Humber Teaching
NHS Foundation Trust

Engagement and Deployment of Short Term Staffing Policy and Procedure (HR-004)

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Policies should be accessed via the Trust intranet to ensure the current version is used

Contents

POLICY

1 Introduction

This policy provides guidance to managers and other staff on the processes to follow when there is an identified need to engage short term workers.

2 Scope

This applies to all Humber Teaching NHS Foundation Trust employees, workers , any staff who are seconded to the organisation, contract and Agency staff.

3 Definitions

Type	Detail
Bank Worker	Individuals who are registered with the Trust to work under a Bank Agreement These individuals work on the basis that the Trust is not obliged to offer them any work assignments and in return the individuals are not obliged to accept any work assignments offered to them by the Trust.
Substantive Bank Worker	A current employee of the Trust who also holds a Bank Worker Agreement. These workers would normally undertake work in the same capacity but may also elect to cover other roles.
Agency Worker	Agency workers are provided to the Trust by an employment agency and are supplied to the Trust to undertake a piece of work.
Framework Agency	An agency that has been approved for the Trust to use, under the NHS Framework Agreement (https://www.england.nhs.uk/reducing-expenditure-on-nhs-agency-staff-rules-and-price-caps/#frameworks)
Off Framework Agency	Agencies that have not aligned to the desired NHS framework agreement. Therefore, have potential to provide staff without compliance and mandatory training requirements or standard NHS employment checks.
SBS	Financial system to raise purchase order and manage invoice payments
ERoster System (Health Roster)	Staff rota management system.
Allocate Bank System	Works in conjunction with ERoster to fill shifts on rota. Used to manage shifts filled by bank and agency workers
Employee On Line (EOL)	Staff system which allows viewing and booking of bank shifts. Also allows staff to view upcoming shifts

4 Duties and responsibilities

It is the responsibility of:

4.1 Chief Executive

To assure the Board that this policy is acted on through delegation to the appropriate directorates and committees

4.2 All Directors (Board Level Directors) will :

- Promote and support the aims and objectives of this policy and procedure and ensure that it is adhered to.
- Ensure that any off framework/enhanced rates (above the agency cap) forms are authorised accordingly for NHSEI for returns.
- Approve any requests for framework and off framework agency use.

4.3 Line Managers will :

- Implement, promote and comply with this policy and the associated procedure.
- Ensure that expenditure on temporary workers within their service is managed appropriately.
- Ensure an induction checklist and any relevant risk assessments are always undertaken with an agency worker or bank worker when starting work in a new area and induction is updated if there are any significant changes since the temporary worker was previously engaged in their area.
- Ensure that any off framework/enhanced rate (above the agency cap) booking forms are completed and submitted to The Flexible Workforce Team on a timely basis following sign off by a board level director. This is to enable effective reporting to NHSI.
- Ensure pre-employment checks have been carried out for off framework agency workers.
- Ensure all shifts are finalised for payment prior to the cut off of the 7th of the month.
- Ensure authorisation through all defined channels prior to engaging temporary workers.
- Confirm the time worked by temporary workers on the bank staff roster system for every assignment.
- Seek the most cost effective solution. Managers are responsible for ensuring that they act within agreed financial limits and in line with the Authorised Signatory List (ASL).
- Monitor the time and grade/band worked by the temporary worker; and ensure accurate authorisation of bank shifts on the Health Roster system for bank and agency timesheets and for bank or agency timesheets within *five days* of the shift worked (to ensure the temporary worker is paid on time)
- Ensure a Worker Placement Feedback Form is completed and sent back to the Temporary Workforce Team.
- To ensure TEMPRE is used for all Consultant and Doctor agency placements.

It is essential that service managers do not bypass the normal booking processes by seeking to arrange cover directly with bank workers prior to releasing shifts to general bank, or that they seek to repeatedly use bank workers who they have used previously. Doing this undermines the temporary nature of the Trust's relationship with the bank worker and can create unnecessary risks of legal challenge for the Trust.

4.4 Flexible Workforce Team (FWT) will :

- Ensure that all appropriate skills, competencies, and training are up to date at all times for the maintained bank and agency workers placed by this team.
- Book maintained bank workers as set out in the appropriate procedures

- Offer guidance and support to managers on this policy and procedure;
- Provide data for the return that is sent to NHSI on a monthly basis on all shifts that are reported as above the cap or off framework.

4.5 All Temporary Workers (Bank and Agency) will :

- Be familiar and comply with Trust protocols, policies and procedures for all assignments and ensure that their conduct is courteous and professional when dealing with our patients, colleagues, and other members of the public in accordance with the Trust's values and behavioural framework.
- Attend appropriate inductions, undertake and complete any core skills training via ESR
- Work at all times within their own competency and within the requirements of the assignment they undertake. It is a requirement that if professional registration is required that they maintain and keep this up to date.
- Give honest and timely feedback about difficulties or issues of concern experienced within each assignment either to the line manager, in the first instance
- Complete and submit timesheets to ensure timely payment of invoices.

