



## Managing the Use of Agency Workers

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DOCUMENT CHANGE HISTORY		
Initiated by	Date	Author
Tracey Leghorn, Associate Director of HR	May 2011	Laura Norton, HR Business Partner
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The Trust will not tolerate unlawful discrimination on the grounds of the protected characteristics of: age, disability, gender reassignment, race, religion/belief, gender, sexual

orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups.

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Recommended at Date	Staff Partnership Forum 5 August 2011
Approved at Date	Executive Management Team 5 September 2012
Review date of approved document	August 2016
Equality Impact Assessment	August 2011
Linked procedural documents	Records Management Policy Recruitment and Selection Policy Equality, Diversity and Human Rights Policy CRB Employing People with Criminal Convictions Policy CRB Storage Handling and Use Policy CRB Disclosure Policy
Dissemination requirements	All managers, staff and agency workers via staff bulletins and the intranet
Checklist completed	Yes / No? YES
Part of Trust's publication scheme	Yes / No? YES

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## 1. Policy Statement

- 1.1 This document outlines the East of England Ambulance Service NHS Trust (the Trust's) Managing the Use of Agency Workers Policy. The Trust is committed to implementing fair and effective practices for the engagement of agency workers which adhere to mandatory NHS Employment Check Standards and ensure optimum utilisation of the Trust's financial resources.
- 1.2 The use of agency workers should be tightly controlled and limited by all budget managers and requires approval as per the Trust's vacancy control (R1) procedure. Agency cover should only be used for a defined period and not as a means for longer term cover of substantive roles.
- 1.3 The cost of agency workers is met from the departmental budget.
- 1.4 Effective recruitment is central to the Trusts ability to successfully deliver services. The Trust needs to employ people and engage agency staff with the necessary job specific skills, experience and qualifications to help achieve the objectives and make a positive contribution.

## 2. Scope

- 2.1 This policy applies to all agency workers who are put forward for consideration or engaged in a position for the Trust.

## 3. Access to Procedure

- 3.1 All employees and applicants are entitled to access this policy which is located in the HR Policies and Procedures Folders and/or on the Trust's Intranet. However, if you require this Policy in any other format please seek guidance from the Human Resources Department, your line management or trade union representative.
- 3.2 To ensure accessibility to external applicants, this policy will also be located on the Trust's internet site ([www.eastamb.nhs.uk](http://www.eastamb.nhs.uk)) and it can also be obtained on request from the Trust's Human Resources Department.
- 3.3 Applicants and Trust Managers may also wish to consult related Trust policies such as Equality, Diversity and Human Rights, CRB Employing People with Criminal Convictions, CRB Storage Handling and Use, CRB Disclosure, Record Keeping and Recruitment and Selection Policy.

## 4. Definitions

- 4.1 **Recruitment Agencies** are businesses who recruit workers and supply these to other companies under a Contract. The worker is an employee of the recruitment agency.
- 4.2 **Agency workers** are individuals who have a contract of employment with the recruitment agency who finds them work. The recruitment agency pays the worker's

wages and the worker is supplied temporarily under the supervision of the hirer.

## **5. Roles and Responsibilities**

- 5.1 The Human Resources Department is responsible for keeping the provisions within this policy in line with employment legislation, best practice people management principles and NHS guidelines.
- 5.2 Managers, HR and trade union representatives are responsible for providing advice and guidance to agency workers on the application of this policy and procedure. Managers particularly have a responsibility to:
- ensure that the agency providing the individual has completed the mandatory NHS Employment Checks and retain evidence of this;
  - set the standards of acceptable behaviour expected of agency workers;
  - ensure that the processes contained within this policy are adhered to;
  - uphold and promote the Trust's value of respect for others;
  - consider alternatives before engaging an agency worker;
  - ensure an induction checklist is completed;
  - review the duration and cost effectiveness of the agency worker and retain evidence of the authority to recruit and any agreed extensions to the original request.
- 5.3 Management and trade union representatives are responsible for bringing any mutually beneficial improvements to this policy to the attention of the Trust.
- 5.4 Agency workers are responsible for providing information and documentation as requested by either the Trust.
- 5.5 The Finance Department is responsible for authorising the use of agency workers, monitoring expenditure to ensure value for money and processing invoices in a timely manner.
- 5.6 The Procurement Department is responsible for sourcing the recruitment agency from a government (or equivalent) framework which complies with EU Law, contract regulations, Trust Standing Financial Instructions and which accesses best practice against bespoke terms and conditions using approved agencies only. In addition, they are responsible for ensuring that all such contracts outline the agencies responsibilities in respect to the NHS Employment Check Standards.

