. One measure would be to require listed companies to report on their payment practices in annual reports.<sup>21</sup> Self-employed workers might also benefit from Labour plans to reform public procurement processes to level the playing field for smaller businesses.<sup>22</sup> Lastly Labour has committed to replacing the business rates system, which disadvantages SMEs and self-employed workers trading from expensive properties.<sup>23</sup>

# 1. GOOD WORK

Self-employment should mean good work. This means the self-employed should have a healthy and safe work environment, equitable rights, access to the tools of their trade, and opportunities to develop their career.

But self-employed workers' rights are lagging behind the rest of the workforce. The government lacks an understanding of self-employment, and the self-employed have no specific, publicly accountable representation, as their experience during the pandemic revealed. The government has not delivered on the commitments it made on good work following the Taylor Review of Modern Working Practices. Ministers have effectively shelved the Employment Bill, announced in 2019, relying instead on ad-hoc private members' bills to tweak a failing system.

This results in:

- **Inequitable rights and entitlements for the self-employed:** there is a complex and outdated tapestry of employment rights legislation that is often inconsistent or unclear. Gaps include the right to a properly respected written contract, health and safety protections, whistleblowing safeguards, and trade union support.
- **Low availability and uptake of government support packages:** for example, the Access to Work scheme for disability accessibility.
- **Lack of workplace support:** for employees, such support is typically accessed through colleagues, employers and trade unions.
- **Poor skills development:** self-employed people participate in job-related training at half the rate of employees.

*The next government should modernise protections and entitlements for the self-employed, as part of a broader reform package on the legislative and institutional landscape on workers' rights. After the next election, future ministers should:*

## 1. Create a champion for the self-employed

- Legislate to appoint an independent champion for the self-employed and freelancers – an expert to champion their interests across government.<sup>24</sup> This 'tsar' or 'commissioner' should work across government to: develop

a strategy to coordinate government activity on self-employed rights and entitlements; establish clarity on how self-employment status is defined; and ensure legislation is updated accordingly. The post-holder should work to the Cabinet Office and coordinate with a new Single Enforcement Body (SEB) for workers' rights as well as the Small Business Commissioner on late payments.

## 2. Support health, safety and wellbeing at work

- Remove inconsistencies in legislation that expose the self-employed to unfair health and safety risks at work. Extend to the self-employed rights including: withdrawal of labour without detriment, if people reasonably believe there is an immediate health and safety risk; protection from blacklisting for raising health and safety concerns if they are a trade union member; and support from a health and safety representative in workplaces where a trade union is recognised.<sup>25</sup>
- In England, provide free occupational health services to the self-employed and microbusinesses, as well as those who have recently left work. This free support could take the form of NHS services, vouchers to pay for commercial occupational health provision or a combination of both. This proposal is modelled on an existing scheme in Scotland and could be fiscally neutral because of reduced sickness absence.<sup>26</sup>
- Promote uptake of the existing Access to Work scheme to the self-employed, through jobcentres and healthcare settings. This provides up to £66,000 per year towards workplace adaptation for disabled workers.

## 3. Establish parity for the self-employed on key rights and entitlements

- Review workers' rights and entitlements and establish parity for the self-employed where appropriate, prioritising reforms that would complement and reinforce the flexible and autonomous nature of self-employment. The review should prioritise rationalising discrimination protections: for example, where workers are excluded from protections under the Equality Act 2010 because they are legally permitted to subcontract their work even though in practice they are restricted from doing so (for example, gig economy workers),<sup>27,28</sup> or where protections rely on legislation outside the Equality Act and may only cover employees (for example, redundancy protections for new parents).<sup>29</sup> The



review should also cover the promotion, takeup and enforcement of entitlements.

- Give the self-employed the legal right to a written statement of contract particulars, so they have clarity on job expectations, compensation terms, and rights.<sup>30</sup>
- Extend to the self-employed whistleblower protections, so people are empowered to speak up when they need to raise a public interest issue involving a business they provide services for.<sup>31</sup>
- Ensure that the self-employed, and those that procure their services, are fully aware of any rights and entitlements. Ministers should work with ACAS, the EHRC, trade unions, charities and trade bodies – as well as our proposed champion for the self-employed – to develop a portal offering a one-stop shop to access guidance and support.