5 General Principles

There will be a range of circumstances that give rise for the need to engage temporary workers. These include:

- Gaps in staffing arising from vacancies and pending permanent recruitment
- Short term gaps arising for a number of reasons (including but not limited to parental leave, sickness, annual leave)
- A requirement to undertake short term pieces of work
- Particular circumstances dictate that someone outside the Trust should be engaged (for example, to carry out investigations)

Before undertaking the engagement of any short-term workers, managers must ensure that agreed funding is available. Where a need for short term work arises, the manager or professional lead must first consider if this can be covered within existing staffing arrangements. For example:

- Prioritisation of tasks within existing resources
- Reallocation of tasks within existing resources in line with existing Job Descriptions
- Temporary deployment of staff from one area to another
- Temporary placements (whether agency or bank) should not go beyond 12 weeks, if the need is for longer than 12 weeks then recruitment should be made to a post in accordance with the Recruitment and Selection Policy and Procedure. If the post cannot be filled through the recruitment process than Directors can sign off a longer placement;
- The Trust will adopt a ‘bank first’ approach for all temporary workforce needs;
- For temporary employees (e.g., staff on Fixed Term contracts) - it is the responsibility of the manager to ensure that they undertake required training (inc mandatory training).
  - For Maintained Bank staff - FWT is responsible for ensuring that staff undertake the

required Mandatory Training.
  - For other Bank staff – line managers or professional leads are responsible for ensuring that their staff /pool of workers undertake Mandatory Training
  - For Agency staff – the Agency is responsibility for ensuring that their staff are adequately trained for the roles for which they are provided. For Agency staff on longer term placements, it is for the manager to determine if they should also attend further internal training.
  - For Self Employed engagements – the manager is responsible for ensuring that the person engaged has had the training necessary for the provision of the service that they are contracted to provide. The Trusts Mandatory Training policy and related documents on the Training section of the Intranet are available for reference.

6 BANK WORKERS

6.1 Recruitment to the Bank
All recruitment to the bank should be in accordance with the principles set out in the Trust's Recruitment and Selection Policy and Procedure.

The FWT will recruit to the maintained bank. Managers will recruit to all other bank roles.

As part of the onboarding process, access is provided to bank workers for the clinical systems relevant to their roles.

6.2 Terms of Engagement
All bank workers must first agree to and sign the 'Terms of Engagement for Bank Workers' before they work for the Trust. The recruitment team will manage this for non-maintained bank roles, the flexible workforce team for maintained bank roles.

Bank workers who are not otherwise substantively employed by the Trust are casual workers, not employees. Bank workers who are not otherwise substantively employed will not therefore normally have the same entitlements as substantive employees, i.e., occupational sick, maternity pay. Bank workers may be entitled to statutory benefits subject to them meeting the relevant criteria. Bank workers are entitled to statutory annual leave which is incorporated via WTD payment.

Substantive employees are not permitted to work on the bank where the following scenarios apply:
- During a period of sickness absence.
- If instructed not to by their substantive line manager whilst being monitored under the Sickness Absence Policy or the Managing Capability Policy.
- If suspended pending disciplinary investigation.
- Whilst on annual leave.
- If instructed not to by their substantive line manager, to avoid exacerbating an underlying health condition that may worsen through working excessive hours, and/or following Occupational Health advice.

The Trust have a rule break process to monitor adherence and provide assurance that these terms of engagement are not being compromised.

6.3 Engagement Obligations
Each assignment that a bank worker carries out is regarded as a separate engagement and there is no mutuality of obligation for the Trust to offer engagements to bank workers, or for bank workers to accept them. Bank work does not count towards reckonable NHS service.

Where a bank assignment is cancelled by the Trust with more than 24 hours' notice to the bank worker, the Trust is under no obligation to re-allocate the bank worker to another assignment or to pay the bank worker.

If the Trust cancels an assignment with less than 24 hours' notice, it may either re-allocate the bank worker to another shift or, if this is not possible, the bank worker will be paid.

6.4 Payment

Bank workers will be paid a month in arrears for any shifts worked, by bank transfer to their nominated bank or building society.

Substantive staff with a bank engagement (of the same grade) will be paid the same pay point on the Agenda for Change pay scale on both their substantive and bank posts. Where there are changes to the pay point of an individual's substantive post (including pay progression) then the bank post pay point will be aligned to that of their substantive. If the bank work is at a different grade, pay will be in accordance with all other bank workers, the second point of the agenda for change grade for the work.

Given the national and local shortage of Band 5 Nurses, all bank band 5 Nurse work will be paid at the top of the grade regardless of experience.

6.5 Professional Registration

It is the responsibility of the individual bank worker to maintain appropriate professional registration for every assignment they accept in accordance with relevant professional body *(outlined in the Trust's Professional Registration policy)*. It is the managers responsibility to check the professional registration of bank workers.

All registered nurses are required to update their NMC registration annually and revalidate with the NMC every 3 years

6.6 Annual Leave

All workers engaged by the Trust have a statutory entitlement to paid annual leave accrued during assignments according to the number of hours worked (pro-rated from the equivalent of a yearly entitlement of 5.6 weeks' annual leave). The Trust's annual leave year runs from 1 April to 31 March and an additional allowance in lieu of annual leave is paid, this is included in the bank payslip and will be shown separately as WTD.

6.7 Supervision Arrangements

It is a mandatory requirement for all bank workers to benefit from management and clinical (if applicable) supervision at regular intervals in accordance with the Trust Supervision Policy.

Management and clinical supervision should be undertaken at one of the following intervals (whichever is sooner):

- After attending for work on 18 occasions (regardless of shift length), or
- Every six months

It is the bank worker's responsibility to arrange supervision within the timeframe stipulated by the policy and for maintained bank roles, to update the flexible workforce team when this has been completed.

6.8 Cleansing the Bank

Any member of the bank that doesn't work two bank shifts within a 6-month period will be removed. This task will be undertaken by the Workforce and OD Directorate.

6.9 Maintained Bank

The Flexible Workforce Team within the Workforce and OD Directorate will maintain a bank of staff for the following posts :-

- Band 2 Admin
- Band 3 Admin
- Band 2 Health Care Assistant
- Band 3 Health Care Assistant
- Band 5&6 Nurses

Details on how to access these workers is included in the procedures below.

