

Worker, Employee *or Self-Employed?*

Your rights depend on your status — and your status depends on how the work really happens.

 Last reviewed: October 2026

 GOV.UK · Acas · HMRC · LRA

 England, Wales & Scotland, with a Northern Ireland slide

ukworkrights.co.uk

The three types

- The law has three types of status: employee, worker and self-employed.
- Your status depends on how the work really happens, not just on what your contract or the app calls you.
- If there is a dispute, an employment tribunal or court makes the final decision.

What decides it

- Do you have to do the work yourself, or can you genuinely send someone else?
- Who is in control: who sets your pay, and how, when and where you work?
- Are you running your own business — invoicing, working for different clients, charging different fees?
- Does the business have to offer you work, and do you have to accept it?

Worker rights

- The minimum wage, paid holiday and rest breaks.
- Protection from unlawful deductions from pay.
- Whistleblowing protection and protection from unlawful discrimination.
- Workers do not usually get unfair dismissal protection, minimum notice or statutory redundancy pay. Those are employee rights.

⚡ THE KEY POINT

The genuinely self-employed have very few employment rights and cannot usually claim at a tribunal.

"The app says I'm self-employed"

- The label does not settle it. What actually happens at work decides.
- In 2021 the Supreme Court decided the Uber drivers in that case were workers (Uber BV v Aslam). It does not mean everyone on an app is a worker — each case depends on its facts.
- If you think you are wrongly treated as self-employed, ask Acas. A tribunal can decide your status as part of a claim, for example for the minimum wage or holiday pay.

Pay and tax

- Workers must get at least the minimum wage. From 1 April 2026: £12.71 at 21 and over, £10.85 at 18 to 20, £8.00 under 18, £8.00 for apprentices.
- HMRC may treat you as self-employed for tax even if your employment rights status is different. You can check your status for tax on GOV.UK.
- Contractors: the IR35 rules might apply.

Employment status in Northern Ireland

- The same three main types of status. If there is a dispute, an industrial tribunal decides.
- Workers have rights to the minimum wage, rest breaks, paid holiday (5.6 weeks a year), limits on night work and protection from unauthorised deductions.
- Ordinary unfair dismissal needs at least 1 year of continuous employment, and only employees can claim it.
- Before most tribunal claims, notify the LRA. Most claims: 3 months less 1 day.

Frequently asked questions

Q My contract says "freelance". Am I self-employed?

Not necessarily. The words in the contract do not settle it — what happens in practice does.

Q The app deactivated me. Is that unfair dismissal?

Workers do not usually have unfair dismissal protection. If you think you are really an employee, ask Acas. Discrimination and whistleblowing protection still apply to workers.

Q A client hasn't paid my invoice. Can I go to a tribunal?

The self-employed cannot usually claim at a tribunal. Unpaid invoices go to the county court (England and Wales) or sheriff court (Scotland).

FREE RIGHTS GUIDANCE

Check your *employment status*

Get plain-English guidance on your rights and your employer's legal duties.

ACAS

0300 123 1100

acas.org.uk

LRA (NORTHERN IRELAND)

03300 555 300

Labour Relations Agency

EQUALITY COMMISSION NI

028 9050 0600

Northern Ireland

CITIZENS ADVICE / ADVICE NI

Free advice

Advice NI 0800 915 4604

UK WORK RIGHTS — FREE GUIDE

**Worker or Self-Employed?
(England, Wales and
Scotland)**

ukworkrights.co.uk/guide-worker-status-gb.html

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Published by UK Work Rights Ltd

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FREE GUIDE

Worker or Self-Employed? (England, Wales and Scotland)

ukworkrights.co.uk/guide-worker-status-gb.html

Also: [Worker or Self-Employed? \(Northern Ireland\)](#) · [IR35](#)