## 4. Empower self-employed workers to act collectively to improve their working conditions

- Remove barriers to trade union organising and recognition among the self-employed, who have a trade union membership rate of only 7 per cent.
- Give trade unions a digital right of access to platform and gig economy workers, require businesses to forward trade unions' electronic communications to their workforces and provide a digital notice board that can be accessed by all workers on which trade unions' materials can be displayed.<sup>32</sup>
- Enable digital organising activities for gig economy workers, by requiring gig economy platforms to interoperate and share worker data with digital organising platforms, including those operated by trade unions, upon workers' request.<sup>33</sup>
- Update legislation to protect the self-employed from detriments, including loss of contracts or pay because they are a trade union member, and clarify the right to trade union recognition for gig economy workers.<sup>34</sup>
- Support the development of co-operatives of self-employed workers by improving access to start-up advice and catalyst funding.<sup>35</sup>

## 5. Support the self-employed to upskill and reskill throughout their career

- Make the cost of skills training tax-deductible for all self-employed workers,<sup>36</sup> to relieve the financial burden of accessing training, which can be challenging to balance with fluctuating incomes.
- Replace the apprenticeship levy with a new Growth and Skills Levy, which gives levy-paying businesses the flexibility to invest in different types of training for contractors and supply chain businesses.<sup>37</sup>
- Intensively promote government training entitlements to self-employed workers – including in England skills bootcamps, free level 3 qualifications and further entitlements that may be created in the future.
- Pilot a training bursary for the self-employed to support living expenses during full-time training. It could provide an income for up to 16 weeks for self-employed people taking part in a skills bootcamp and up to 32 weeks for someone taking part in full-time further education. The pilot scheme should begin by paying a flat-rate weekly amount. In the long-term this policy could form part of a broader earnings-related employment insurance scheme, as recently proposed by the Fabian Society.<sup>38</sup>

## 2. FINANCIAL SECURITY

Self-employed people should get a fair deal in return for their contribution to the economy. They should have the financial security to live a good life, to start a family, look forward to retirement, recover from illness, and be supported to withstand unexpected economic headwinds.

However, the UK's social protection system is behind the times, and self-employed people feel the squeeze more than most. This makes everyday challenges that others face even more difficult for the self-employed, and narrows the pool of people who would consider self-employment.

Poor entitlements include:

- **Sickness:** after a week without any earnings, self-employed people are entitled to Employment and Support Allowance if they have a sufficient national insurance record. Initially, this pays even less than statutory sick pay. The benefit is poorly promoted by DWP and awareness of it as a payment for short-term illness is very low. People who have only recently started working or have gaps in their national insurance contributions because of intermittent work are excluded.
- **Maternity:** self-employed mothers are entitled to nine months of maternity allowance paid at a low flat-rate. Unlike employees they do not receive six weeks of earnings-related payments. Their allowance is forfeited for any time greater than 10 days spent working during their entitlement period, and it may be stopped entirely at the discretion of Jobcentre Plus. Maternity allowance is not available for adopting parents.
- **Paternity and parental leave:** self-employed fathers and partners of mothers are not entitled to paternity or shared parental leave, restricting their ability to participate in their child's life or share responsibilities with the birth mother. Self-employed parents are also not entitled to financial support if their child dies or is stillborn (employees are entitled to two weeks' paid leave in these circumstances).

- **Business failure:** access to social security is complex and restricted when a business fails. Universal credit takes account of income and assets and people may have too much money to be eligible while a business is winding up. It is also assessed on a household basis (taking account of a partner's earnings and assets). Self-employed workers are not entitled to non-means-tested jobseeker's allowance.
- **Retirement:** it often makes sense for self-employed workers to prioritise near-term incomes over pension contributions because cash-flow is uncertain. Self-employed workers do not receive employer pension contributions or the related tax relief. Private pension saving among the self-employed has fallen significantly over the last 30 years.<sup>39</sup>

*The next government should relieve the sharper edges of the social security system for the self-employed and create greater equity with employees. After the next election, future ministers should:*