7 AGENCY

7.1 Use of Agency staff - general requirements

Where neither an employment option nor the use of bank staff is available then Managers can consider the engagement of Agency workers. All Agency workers engaged to work at the Trust should come from an Agency approved under one of the relevant NHS frameworks. Managers can seek advice from the FWT or Procurement Team.

All Agency workers engaged to work at the Trust should be within the rates of pay authorised by NHSI.

These are referred to as capped rates. Information on current capped rates is available from either the FWT or the Procurement Team.

The manager when engaging Agency staff will need to agree and review the duration/ length of time they are utilised for regularly.

Additional approval by a Director is required for any agency placement that is either off framework or breaches NHSI caps (break glass).

Wherever possible placements should be transferred to a fixed term contract. Workforce & OD can provide guidance on the process. Managers should also be aware that once an agency worker has completed a 12-week qualifying period in the same role, under Regulation 5 of the Agency Worker Regulations, they would be entitled to the same basic working and employment conditions as they would have received had they been recruited directly. Where managers have a concern in relation to the performance of an Agency member of staff then they must report this as follows;

- Nursing qualified and unqualified, to the FWT – who will liaise with senior nursing staff
- Junior Medical staff - to the Medical Workforce Team
- Senior Medical staff - to the Medical Director, Deputy Medical Director or Clinical Director
- Non-Medical Non Clinical staff – to the FWT

7.2 Monitoring the Usage of Agency Workers

The review of all agency/locum usage should be carried out by the relevant Executive Director on at least a monthly basis, to ensure the requirements of this policy are adhered to. They must also review the decision-making process retrospectively to ensure the rationale for booking a temporary staff member was for justifiable reason.

Where a service area engages an ‘off framework’ agency worker, it is their responsibility to assure themselves that the worker is compliant with all statutory and mandatory training by return of the PEC Form.

7.3 Engagement of Self Employed Contractors (IR35)

Engagement of Self Employed Contractors should only be considered where employment, Bank and Agency options are not available or are not viable. (For example: if Agency arrangements are not specialist enough to meet the resourcing requirements.)

The Trust cannot enter into any engagement with a self-employed contractor (including via a Personal Service Company (PSC)) in circumstances where the HMRC Employment Status assessment tool has confirmed that Tax and National Insurance deductions are required as for an employee. Engagement of Self Employed Contractors should be limited to circumstances where the Trust is engaging an individual to provide a defined service rather than engaging a person in a work role. This will mean that the contract with the person is for a set of defined outcomes and is not on the basis of a range of tasks akin to a job description. Payment may be calculated on an hourly rate but this on the basis of the expected hours to complete the task and not an agreed amount of hours per week.

A manager intending to engage a self-employed contractor should initially consult with HR to ensure that this is not a de facto employment situation. This will include the manager to complete the HMRC Employment Status assessment tool, which can be accessed via the following link: https://www.gov.uk/guidance/check-employment-status-for-tax

If the outcome of the HMRC Employment Status assessment tool is that the engagement should be classed as Employed for Tax purposes then Tax then the engagement of a self-employed contractor via procurement cannot continue. The manager should revisit options for temporary employment, Bank, or Agency use. The outcome of the HMRC Employment Status assessment tool should be kept on file. Only if the outcome of this tool confirms that the nature of the engagement is a self-employed one for tax purposes should the engagement proceed via a procurement route.

The manager should liaise with the Procurement Team to ensure that procurement procedures are followed. No engagement or commitment to make an engagement (whether verbal or in writing) should be made prior to the completion of all the necessary procedures referred to in this policy.

Any engagement of a self-employed contractor must be requisitioned in advance of an engagement as per standard procurement processes. The requisition should be appropriately authorised in line with the Trust's Scheme of Delegation. Additionally, engagements of this type must also have the Directorate's Executive Director approval on the requisition to confirm that he/she is assured that other avenues have been explored. Engagements will be subject to appropriate pre-engagement checks (references/DBS checks etc.) This will vary according to situation where the person will be located.

The manager undertaking the engagement will be responsible for ensuring that these checks take place. Independent references must be obtained wherever possible.

A Disclosure and Barring certificate will be required where this would apply to an employee.

The Procurement Team will issue a contract for services to the contractor on receipt of an appropriately approved requisition. The contractor is required to quote the Trust's official order number on their invoice. Failure to quote an order number will result in the invoice being returned to sender per usual procurement process. Standard payment terms of 30 days apply to all contractors and should cover the A4C rates for the job role as a minimum.

7.4 Disputes

All employees will operate under a contract of employment with the Trust.

Agency staff will operate under a contract with the Agency.

Self-employed contractors will sign a contract for service drawn up by Procurement. This will be a standard NHS Terms and Conditions of Contract for the Provision of Services. All disputes should refer to the contract in place in the first instance. Actions will depend on the type of contact.

Employment contract disputes will be covered by employment law; whilst procurement contracts are covered by commercial laws

8 PROCEDURES

The following procedures must be following for engaging and deploying temporary staff.

8.1 PROCEDURE 1 – PROCESS FOR SOURCING MAINTAINED BANK ROLES

The Trust has a maintained internal bank of workers managed by the FWT of the following roles:-

- Band 2 Admin
- Band 3 Admin
- Band 2 Health Care Assistant
- Band 3 Health Care Assistant
- Band 5&6 Nurses

The FWT will try and place bank workers or framework agency workers into vacancies on behalf of managers. This team should be contacted in the first instance for any of these roles and as per the Rostering policy and procedure (HR-030) the roster is produced at least 6 weeks in advance and vacant shifts for bank should be released at the same time, giving as much notice as possible to maximise the chance of the shift being filled by the internal bank.

