

## Contractor doctor: how should I handle contracting for short periods of a few days?

Dear Contractor Doctor:

I work as a subbing editor at various publishers. This means that I work under verbal agreements with very short notice, and usually only for a day or two at each company.

What's the best way to handle this: is it okay not to have a contract? Also, what about IR35?

Yours sincerely,

Eva

Contractor Doctor says:

### Understanding Standard Practice

Normally, working under [verbal agreements](#) is a very bad idea. It puts the contractor at risk. But in certain industries, contracts are governed by standard practice and in this case the contractor has a kind of special protection.

Working under verbal agreement for very short periods is standard in some kinds of business, because these industries routinely use contractors for very short periods, and there isn't time to set up a full-scale contract. Working as a subeditor for a newspaper or magazine is one of these areas: there are thousands of subs who pop in for a day or two just when the usual employee isn't available or when the production pressure gets tight. But there are many industries in which this kind of contracting takes place.

What is special about certain industries like subediting is that, with so many people doing it under the same conditions, everyone in the trade knows what the contract terms are for a sub, what the duties are, and how the sub is paid.

### Standard Practice Determines What's Allowed

Were a manager to make some grave divergence from the usual practice, most subs would simply refuse to go along, i.e. if the manager were suddenly to say '-- you have to go out and take photos of an event! --' most subs would simply reply, 'that's not my job,' and the rest of the staff would support the sub. Were this to become the subject of a major dispute, the manager would be in grave legal difficulties.

### But Be Careful!

Contractors should remember that standard practice rules only apply when they are very well and clearly defined for what you do. If you're not certain this is the case, you shouldn't rely on standard practice rules. Unless it is practically graven in stone, as it is for subediting, standard practice could be difficult to define. If you don't think that is the case, [avoid verbal agreements](#) as best you can.

As far as [IR35](#) is concerned, working for such brief periods for a number of different clients directly makes you a somewhat unlikely candidate for an IR35 attack. With that said, you should take the usual precautions of documenting your work as it relates to specific projects underway at the publishers, and you might consider asking a manager at each worksite to write you a short note stating that you have been engaged as a contractor for a specific job under the usual terms that apply to subeditors. Nothing is certain to protect you from a Revenue IR35 claim-- because the law makes no sense-- but you have a better chance if you keep to this strategy.

Good luck with your contracting!

Contractor Doctor

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