## **6. Approved Recruitment Agencies**

- 6.1 The Trust has access to Buying Solutions and other government collaborative frameworks who have agreed terms of business with certain private employment agencies. These recruitment agencies have met the requirements of the NHS for checking identity, health, qualifications and criminal records disclosure. Each recruitment agency has specifically confirmed adherence with Trust policies by signing up to the procurement portal used by the Trust. Use of these agencies is preferable.
- 6.2 Use of agencies which are not part of the NHS Buying Solutions or other government collaborative frameworks should only be undertaken if approved by

Procurement and where the sourcing of appropriately skilled and qualified workers has been attempted but not successful through approved agencies.

## **7. Legal Obligations**

- 7.1 The Agency Worker Regulation's 2010 (AWR) come into effect on the 1st October 2011. It provides agency workers with '**equal treatment**' after a qualifying period for their basic terms and conditions of employment. The AWR apply to individuals who have a contract with a recruitment agency and who are supplied to work temporarily and under the supervision of the hirer (thus the Trust). Note: self-employed persons fall outside the scope of the AWR.
- 7.2 Under the Equality Act 2010 it is unlawful to discriminate directly or indirectly on the grounds of age, marital status, disability, race, nationality, gender, religion, sexual orientation, gender reassignment, ethnic or national origin, beliefs, domestic circumstances, social and employment status, political affiliation or trade union membership, HIV status or other condition relevant to requirements of the post. This includes applying requirements or conditions which have a disproportionately disadvantageous effect on people of a particular racial group, marital status or with a disability unless these can be justified. In terms of gender this also covers any 'provision, criterion or practice' that may be applied.
- 7.3 Further guidance on all of the above is available from the Human Resources Department. There are also a number of websites which may provide helpful information, such as [www.eoc.org.uk](http://www.eoc.org.uk).

## **8. Considerations Prior to Using Agency Workers**

- 8.1 Any decision to utilise agency workers should be made in the context of considering other staffing solutions.
- 8.2 Other solutions may be:
- Additional hours for part time staff at their normal hourly rate;
  - Overtime for full time staff;
  - Revising working procedures and methods;
  - Transferring staff from other areas on a temporary basis;
  - Fixed term contracts or secondments to cover extended leave;
  - Use of bank staff;
  - Use of staff on alternative duties.

## **9. Circumstances in Which Agency Workers Could Be Engaged**

- 9.1 Appropriate use of agency workers would include:
- To manage fluctuations in workload or capacity;
  - To undertake time-specific projects where additional capacity or skills are required which are not available internally;
  - To provide additional expertise not available in-house;
  - To cover job roles where the long term future is uncertain;

- To cover a substantive postholders absence of less than 6 months, e.g. career break;
- To cover vacant posts during a prolonged recruitment period or which have proven difficult to fill.