8.2 Step 1 - Internal Bank

All requests will first be made available to Trust bank workers. The process for this is as follows:-

For Rostered Teams :-

1. The service requiring a temporary worker must create the shift on the bank staff system. This should be done as early as possible to give the bank the most notice possible to fill the shift. Details of how to undertake this are included in this guide

   Bank Staff System User Guidance

2. The bank system automates an email to the FWT and the team will commence trying to meet this request by seeking take up from the bank.
3. If the shift is claimed by bank staff, the FWT will update the bank staff system (which interfaces with Health Roster) which in turn automatically populates the roster.
4. A timesheet must be added for all worked shifts. This must be completed in the Allocate Bank Staff module of the eRoster system by the ward/service.
5. This timesheet must be approved by a senior manager by 7th of the following month to ensure payment on time.
6. Payments are made in the following calendar month; bank staff can access the Allocate system (employee Online) to view worked and approved timesheets for payment.

For Non-rostered teams :-

1. A Staffing Request Form (Appendix 1) needs to be completed and sent to the FWT email account detailing the request. The FWT then commence meeting this request by accessing the bank.
2. The FWT will update the requestor/ward that the shift has been filled, providing full details.
3. If the shift is claimed by bank staff, the FWT will update the bank staff system and inform the shift requester of the bank worker's details
4. A shift request and timesheet must be added for all worked shifts. This must be completed in the Allocate Bank Staff by the ward/service
5. This timesheet must be approved by a senior manager by 7th of the following month to ensure payment on time.
6. Payments are made in the following calendar month; bank staff can access the Allocate system (employee Online) to view worked and approved timesheets for payment.

8.3 Step 2 - Framework Agencies

Shifts will be advertised to the bank as soon as received with appropriate authorisation. If they remain unfilled 7 days before they are due to be worked, the service will be notified. At this point the service can request a framework agency cover (this requires the relevant Director's authorisation).

On receipt of this, FWT will endeavour to source a framework agency worker. The shifts will also remain open to the bank.

If the shift hasn't been requested with more than 7 days' notice, step 1 of this process will still need to be completed first (albeit on a reduced timescale). The FWT will determine this.

Rostered Teams

1. The manager provides the FWT a shift reference number along with Director approval to engage an agency worker (an email will suffice).
2. The FWT team will email requirements to the framework agencies. The FWT will select the agency worker and place in accordance with the demand;
3. The Agency must evidence the below information to the FWT prior to booking being made:
    - Individuals full name and address.
    - DOB
    - NI number for verification
    - Verified personal identification i.e.: valid passport, UK driving licence, UK birth certificate, EU phone ID, HR Forces ID card.
    - Copy of individual current professional registration (where applicable).
    - If Locum Dr evidence of Indemnity
    - Evidence of immunisation, fitness to practice.
    - Evidence they can legally work in the UK, Work Permit etc.
    - Confirmation details of DBS check.
    - Confirmation that all mandatory training is current (this must include Information governance, health & safety and Manual Handling.
    - Evidence that the individual can legally drive in the UK, when driving is required for role.
    - Evidence that private car is legally covered for business purposes.
    - Confirmation that they are a direct employee of the agency.
4. The FWT will enter the worker onto the bank system and plan for the worker to undertake the necessary training (Lorenzo, system One); and arrange for IT access and a smart card if necessary;
5. The ward must update the Health Roster system to record that the shift has been filled by the Agency worker
6. The agency will provide the worker with a timesheet for the ward manager to sign off
7. The time sheet enables agency to raise an invoice to SBS
8. Invoices raised to the Trust SBS are distributed to the employing department to approve and process through their budget
9. The manager will check the signed timesheet against the invoice and purchase order number given, then approve via the SBS system.
10. The agency is responsible for making a payment to the worker

Non-rostered teams

1. The manager provides the FWT with a staffing request form (appendix 1) with Director approval to engage an agency worker (an email will suffice).
2. The FWT team will email requirements to the framework agencies.
3. The FWT will place the agency worker in accordance with the demand.
4. The FWT will enter the worker onto the bank system and plan for the worker to undertake the necessary training (Lorenzo, system One); and arrange for IT access and a smart card if necessary.
5. The FWT will make the arrangements for the worker to start and will confirm with the agency that the worker meets all pre-employment standards.

6. The agency will provide the worker with a timesheet for the ward manager to sign off
7. The time sheet enables agency to raise an invoice to SBS
8. Invoices raised to the Trust SBS are distributed to the employing department to approve and process through their budget
9. The manager will check the signed timesheet against the invoice and purchase order number given, then approve via the SBS system.
10. The agency is responsible for making a payment to the worker

8.4 Step 3 – Break Glass Process

If a framework agency has been requested and the shift not filled, the FWT will let the service know 4 days before. At this point, the 'break glass' process can be enacted. This is paying a rate above the NHSI cap rate.

This should only be considered if shift remains available 4 days before it is due to be worked. The relevant Director will need to authorise. The FWT will try and source a framework agency worker at increased rates of pay (following the process above at step 2). The shifts will also remain open to the bank.

8.5 Step 4 - Off Framework Agencies

If the break glass process has not been successful, the FWT will let the service know 2 days before the shift. At this point of last resort, off framework agency can be used. Relevant Director approval is required for this.