## 6. Equalise sick pay for the self-employed, as part of wider reforms to financial support during illness

- Improve financial support during sickness as a top priority. Sickness payments should be easily accessible in the first six months of illness on the basis of medical certificates on similar terms to statutory sick pay. This could be achieved by modifying Employment and Support Allowance (ESA) and renaming it Sickness and Disability Allowance. Payments during the first six months should be increased to match Statutory Sick Pay (SSP) and available at the same point in a sickness absence (currently after three days). Alternatively, a standalone benefit for self-employed people could be developed, but this would entail greater legislative and administrative complexity.
- Include self-employed workers in wider plans to improve sick pay. Alongside employees, they should receive a higher flat-rate payment (for example, a payment to match maternity allowance) and be eligible for support from day one of absence. Eligibility for ESA for low paid self-employed workers should be widened to follow the same rules as maternity allowance (to mirror reforms to widen access to SSP for employees on low weekly wages).
- Over the long-term, introduce earnings-related sickness insurance for the self-employed and employees. For the self-employed we propose payments worth 50 per cent of recent earnings available for up to 12 months, which would bring the UK more into line with other rich

countries.<sup>40</sup> Universal credit would additionally be available for low-income households.

## 7. Bring leave and flexibility entitlements for self-employed new parents into line with those enjoyed by employees

- Extend shared parental leave to the self-employed by creating a new Parental Leave Allowance. This would be substituted for part of a partner's Maternity Allowance entitlement, or for a partner's statutory maternity or parental paid leave, at no additional cost to the exchequer.<sup>41</sup> It should be available on the same terms as shared parental leave – ie available in flexible week-long blocks with the option of overlaps between parents.
- Equalise rights for self-employed fathers and partners of mothers by introducing two weeks' paternity allowance at the same rate as statutory paternity pay.
- Equalise rights for adoptive self-employed parents by creating entitlement to maternity allowance.<sup>42</sup>
- Extend paid maternity and parental leave to 12 months for both the self-employed and employees. This would require revision of statutory pay schemes, maternity allowance and our proposed new parental leave allowance.
- Consult on increasing the number of 'keeping in touch days' self-employed people can spend working (especially if the maximum duration of maternity and parental leave increases). The current allowance of 10 days could be increased to 30 days for a mother and 20 days for a partner (replicating rules for shared parental leave).
- In the long-term, introduce earnings-related employment insurance for maternity, paternity, parental and adoption leave. As a first step, pay increased maternity allowance to at least 90 per cent of recent earnings for the first six weeks to match statutory maternity pay. Eventually, people should receive payments worth at least 50 per cent of their usual earnings for the whole of any baby-related leave.

## 8. Provide income security that reflects the risks faced by the self-employed

- Change the universal credit benefits assessment period for self-employed workers from one month to a rolling three month period to ensure fluctuations in income are taken into account. This will stop people losing out on benefits, or a claim being ended, as a result of one month of high earnings that may be negated by a subsequent period of low or no earnings.
- Review the universal credit ‘minimum income floor’ for the self-employed (which assumes a certain level of earnings for benefits calculations, even if people earn less). Options include extending the existing grace period from one year to three years; or replacing the automatic income deduction with the introduction of a claimant commitment to increase earnings, which are used with low earning employees currently (i.e. the minimum income floor would only be applied if the commitments were not met).
- Review universal credit savings rules, which are particularly likely to exclude the self-employed from financial support even if their household has a low income. These prevent households with savings over £16,000 from receiving any universal credit. As a start ministers should revive plans made under the Johnson administration to exempt Lifetime ISA (LISA) savings from UC rules.<sup>43</sup>
- Allow self-employed people to receive non-means-tested Jobseekers Allowance (JSA) for up to six months if they have no or very low earnings to equalise support for employees who lose their jobs. Eligibility could be based on self-employment national insurance records (as with ESA) or on past declarations of self-employment income for universal credit or self-assessment.
- In the long term, introduce earnings-related unemployment insurance to replace JSA that covers both employees and the self-employed. We would like to see employment insurance worth at least 50 per cent of previous earnings, reflecting practice in most other rich nations. As an interim step, the government could increase JSA to the level of statutory sick pay, treat JSA as earned income when calculating universal credit and widen eligibility to more people with a recent connection to work.