## **10. Approval to Engage an Agency Worker**

- 10.1 It is the responsibility of the recruiting manager to ensure that they have sufficient budget to engage the services of an agency worker. Availability of sufficient funds/budget does not automatically grant the right to enter into contracts with agencies without complying with this policy and the Trust's vacancy approval (R1) process.
- 10.2 Agency workers would normally be engaged between 1 day to 3 months. Where a period longer than this is required, this would not be expected to be more than 10 months and should be regularly reviewed throughout the engagement period.
- 10.3 Prior to contacting any Agency, the recruiting manager should forward a completed Vacancy Requisition (R1) Form with all necessary signatures to HR Services (the R1 Form can be found on the Trust's intranet).
- 10.4 Before filling the post HR Services will identify whether the vacancy may be suitable as a redeployment or alternative work opportunity for any employee(s).
- 10.5 If there are no suitable employees, HR Services will request approval from the Director of Business Transformation as per current process (as amended from time to time) and advise the recruiting manager of the outcome.
- 10.6 If the recruiting manager's request is refused they can discuss the reasons with HR Services.
- 10.7 If approval has been received, the recruiting manager should send the completed R1 form, person specification (PS), job description (JD) and completed form Appendix A (Agency Worker Request Form) to Procurement.
- 10.8 Procurement will source approved agencies from a Government (or equivalent) framework which complies with EU law, contract regulations, Trust Standing Financial Instructions and which accesses best prices against bespoke terms and conditions. Procurement will forward the Agency Worker Request Form, job description and person specification to those agencies in order to source candidates on behalf of the recruiting manager. Note: In instances where the recruitment manager would be better placed to liaise with the agencies approved by Procurement directly, for example, due to the level of knowledge of the role needed to discuss the suitability of candidates etc, they are permitted to do so.
- 10.9 Procurement will pass the Curriculum Vitae of potential candidates to the recruiting manager to complete the selection process.

## **11. Shortlisting and Selection**

- 11.1 Recruiting managers should ensure that:
- there is a clearly defined job role and/or project outline;

- candidates meet the essential criteria from the person specification;
- all candidates who have a disability and who meet the essential criteria for the post are shortlisted for interview and that the interview panel are advised of this fact, if necessary, for facilitating interview arrangements/access etc.;
- a record of the shortlisting is made using the Trust's short-listing matrix (see the Trust's Recruitment and Selection Policy for this matrix);
- the final shortlisting decisions can be fairly justified.

11.2 Interviewing for short term and/or junior roles (Band 2 or 3) may be undertaken by the agency. Any interviews undertaken by the Trust should be undertaken in accordance with Selection Guidance as documented in the Recruitment and Selection Policy.

## **12. After the Selection Decision**

12.1 The recruiting manager is responsible for advising Procurement of the name of the agency worker they would like to engage and for supplying the rationale for their choice.

12.2 Procurement will contact the successful recruitment agency and undertake any negotiations with the supplier over prices and charges, provided these are in accordance with the terms and conditions contained within the framework.

12.3 The recruitment agency is responsible for returning the fully populated Agency Worker Request Form to Procurement.

12.4 Procurement will forward the fully populated Agency Worker Request form to HR Services.

12.5 The recruiting manager may contact the recruitment agency to finalise specific starting instructions.

## **13. Pre-employment Checks**

13.1 Agency workers are engaged subject to the receipt of:

- References covering a minimum of 3 years employment history and/or training, although 5 years is preferable, satisfactory to the Trust (as a minimum one of these must normally be the individuals current line manager or most recent employer/academic institution), all of which must be requested through the previous/current employers Human Resources Department, where appropriate, rather than to a specific individual. Where the applicant has been in full time education within the preceding 3 year period, a reference should be obtained from the relevant academic institution;
- Occupational Health clearance satisfactory to the Trust, including fitness testing where applicable;
- Two forms of photographic proof of identity and one document confirming the applicant's permanent address, or one form of photographic identity and two documents confirming the permanent address (any copies of original documents should be certified by a solicitor). Reference should be made to the Human Resources Department for suitable identification documentation;
- An original signature. Where a signature has not previously been provided by the applicant, e.g. where an electronic application is made, the individual should be asked to provide a signature at interview for checking against relevant



documentation. The person taking a copy of the documentation must sign and date the copy to show it has been certified;

- Proof of entitlement to work in the UK. Reference should be made to the Human Resources Department for acceptable 'right to work' documentation;
- Evidence of relevant qualifications (i.e. those listed as essential on the person specification);
- Proof of membership of any professional bodies applicable to the post;
- An appropriate driving licence (where applicable);
- Criminal Records Bureau Disclosure at enhanced level (where applicable).