At this point the process moves from the FWT back to the manager who should:-

- Email agencies including the following information:
    - The Date/time of shift required.
    - The skill set required, based on a job description.
    - Name of unit and address details.
    - The person the agency worker should report to on arrival.
- The manager will have direct liaison with the agency for the provision of CVs;
- Manager to review the CVs and select a suitable worker, updating the agency with their decision;
- Manager will then ensure the necessary system training, IT and Smart card by contacting the IT Service Desk directly;
- Manager to gather PEC form from the agency. The Agency must evidence the below information to the manager prior to booking being made:
    - Individuals full name and address.
    - DOB
    - NI number for verification
    - Verified personal identification i.e.: valid passport, UK driving licence, UK birth certificate, EU phone ID, HR Forces ID card.
    - Copy of individual current professional registration (where applicable).
    - Evidence of immunisation, fitness to practice.
    - Evidence they can legally work in the UK, Work Permit etc.
    - Confirmation details of DBS check.
    - Confirmation that all mandatory training is current (this must include Information governance, health & safety and Manual Handling.
    - Evidence that the individual can legally drive in the UK, when driving is required for role.
    - Evidence that private car is legally covered for business purposes.
    - Confirmation that they are a direct employee of the agency.

- Ask for the return of the PEC form but must also have sight of the of the pre-employment checks (as above) to ensure the worker is compliant with NHS pre-employment check standards;
- Manager to agree a start date and carry out a local induction upon commencement;

- For rostered teams, the Manager should allocate the selected worker to the shift(s) on Health Roster;
- Managers are responsible for the management of invoices using the SBS system;
- FWT will produce a weekly report for off framework / over cap activity, these breaches of the NHSi agreement will be sent to EMT

8.6 Out of Hours Arrangements

During ‘out of hours’ if a Bank Worker is required to cover an established vacancy, a phone call should be made to the On-call Manager to request access to the list of bank workers, and their contact details who have recently worked in the requesting area. There will then be the option to call, and/or email bank staff who are eligible for the required role.

This list will be provided by FWT and maintained to ensure accuracy and refreshed on a weekly basis.

During ‘out of hours’ if there is no available bank worker, and an Agency Worker is required (following the process of trying to obtain a Bank Worker out of hours) then a phone call must be made to the on-call Manager who will assess the request, ensuring that the following have been considered:

temporary redeployment of staff
use of excess hours where applicable
considering if the work can be delayed or reallocated
.
If approval is given an email must be sent to the requester by the ‘On Call’ Manager specifying what cover is authorised and the agreed duration e.g., within agency caps for Saturday early shift. The ‘On Call’ Manager will authorise. Approval should not be given for above capped rate agency cover without first seeking cover that is below capped rate cover.

The shift must then be added to the system as soon as possible before Monday.

9 PROCEDURE 2 – PROCESS FOR ROLES OUTSIDE OF THE MAINTAINED BANK (INCLUDES GP'S BUT NOT SPECIALTY DOCTORS OR CONSULTANTS)

9.1 Step 1 – Internal 'local' Bank

For some roles department's may maintain their own bank (hotel services is a good example of this). These local 'banks' need to be maintained in accordance with this policy and procedure. It is the responsibility of the Division/Service, to maintain internal records of the temporary workers they have and their contact details

For many roles it will just not be feasible to have a local bank. in these cases, the manager will move to step 2 of this process.

For Rostered Teams :-

1. The service requiring a temporary worker must create the shift on the Health Roster system and send to Bank staff system. This should be done as early as possible to give the bank workers as much notice to consider these shifts.
   Details of how to undertake this are included in this guide

   Bank Staff System User Guidance

2. If the shift is claimed by bank staff, the manager would update the bank staff system (which interfaces with Health Roster) which in turn automatically populates the roster.
3. A timesheet must be added for all worked shifts. This must be completed in the Allocate Bank Staff module of the eRoster system by an administrator or ward manager
4. This timesheet must be approved by a senior manager by 7th of the following month to allocate payment on time.
5. Payments are made in the following calendar month; bank staff can access the Allocate system (employee Online) to view worked and approved timesheets for payment.

For Non-rostered teams :- The manager will engage the worker in accordance with this policy and procedure.

1. A Staffing Request Form (Appendix 1) needs to be completed detailing the request and authorisation.
2. The FWT can provide the manager a list of suitable bank workers for managers to contact workers directly.
3. If the shift is claimed by bank staff, the manager will update the bank staff system with the bank workers details.
4. A shift request and timesheet must be added for all worked shifts. This must be completed in the Allocate Bank Staff by an administrator or ward manager
5. This timesheet must be approved by a senior manager by 7th of the following month to allocate payment on time.
6. Payments are made in the following calendar month; bank staff can access the Allocate system (employee Online) to view worked and approved timesheets for payment.

9.2 Step 2 - Framework Agencies

If step 1 has been unsuccessful or is not relevant, framework agency use can take place (it requires the relevant Director approval).

Rostered Teams

Managers will email requirements to the framework agencies. Managers should place the agency worker in accordance with the demand.

1. The manager receives Director approval to engage an agency worker (an email will suffice).
2. The FWT team will provide a list of framework agencies so managers can contact agency worker and place in accordance with the demand.

3. Manager to gather PEC form from the agency. The Agency must evidence the below information to the manager prior to booking being made:
    - Individuals full name and address.
    - DOB
    - NI number for verification
    - Verified personal identification i.e.: valid passport, UK driving licence, UK birth certificate, EU phone ID, HR Forces ID card.
    - Copy of individual current professional registration (where applicable).
    - Evidence of immunisation, fitness to practice.
    - Evidence they can legally work in the UK, Work Permit etc.
    - Confirmation details of DBS check.
    - Confirmation that all mandatory training is current (this must include Information governance, health & safety, and Manual Handling.
    - Evidence that the individual can legally drive in the UK, when driving is required for role.
    - Evidence that private car is legally covered for business purposes.
    - Confirmation that they are a direct employee of the agency.