## 9. Modernise the pensions system to meet the needs of self-employed people

- Raise awareness of existing incentives for pension saving, including tax relief on personal pension contributions, LISAs and saving incentives in universal credit rules. Also require banks to promote LISAs to all eligible customers. With a LISA a self-employed worker can receive a 25 per cent boost to withdrawals after age 60.
- Extend eligibility for LISAs to allow people to open and contribute to an account up to the state pension age, so that those who move into self-employment later in life can access this retirement savings option (currently people can open up a LISA before the age of 40, and contribute up to the age of 50).
- Create new auto-enrolment self-employment pensions. To maximise coverage, all self-employed workers should have a nominated pension fund linked to their tax records. HMRC would automatically collect pension contributions every time a tax payment was made, at a rate of 5 per cent of self-employment earnings, with people able to opt-out of each transaction. The new system would follow the implementation of digital tax reporting which will gradually replace annual self-assessment in coming years.
- Increase the financial incentive for pension saving by providing the self-employed with pension tax relief broadly equivalent in value to that available on the employer contributions received by employees. The government could pay a self-employment pensions bonus of 3 per cent of self-employment earnings (up to the upper rate tax threshold) provided the individual contributes at least 5 per cent of earnings themselves.<sup>44</sup>
- As part of new self-employment pensions, permit hybrid saving schemes that include an element that can be accessed quickly. This will boost participation and help meet the needs of self-employed people who may need access to savings as incomes fluctuate.

# 3. BUSINESS SUPPORT

There should be better support for people setting up in self-employment and looking to grow their business, regardless of their background. Self-employment can be an opportunity for people from all walks of life to benefit from flexibility and autonomy, and for the economy to benefit from their diverse experience and knowledge.

But not everybody has an equal opportunity to turn their ideas into a successful business. The UK could have millions of ‘missing entrepreneurs’ – people who face barriers related to their background or circumstances, who could bring vitality to the economy, if given a fair chance to succeed.<sup>45</sup> Existing government support has little ambition for those entering entrepreneurship from non-traditional routes. As a result, successful entrepreneurship is the preserve of the privileged few.

Potential entrepreneurs face several challenges that have an unequal effect on their ability to set up and scale up their business:

- **Poor support systems:** A lack of access to appropriate support, networks and financial resources.
- **Late payments:** 87 per cent of businesses report they are typically paid after their invoice due date.
- **Unfair costs and risks:** Hurdles such as a poorly targeted tax system and an outdated intellectual property regime.
- **Bureaucracy:** Challenges accessing the £379bn public procurement budget, because the processes are often too complex and contracts are too large.

*The next government should improve business support for the self-employment and focus particularly on opening opportunities to more people and widening the diversity of freelancers and entrepreneurs. After the next election, future ministers should:*



## 10. Develop an ecosystem of business support and financing that creates inclusive access to self-employment

- Review, consolidate and expand the landscape of support available to the self-employed, working with devolved administrations and city regions.
- Provide a ‘one-stop shop’ portal for people to access resources across the country. This could include advice on setting up a business, contractual rights and responsibilities, hiring a first employee and intellectual property.<sup>46</sup>
- Re-establish and enhance the New Enterprise Allowance (NEA), which operated from 2011 to 2022, to help those who want to enter self-employment but lack the necessary skills and experience.<sup>47</sup> The revived NEA should provide two years’ mentoring and support, a business loan and weekly allowance to those receiving means-tested benefits, JSA or ESA once a business plan has been approved.
- Develop a national network of Work Hubs, including by working with councils and combined authorities, and by leveraging the business rates system to support their uptake.<sup>48</sup>

## 11. Ensure contracts are respected and businesses are paid on time

- Clamp down on late payments by creating an automatic right to a written contract and legislating to make payments beyond 60 days unlawful, except in tightly specified circumstances.<sup>49</sup> Companies falling foul of this rule should be precluded from winning government contracts until their record has been restored.
- Expand the role and resource of the office of the Small Business Commissioner so it can take decisive action on late payments by investigating, naming and shaming, and fining businesses of all sizes – similar to the model for employers failing to apply wage requirements.<sup>50</sup>

