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**IR35 Information and Indemnity declaration**

**CRN 904-17**

**Provision of an Independent Advocacy Services Framework 2017**

**IR35 INFORMATION**

Tenderers are required to answer the following question by placing an ‘X’ in the box next to the answer which corresponds to their proposed approach to service delivery:

*How does the worker provide their services to the end client?*

|  |  |
| --- | --- |
| 1. *Limited Company* |  |
| 1. *As a Partnership* |  |
| 1. *Through another individual (not an Agency)* |  |
| 1. *As a sole Trader* |  |

**IR35 INDEMNITY CLAUSE**

I/We, the undersigned confirm our acceptance of the following indemnity clause:

*‘The Contractor/Consultant shall indemnify the Council against all liabilities (including associated costs and expenses) and losses to the Council, arising from the IR35 intermediaries legislation (also referred to as Off Payroll Working in the Public Sector) in connection with their engagement with the Council and the Contractor/Consultant undertakes to pay on demand to the Council such amounts as then owing to the Council arising from their engagement and shall immediately thereafter seek to reimburse the Council for such liabilities and losses as then incurred by the Council.’*

I/We confirm that we accept the Contract as issued with the Invitation to Tender, including the above clause which is incorporated into the Contract.

I/We understand that the Council is the ultimate decision maker in relation to the Contractor/Consultant’s tax status in relation to the IR35 intermediaries legislation and we confirm that our tendered offer pricing will remain fixed and firm whilst available for acceptance and, if accepted, for the duration of any subsequent Contract, irrespective of whether or not the Council deems that the IR35 intermediaries legislation applies to the Contractor/Consultant..

Signed by ..................................................................... Date ..............................................

Print Name ...........................................................................................................................

Position .........................................................................................................................................

For and on behalf of [Name of Organisation]