4. Manager to ask for the return of the PEC form and sends on to FWT for worker to be recorded on to the Bank Staff System
5. manager will request the worker to undertake the necessary training (Lorenzo, system One); and arrange for IT access and a smart card if necessary;
6. FWT/Manager to allocate worker to shift/s in Bank staff/Health Roster system
7. The Manager to agree a start date and carry out a local induction upon commencement.
8. The agency will provide the worker with a timesheet for the ward manager to sign off
9. The time sheet enables agency to raise an invoice to SBS
10. Invoices raised to the Trust SBS are distributed to the employing department to approve and process through their budget
11. The manager will check the signed timesheet against the invoice and purchase order number given, then approve via the SBS system.
12. The agency is responsible for making a payment to the worker

Non-rostered teams

Managers will email requirements to the framework agencies. Managers will place the agency worker in accordance with the demand.

1. The manager receives Director approval to engage an agency worker (an email will suffice).
2. The FWT team will provide a list of framework agencies so managers can contact agency worker and place in accordance with the demand.
3. Manager to gather PEC form from the agency. The Agency must evidence the below information to the manager prior to booking being made:
    - Individuals full name and address.
    - DOB
    - NI number for verification
    - Verified personal identification i.e.: valid passport, UK driving licence, UK birth certificate, EU phone ID, HR Forces ID card.
    - Copy of individual current professional registration (where applicable).
    - Evidence of immunisation, fitness to practice.
    - Evidence they can legally work in the UK, Work Permit etc.
    - Confirmation details of DBS check.
    - Confirmation that all mandatory training is current (this must include Information governance, health & safety, and Manual Handling.
    - Evidence that the individual can legally drive in the UK, when driving is required for role.
    - Evidence that private car is legally covered for business purposes.
    - Confirmation that they are a direct employee of the agency.

4. Manager to ask for the return of the PEC form and sends on to FWT for worker to be recorded on to the Bank Staff System
5. Manager will request the worker to undertake the necessary training (Lorenzo, system One); and arrange for IT access and a smart card if necessary.
6. FWT/Manager to allocate worker to shift/s in Bank staff system
7. The Manager to agree a start date and carry out a local induction upon commencement.
8. The agency will provide the worker with a timesheet for the manager to sign off
9. The time sheet enables agency to raise an invoice to SBS
10. Invoices raised to the Trust SBS are distributed to the employing department to approve and process through their budget
11. The manager will check the signed timesheet against the invoice and purchase order number given, then approve via the SBS system.
12. The agency is responsible for making a payment to the worker

9.3 Step 3 – Break Glass Process

If a framework agency has been requested and the shift not filled, the service may consider the ‘break glass’ process can be enacted. This is paying a rate above the NHSI cap rate. The relevant Director will need to authorise.

Managers should try and source a framework agency worker at increased rates of pay (following the process above at step 2).

9.4 Step 4 - Off Framework Agencies

As a last resort, if a shift has not been filled by bank, framework agency, or framework agency break glass than off framework agency can be used. This process is as per step 4 in procedure 1.

9.5 Out of Hours Arrangements

Arrangements are as per Procedure 1.

10 PROCEDURE 3 – PROCESS FOR BOOKING SPECIALTY DOCTORS AND CONSULTANTS

10.1 Step 1 using TempRE

Manager's should seek Director approval to engage an agency worker (an email will suffice).

1. Manager completes a Staffing Request Form and sends to the FWT email account, detailing the request.
2. The FWT input the request onto TempRE system, which will inform the list of approved agencies of the vacancy and the requirements the doctor must have. (i.e., AC or Section 12)
3. Agencies submit CVs, pay rate and commission to FWT.
4. FWT forward CVs to the relevant Clinical Lead for approval while rates are sent to the General Manager for approval.
5. Clinical Lead / General Manager select and approve candidate through TempRE.
6. Manager moves booking to 'offer' stage using TempRE
7. FWT gather PEC form from the agency. The Agency must evidence the below information prior to booking being made:
    - Individuals full name and address.
    - DOB
    - NI number for verification
    - Verified personal identification i.e.: valid passport, UK driving licence, UK birth certificate, EU phone ID, HR Forces ID card.
    - GMC Number
    - Evidence of immunisation, fitness to practice.
    - Evidence they can legally work in the UK, Work Permit etc.
    - Confirmation of Approved Clinician / Section 12 status
    - Confirmation details of DBS check.
    - Confirmation that all mandatory training is current (this must include Information governance, health & safety, and Manual Handling.)
    - Evidence that the individual can legally drive in the UK, when driving is required for role.
    - Evidence that private car is legally covered for business purposes.
    - Confirmation that they are a direct employee of the agency.
    - Smartcard number / is Lorenzo training needed
    - Professional Indemnity Insurance
    - NHS.Mail email address
    - Full employment history and most recent references
    - Passport Photograph for ID badge

8. FWT will request the worker to undertake the necessary training (Lorenzo, system One); and arrange for IT access and a smart card if necessary;
9. FWT inform Medical Workforce team that a booking has been requested, in order that a Job plan can be generated in time for workers first day along with a copy of the job description
10. The Manager to agree a start date and carry out a local induction upon commencement.
11. A time sheet is uploaded on TempRE by the worker this must be completed by 9am on the first working day of the following week
12. Manager/ first approver signs off time sheets by midday that day
13. Service Manager / Second approver to sign off timesheets by 5pm on that day
14. TempRE generates an invoice for finance to pay
15. The agency is responsible for making a payment to the worker

10.2 Off Framework Agencies

Off framework agencies cannot be administered via TempRE for Speciality Doctors or Consultants. However, in the event that a placement has not been filled by framework agency via the above procedure, then off framework agency can be considered by the manager, this requires director approval. To engage off framework agencies in this instance, step 4 of procedure 1 should be followed by the Division.