## 12. Level the playing field for the self-employed in the digital economy

The government should review and reform taxation and legislation to ensure the self-employed and entrepreneurs have a fair chance in the digital economy. This review should investigate:

- Business rates. This tax is only paid by businesses with physical premises and is misaligned with revenues and profit. For businesses that need retail, production or office space it presents a hurdle to early stage growth, when firms may not have the steady cashflow needed to pay.<sup>51</sup>
- Intellectual property (IP). Ministers should explore legislation to ensure the self-employed are fairly compensated where their creative content has been used and reproduced – including by digital platforms and artificial intelligence.<sup>52</sup>
- Create a platform economy council bringing together platform businesses, workers (irrespective of their employment status), unions and government to develop protections and standards in the sector.<sup>53</sup>

## 13. Use public procurement to drive up standards and level the playing field for the self-employed and microbusinesses

- Review best practice and identify reforms to make procurement more inclusive for the self-employed and microbusiness suppliers, as part of a wider review of procurement practices undertaken by a Procurement Council of Experts.<sup>54</sup>
- Simplify tenders and make them easier to access for those with fewer resources to dedicate to bidding, alongside support and advice to give SMEs the best chance of winning contacts.
- Break up large contracts into smaller parts that could be completed by smaller organisations. For all contracts below a certain value require shortlists to include an SME; for larger contracts require bidders to demonstrate SME involvement in the supply chain.
- Introduce a new digital database that consolidates and streamlines different application processes so businesses can access information and bids in one place.

- Review and update procurement practices to reward businesses who pay invoices on time, treat everybody in their supply chain fairly, and give access to trade unions.

## END NOTES

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- <sup>1</sup> [#5millionvotes: manifesto for the self-employed, IPSE](#)
- <sup>2</sup> [The next generation of tech ecosystems, Dealroom](#)
- <sup>3</sup> [The Self-Employed Landscape Report 2022](#)
- <sup>4</sup> Family resources survey
- <sup>5</sup> [Inquiry into the future of self-employment](#)
- <sup>6</sup> [Inquiry into the future of self-employment](#)
- <sup>7</sup> [Inquiry into the future of self-employment, Prospect and Community Unions](#)
- <sup>8</sup> [Family Resources Survey 2021/22](#)
- <sup>9</sup> [Covid-19 and the self-employed - A two year update, Centre for Economic Performance](#)
- <sup>10</sup> [Women in Self-Employment](#)
- <sup>11</sup> [In time of need: building employment insurance for all](#)
- <sup>12</sup> Annual Population Survey, 2022
- <sup>13</sup> [Self-employed workers are turning to Labour over the Tories, poll finds](#)
- <sup>14</sup> Labour Force Survey, 2022
- <sup>15</sup> [New Deal for Working People, Labour Party](#)
- <sup>16</sup> [Start up, Scale up: Making Britain the best place to start and grow a business, Labour Startup Review](#)
- <sup>17</sup> [New Deal for Working People](#)
- <sup>18</sup> [Angela Rayner Deputy Leader Conference Speech](#)
- <sup>19</sup> [New Deal for Working People](#)
- <sup>20</sup> [New Deal for Working People](#)
- <sup>21</sup> [Labour's plan to tackle £20bn late payments crisis affecting SMEs is spot on, says small business lobby](#)
- <sup>22</sup> [Angela Rayner Deputy Leader Conference Speech](#)
- <sup>23</sup> [Labour to scrap business rates and replace with fairer system](#)
- <sup>24</sup> [Inquiry into the future of self-employment](#)
- <sup>25</sup> These measures can be achieved by updating Section 44 of the Employment Rights Act 1996 to include self-employed workers, by broadening Section 3 of the Employment Relations Act 1999 (Blacklists) Regulations 2010 to protect persons in employment who are trade union members from being included on a blacklist specifically for raising health and safety concerns, and extending the carve out given to the Musician's Union and Equity in Section 8 of the Safety Representatives and Safety Committees Regulations 1997, which allow for their

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members to appoint health and safety reps in workplaces where they have recognition, to all self-employed workers.

