

Temporary Staffing Procedure

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Temporary Staffing Procedure

1 Introduction

The Tavistock and Portman NHS Foundation Trust (the Trust) recognises the important role that temporary workers play in the successful delivery of services.

This document sets out the standards and procedures required to ensure that those individuals undertaking temporary work are appropriately engaged, trained and deployed in a manner which is cost effective and supports the delivery of high quality services.

2 Purpose

The Trust acknowledges that from time to time, services may experience staffing difficulties and in order to maintain service provision and ensure the safety of patients and staff, may need to secure temporary staffing arrangements. There may also be occasions where short term projects require ad hoc staffing support.

Due consideration should be given to other viable options before temporary staff are engaged.

This procedure is intended to:

- Minimise agency and temporary costs ensuring value for money
- Improve monitoring systems
- Ensure that the health, safety and welfare of service users is not compromised by ensuring appropriate pre-engagement safeguarding checks (such as DBS [formally CRB], ID checks)
- Ensure that the Trust is compliant with current employment law.

3 Scope

This procedure applies to all staff employed by the Trust and covers situations where a manager needs to fill a vacancy or short term project using an *ad hoc* worker.

4 Definitions

Agency Worker

A worker engaged through an employment business.

Bank Worker

An individual registered with the Trust to undertake ad hoc work on a no guarantee of providing work for no guarantee of accepting work basis.

Framework Agency

The Crown Commercial Service (CCS) and the London Procurement Partnership (LPP) tender and select agencies that comply with a range of statutory requirements.

5 Duties and responsibilities

The **Chief Executive** is ultimately responsible for this procedure, however, in practice the application and monitoring of this process will rest with the **Director of Human Resources**.

The **Director of Human Resources** is responsible for the implementation of this procedure and will report by exception any variance from the duties in section 8.

Recruiting managers are responsible for effectively planning their staffing requirements and, where there is a need for a temporary member of staff, following the processes set out in this procedure.

Human Resources Administrators and the HR & Staff Development Manager are responsible for ensuring the safe recruitment, booking and payroll administration of all temporary members of staff.

6 Procedures

Planning Resources

Temporary staff should only be engaged as a last resort after considering other staffing alternatives. Temporary staff should never be used as an ongoing staffing solution. Service developments should be appropriately costed and resourced without relying on temporary staffing.

If a manager is experiencing difficulties in recruiting to permanent positions they should work with their HR Business Partner to seek recruitment advice and/or review the needs of the service.

There should be a justifiable service reason for requesting a temporary member of staff which includes:

- When there is a vacant post with funding available and the work cannot be covered from within the existing workforce
- When the service will be at risk, including patient safety, or targets for delivery are compromised
- An unexpected increase in the volume of work
- When there are adverse effects on the health and safety of staff.

Prior to deciding whether there is a need to book a temporary member of staff, individual managers should:-

- Consider whether the work can be reallocated/delayed
- Offer additional hours and time off in lieu to full-time staff without compromising working time regulations
- If in exceptional circumstances a member of staff is authorised to work overtime, a timesheet needs to be completed and signed by the staff member and authorised by a designated signatory

Further alternative methods of filling staffing needs could include:

- Secondment
- Re-working procedures or processes to save time and staffing needs
- Utilisation of staff from other areas within the Clinical Service Centre/Trust on a temporary basis
- Job share or role splitting
- Short fixed-term contracts.

Temporary Staffing Request

Where a temporary member of staff is required the recruiting manager should complete a temporary staffing request form (Appendix B) and submit this to their director and management accountant for approval before a member of staff is engaged. Once the form has been approved by finance the Human Resources Team will undertake a search whether there are any suitable workers registered with the Trust Bank to fulfil the requirement.

If a manager makes a recommendation of an individual to fulfil the role then the Human Resources Team will ensure that employment checks are undertaken before the member of staff can commence in post.

Extending a Booking

If a manager needs to extend a temporary staffing request then a new temporary staffing form should be completed and authorised before the original booking ends.

The Trust's HR Business Partners and Management Accountants will work with managers to continually review temporary staffing bookings and ensure that the most appropriate employment method is being used.

Use of agency staff

There will be occasions where there is a need for a specialist skill or individual who will not be available through the Trust Bank. In these circumstances a member of agency member of staff could be considered.

The Trust's regulators have set a number of governance and financial criteria which we are required to comply with. These conditions are:

- a maximum rate cap for agency members of staff;
- that Trusts should only engage workers from approved framework agencies; and
- each Trust has a maximum level of agency expenditure it may commit each year.

Agency members of staff may only be engaged with the approval from the Director of Human Resources and the Chief Executive.

Managers should not engage agency workers directly. If approval is given by the Director of Human Resources and the Chief Executive then the Human Resources Team will engage agencies off of its preferred supplier list, who will be from an approved framework.