Appendix 1 - Staffing Request Form

Please ensure that you have this form signed and approved before sending this to the FWT to process

REQUESTER INFORMATION	
Name:	
Division:	
Job Title:	
Contact Details:	

STAFFING REQUIREMENTS					
Role:				**Band:**	
Team:					
Location:					
Start Date:		**End Date:**		**Hours Per Day:**	
Shift Pattern:		**No of Days:**		**No of Weeks:**	
Bank			**Agency**		

BUSINESS CASE						
Reason Staff Member Required:						
Is there a Budget?	**Yes**	☐	**No**	☐	**Budget Code:**	
What has been done to try and cover this placement before accessing Bank / Agency?						
Please list any additional expenses associated with this cover e.g., Travel						
Exit Strategy Plans						

OTHER INFORMATION
Please provide any further information relevant to this request e.g., skills, duties, systems etc

Finance Authorisation			
Signature		**Date:**	
Name:		**Designation:**	

Executive Director Authorisation			
Signature		**Date:**	
Name:		**Designation:**	

It is the requestors responsibility to ensure all authorisation is sought prior to the placement commencing.

It is the requesting team's responsibility to add the shifts for the placement onto the system once they have been filled to ensure the staff member is paid and invoices are paid in a timely manner.

Appendix 2 - Bank and Agency Clinical Feedback form

REPORTING MANAGER TO COMPLETE BELOW DETAILS	
Name of Bank / Agency Worker:	
Role of Bank / Agency Worker:	
Unit Name:	
Datix Report Submitted:	
Datix Number	
Date concern/positive feedback raised:	

Detail of concern or positive feedback: Please include any witnesses and action taken to address issue and any recommendations you would like to make

Has this been discussed with the Bank / Agency Worker?	**Yes**	☐	**No**	☐

Are there any areas of development / training which need to be undertaken to enable the Bank / Agency Worker to work on the unit?

Please indicate the dates of any supervision undertaken with the Bank / Agency Worker

Are there any restrictions to be added to the Bank / Agency Worker file: e.g., if you wish the worker to work on the unit again or if after further training/development you would allow them back on the unit, please include development required and acceptable timeframe

Is this a Safeguarding Issue?	**Yes**	☐	**No**	☐
If Yes has a referral been made?	**Yes**	☐	**No**	☐
Comments:				

DETAILS OF MANAGER COMPLETING FORM			
Signature		**Date:**	
Name:		**Job Title:**	

FLEXIBLE WORKFORCE TEAM ACTIONS
Agreed Actions: e.g., discuss with Bank/Agency Worker

Bank / Agency Worker Comments:

HR Support

BANK / AGENCY WORKER			
Signature		**Date:**	
Name:		**Designation:**	

FLEXIBLE WORKFORCE MANAGER REVIEW			
Signature		**Date:**	
Name:			

Actions Taken:

Please complete this form and submit to: Flexible Workforce Team, Humber Teaching NHS Foundation Trust, Mary Seacole Building, Willerby Hill, Beverley Road, Willerby, HU10 6ED or email HNF-TR.FWT@nhs.net

Appendix 3 WORKPLACE INDUCTION CHECKLIST

The Workplace Induction checklist should be completed collaboratively between the manager and new employee ideally on the first day of employment. Once completed this form should be signed by both parties and a copy held in the personal file of the employee.

Name:	**Job Title:**
Start Date:	**Team:**
Manager Name:	**Mentor Name (If applicable):**

	Employee		**Manager**	
	Initials	**Date**	**Initials**	**Date**
Probation process				
Appraisal Arrangements				
Flexible and Agile working arrangements discussed				
Knowledge of the Medical Appraisal system for Doctors / Medics				
Supervision Arrangements				
Apprenticeship Agreement signed (If applicable)				
Apprentice welcome email received from the Apprentice team (If applicable)				
Organisation overview & welcome				
Overview of role and how it contributes to organisational effectiveness				
Tour of the building				
Orientation of the area for people new to the area e.g., places to eat, relaxation and exercise.				
ESR Online Statutory & Mandatory Training including IG training				
Holidays, Overtime, Absence & Time in Lieu				

	Employee		Manager	
	Initials	**Date**	**Initials**	**Date**
Health and Wellbeing offer for staff, counselling, physiotherapy, occupational health etc.				
Staff Benefits, Vivup, external discount platforms				
Signing in & out				
Door Codes / Office security				
Understand the procedure for sickness and absence, and what is expected regarding attendance at work, who you should report to, when you should report by and what you do when you return to work after an absence.				
Understand what action is required in an emergency (Fire, Bomb, Lone Working, Adverse Weather) location of fire extinguishers, exits and assembly points and how to raise the alarm Know the name and location of the appointed person in control of fire/emergency procedures and appointed Health and Safety Representative.				
Explain access to Occupational Health Services and Staff Support				
Shift patterns and flexi-time systems (if appropriate). And understand the procedure for time off to attend Doctor / Dental / Hospital Appointments. Off the job hours discussed if completing an apprenticeship				
How to notify the Payroll Department of any change to personal details e.g., name, address, bank details / Employee Self Service				
Key contacts (Internal & External)				
Meet the team				
Policies & Procedures (role specific)				
Organisation wide processes/policies Be aware of your responsibility in relation to confidentiality as outlined in the Confidentiality Code of Conduct and your professional code of practice if applicable. Be aware of the no smoking policy and guidelines Trust Behavioral Standards				

	Employee		Manager	
	Initials	**Date**	**Initials**	**Date**
How to contact the Head of your profession and how to link into your appropriate professional network				
Intranet/Website – where to find key policies and procedures				
File Saving – Drives				
IT Set up (contacted to activate) Printers/Folder Access/System Access				
VPN				
E-Expenses – Access and how and when to submit claims				
Ensure you can operate relevant medical devices or equipment relevant to your role, prior to its use				
Explain the incident/accident reporting procedure, guidelines and protocols (Datix Needle Stick Injury etc)				
If you are a newly qualified practitioner / you have been booked to attend the Preceptorship and its associated Clinical Development Programmes				
Car Parking Services (Estates) – Register vehicle details if applicable				
Attend new Starter Welcome				

Appendix 4: Document Control Sheet

This document control sheet, when presented to an approving committee must be completed in full to provide assurance to the approving committee.