<sup>26</sup> [In time of need: building employment insurance for all](#)

<sup>27</sup> [Self-employed Protection Discrimination](#)

<sup>28</sup> [Independent Workers Union of Great Britain \(Appellant\) v Central Arbitration Committee and another \(Respondents\)](#)

<sup>29</sup> Employees on maternity leave currently also enjoy special protections under the Maternity and Paternity Leave Regulations 1999. For example, under Regulation 10, a woman on maternity leave whose job is being made redundant, “is entitled to be offered (before the end of her employment under her existing contract) alternative employment” with her employer or an associated employer, in any suitable vacancy available that offers work appropriate for her and terms not substantially worse than her previous job. These protections are due to be enhanced by the Protection from Redundancy (Pregnancy and Family Leave) Bill which is currently awaiting Royal Assent. These Maternity and Paternity Leave Regulations, however, use the same definition of “employee” as in their parent Act, the Employment Rights Act 1996, which therefore does not include any self-employed workers. Self-employed women therefore do not benefit from any of these protections against the loss of work during their period of receiving Maternity Allowance.

<sup>30</sup> Although the Employment Rights Act 1996 now gives those with worker status the right to a statement of employment particulars, this does not cover contracts of service for the self-employed who do not have worker status.

<sup>31</sup> Under the Public Interest Disclosure Act 1998 (PIDA), the self-employed and many contract workers are currently not protected for whistleblowing.

<sup>32</sup> [Building worker power](#)

<sup>33</sup> Part 3 of the Data Protection and Digital Information (No.2) Bill, currently making its way through Parliament, creates delegated powers for ministers to require businesses to interoperate with services and share customer data upon the customer’s request. However, worker data is excluded from this support.

<sup>34</sup> Section 137 of the Trade Union and Labour Relations (Consolidation) Act 1992 makes it unlawful to refuse a person ‘employment’ because they are a trade union member, which may cover self-employed with ‘worker’ status. The Supreme Court has a pending judgment on Independent Workers Union of Great Britain (Appellant) v Central Arbitration Committee and another (Respondents), which will appeal a decision by the Central Arbitration Committee that Deliveroo drivers have no right to union recognition because couriers do not meet the definition of ‘workers’ under the Trade Union and Labour Relations (Consolidation) Act, as they are not required to carry out deliveries personally and can appoint another person to do their work.

<sup>35</sup> [A co-operative economy](#)

<sup>36</sup> [Inquiry into the future of self-employment](#)

- <sup>37</sup> [#5millionvotes: manifesto for the self-employed](#)
- <sup>38</sup> [In time of need: building employment insurance for all](#)
- <sup>39</sup> [Good pensions for all: the left's agenda for private pensions](#)
- <sup>40</sup> [In time of need: building employment insurance for all](#)
- <sup>41</sup> [In time of need: building employment insurance for all](#)
- <sup>42</sup> [In time of need: building employment insurance for all](#)
- <sup>43</sup> [Boris' pledge to exclude Lifetime ISA savings from Universal Credit rules shelved](#)
- <sup>44</sup> [Good pensions for all: the left's agenda for private pensions](#)
- <sup>45</sup> [The Missing Entrepreneurs: policies for inclusive entrepreneurship and self-employment](#)
- <sup>46</sup> [#5millionvotes: manifesto for the self-employed](#)
- <sup>47</sup> [Inquiry into the future of self-employment](#)
- <sup>48</sup> [#5millionvotes: manifesto for the self-employed](#)
- <sup>49</sup> This can be achieved by updating Late Payment of Commercial Interest Act 1998, which contains an opt-out for the 60-day payment deadline that has become the rule rather than the exception.
- <sup>50</sup> [Inquiry into the future of self-employment](#)
- <sup>51</sup> [Start up, Scale up: Making Britain the best place to start and grow a business](#)
- <sup>52</sup> [Stop AI Stealing the Show](#)
- <sup>53</sup> [Sharing the future: workers and technology in the 2020s](#)
- <sup>54</sup> [Start up, Scale up: Making Britain the best place to start and grow a business](#)