If a manager engages an agency member of staff without approval then this may result in disciplinary proceedings being commissioned.

Pay for temporary members of staff

The Human Resources determines the agreed set of pay rates for Bank staff which are in line with Agenda for Change. Bank members of staff are required to complete a weekly timesheet (Appendix C), have it approved by a budget holder (or nominated delegated budget holder) and then return this to the Human Resources Team.

Agency staff pay arrangements are determined by national frameworks and have a maximum cap level which can be paid.

7 Training Requirements

There are no formal training requirements associated with this procedure, however, managers who require support with the application of this document may seek guidance from their HR Business Partner.

8 Process for monitoring compliance with this Procedure

The Trust will use a variety of methods to monitor compliance with the processes in this document, including some or all of the following methods:

Measurable Procedure Objective	Monitoring/ Audit method	Frequency of monitoring	Responsibility for performing the monitoring	Monitoring reported to which groups/ committees, inc responsibility for reviewing
Temporary staffing requests	Temporary Staffing Booking Database	Monthly reporting – HR Quarterly – Management Team	HR & Staff Development Manager	Executive Management Team / Management Team
Temporary Staffing Expenditure	Invoices Paid Through the General Ledger	Monthly reporting – HR Quarterly – Management	Head of Management Accounts	Executive Management Team / Management Team

9 References

NHS Improvement (2016). *Reducing Expenditure on NHS Agency Staff: Rules and Prices Caps [online]*. Crown Stationery Office. London. Available from: <https://improvement.nhs.uk/resources/reducing-expenditure-on-nhs-agency-staff-rules-and-price-caps/> [Accessed on 07 October 2016].

10 Associated documents¹

Recruitment and Selection Procedure
Equal Opportunities Procedure

¹ For the current version of Trust procedures, please refer to the intranet.

Appendix A : Equality Analysis

Completed by	Craig de Sousa
Position	Director of Human Resources
Date	07 October 2016

The following questions determine whether analysis is needed	Yes	No
Is it likely to affect people with particular protected characteristics differently?		X
Is it a major policy, significantly affecting how Trust services are delivered?	X	
Will the policy have a significant effect on how partner organisations operate in terms of equality?		X
Does the policy relate to functions that have been identified through engagement as being important to people with particular protected characteristics?		X
Does the policy relate to an area with known inequalities?		X
Does the policy relate to any equality objectives that have been set by the Trust?		X
Other?		X

If the answer to *all* of these questions was no, then the assessment is complete.

If the answer to *any* of the questions was yes, then undertake the following analysis:

	Yes	No	Comment
Do policy outcomes and service take-up differ between people with different protected characteristics?		X	
What are the key findings of any engagement you have undertaken?		X	
If there is a greater effect		X	

on one group, is that consistent with the policy aims?			
If the policy has negative effects on people sharing particular characteristics, what steps can be taken to mitigate these effects?		X	
Will the policy deliver practical benefits for certain groups?		X	
Does the policy miss opportunities to advance equality of opportunity and foster good relations?		X	
Do other policies need to change to enable this policy to be effective?		X	
Additional comments			

If one or more answers are yes, then the policy may unlawful under the Equality Act 2010 –seek advice from Human Resources.

Appendix B : Temporary Staffing Request Form

This form should be completed, in full, and submitted to your Management Accountant and confirmation from the Human Resources team that a worker is clear to start before a temporary member of staff is engaged.

If you require an agency member of staff then this form will need a further level of approval from the Director of Human Resources and Chief Executive.

Requesting manager	
Department	
Service Line	
Directorate	
Cost Centre	

Job title of post to be filled	
Grade	
Can this post be filled with a Bank member of staff?	

Please describe the skills that you are looking to recruit, or, attach a job description for the role

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When is this appointment intended to start and end			
Start		End	

Detail what steps you have taken to avoid having to use a temporary member of staff

Please detail any further information about your case here, or, if you have identified a Bank worker, please provide their name.

By ticking this box, which acts as your signature, you confirm that you have the authority to make this booking and that all of the information provide above is accurate and true.

Please now email this form to your management accountant for financial approval.

Financial Approval

I confirm there is available funding and this change may be processed.	Yes <input type="checkbox"/>
Name	
Date	

If this request is for a Bank member of staff email this form to HR@tavi-port.nhs.uk

Where an agency member of staff is required please email the form directly to the HR Director, cdesousa@tavi-port.nhs.uk

Human Resources Confirmation of Booking

Confirmation of the Bank Staff allocated to this booking	
Name	
Date	

HR Director and Chief Executive Approval for Agency Staff

Agency staff authorised	Yes <input type="checkbox"/> No <input type="checkbox"/>
Name	
Date	
If no, detail the reason	

Appendix D : Temporary Staffing Process Flow Chart