Document Type	Policy		
Document Purpose	Bank and Agency Procedure – Procedure to outline how to access temporary workers		
Consultation/ Peer Review:	Date:	Group/Individual	
List in right hand columns consultation groups and dates	21.10.22	TCNC	
	xxxx	ODG	
	14.11.22	EMT	
Approving Committee:	EMT	Date of Approval:	14.11.22
Ratified at:	Trust Board	Date of Ratification:	30.11.22
Training Needs Analysis: *(please indicate training required and the timescale for providing assurance to the approving committee that this has been delivered)*		Financial Resource Impact	
Equality Impact Assessment undertaken?	Yes [✓]	No [ ]	N/A [ ] Rationale:
Publication and Dissemination	Intranet [✓]	Internet [ ]	Staff Email [ ]
Master version held by:	Author [ ]	Health Assure [✓]	
Implementation:	*Describe implementation plans below - to be delivered by the author:* Implementation will consist of: Ratified policy to be launched by Workforce & OD team through communication channels.		
Monitoring and Compliance:	Monitoring and compliance of the policy will be evidenced through the process of consultation, approval and ratification of policies.		

Document Change History:			
Version Number / Name of procedural document this supersedes	*Type of Change i.e., Review/Legislation*	*Date*	*Details of Change and approving group or Executive Lead (if done outside of the formal revision process)*
1.00	*New policy*	*Apr 09*	*ERYPCT Document No 044-001 – ratified*
2.00	*Review*	*Dec 12*	*ERYPCT Document reviewed and ratified*
3.00	*Review*	*Mar 14*	*Review and Update*
4.00	*Review*	*Dec 16*	*Clarification of process*
5.00	*Review*	*Jun 17*	*Reviewed and updated to include Agency usage SOPs*
6.00	*Review*	*Dec 17*	*Clarification of process*
7.00	*Review*	*May 2022*	*Complete re-write. Re-named Engagement and Deployment of Short Term Staffing Policy & Procedure.*

Appendix 5 Equality Impact Assessment (EIA)

For strategies, policies, procedures, processes, guidelines, protocols, tenders, services

1. **Document or Process or Service Name:** Engagement and Deployment of Short Term Staffing
2. **EIA Reviewer:** Karen Phillips, Deputy Director of Workforce & OD)
3. **Is it a Policy, Strategy, Procedure, Process, Tender, Service or Other?** Policy

Main Aims of the Document, Process or Service
Please indicate in the table that follows whether the document or process has the potential to impact adversely, intentionally, or unwittingly on the equality target groups contained in the pro forma

Equality Target Group 1. Age 2. Disability 3. Sex 4. Marriage/Civil Partnership 5. Pregnancy/Maternity 6. Race 7. Religion/Belief 8. Sexual Orientation 9. Gender re-assignment	Is the document or process likely to have a potential or actual differential impact with regards to the equality target groups listed? Equality Impact Score Low = Little or No evidence or concern (Green) Medium = some evidence or concern(Amber) High = significant evidence or concern (Red)	How have you arrived at the equality impact score? a) who have you consulted with b) what have they said? c) what information or data have you used? d) where are the gaps in your analysis? e) how will your document/process or service promote equality and diversity good practice

Equality Target Group	**Definitions**	**Equality Impact Score**	**Evidence to support Equality Impact Score**
Age	Including specific ages and age groups: Older people Young people Children Early years	**Low**	There is no evidence that this protected characteristic is negatively affected by the implementation of this policy
Disability	Where the impairment has a substantial and long term adverse effect on the ability of the person to carry out their day to day activities: Sensory Physical Learning Mental health (including cancer, HIV, multiple sclerosis)	**Low**	There is no evidence that this protected characteristic is negatively affected by the implementation of this policy
Sex	Men/Male Women/Female	**Low**	There is no evidence that this protected characteristic is negatively affected by the implementation of this policy
Marriage/Civil Partnership		**Low**	There is no evidence that this protected characteristic is negatively affected by the implementation of this policy

Pregnancy/ Maternity		**Low**	There is no evidence that this protected characteristic is negatively affected by the implementation of this policy
Race	Colour Nationality Ethnic/national origins	**Low**	There is no evidence that this protected characteristic is negatively affected by the implementation of this policy
Religion or Belief	All religions (Including lack of religion or belief and where belief includes any religious or philosophical belief)	**Low**	There is no evidence that this protected characteristic is negatively affected by the implementation of this policy
Sexual Orientation	Lesbian Gay Men Bisexual	**Low**	There is no evidence that this protected characteristic is negatively affected by the implementation of this policy
Gender reassignment	Where people are proposing to undergo, or have undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attribute of sex	**Low**	There is no evidence that this protected characteristic is negatively affected by the implementation of this policy

Summary

Please describe the main points/actions arising from your assessment that supports your decision above	
EIA Reviewer: Karen Phillips	
Date completed: October 2022	Signature: Karen J Phillips