13.2 It is the responsibility of the recruiting manager to ensure that the appendix A is fully populated by the recruitment agency.

13.3 Where there is a requirement for an individual to be able to drive a vehicle (either Trust or private) whilst on Trust business, an original driving licence will need to be produced and verified as satisfactory.

13.4 Some posts are exempt from the Rehabilitation of Offenders Act or require additional types of checks (e.g. convictions for offences against children). The recruiting manager has a responsibility to tell the HR Services Department so that the recruitment agency can process the necessary checks. Agency workers seeking to apply for posts which require CRB clearance will be asked to disclose any criminal convictions, cautions, warnings, reprimands and bind-overs on their application form.

13.5 In instances where the agency worker fails to satisfy the standards expected of the Trust in relation to employment check requirements, the HR Services Department will advise the recruitment agency and steps will be taken to withdraw the offer of employment or cease employment as appropriate.

## **14. Training**

14.1 On day one an agency worker should have a local induction. This should be evidenced through completion of the Local Induction Checklist form Appendix C of the Induction Policy.

14.2 Line managers should contact the Learning and Development Unit if they would like an agency worker to attend the Corporate Induction.

## **15. Procedure to Extend the Engagement of Agency Workers**

15.1 Recruiting managers are required to submit a new R1 in order to extend the duration of an agency worker beyond that which the original R1 was authorised for. Where possible this should be planned in advance to ensure that the R1's are concurrent.

15.2 Extensions may be needed to the period of time an agency worker is engaged with the Trust. Examples might include: where the substantive postholder extends their period of absence; where a project is extended or is not completed in the anticipated timescale; or it has not been possible to fill the post substantively. This list is not exhaustive.

15.3 The recruiting manager should follow the same procedure as detailed in section 10 above.

15.4 Procurement will ensure a Purchase Order Amendment Form is submitted to extend the order value and duration with the relevant recruitment agency. The budget authority required will be the aggregate value of the previous and future expenditure so that fragmented orders do not exceed the relevant authorisation limits

## **16. Agency Workers Engaged For More Than 12 Weeks**

### **16.1 The qualifying period**

16.2 To be covered by the AWR the agency worker must have worked in the same role for 12 continuous weeks (regardless of whether the worker has changed their recruitment agency during this time).

16.3 If the worker changes role the recruitment agency will notify them in writing. A change in job role should be for legitimate reasons and not to restart the 12 week qualifying period.

16.4 There are no minimum working hours that need to be completed in order to count as one of the twelve weeks.

16.5 If a worker returns to a role with the Trust within 6 weeks of the previous assignment the previous assignment will count towards the 12 week qualification period.

16.6 If a worker is absent related to pregnancy, sickness or a reason beyond the control of the agency worker such as workplace closure, the clock on the qualifying period will “pause” or “continue to tick” depending on the type of absence. See table below:

<b>Type of absence that affects the 12 week qualifying period</b>	<b>Effect on 12 week qualifying period</b>
Any reason where the break is less than 6 weeks	Pauses the clock
Sickness absence (doctors notes required)	Pauses the clock for up to 28 weeks
Annual leave	Pauses the clock
Shut downs – e.g. closure,	Pauses the clock
Jury service	Pauses the clock for up to 28 weeks
Industrial action	Pauses the clock
Pregnancy and maternity-related absence	Clock keeps ticking *
Statutory maternity, paternity or adoption leave	Clock keeps ticking **

\* The protected period for a pregnant agency worker begins at the start of the pregnancy and ends 26 weeks after childbirth (or earlier if she returns to work)

\*\*Where an agency worker has a contract of employment with an agency and is entitled to this type of leave

### **16.7 The scope of ‘Equal Treatment’**

16.8 From day one agency workers are entitled to be treated no less favourably than a comparable worker or employee in relation to access to collective facilities and amenities provided by the Trust. This includes access to internal job vacancies, car parking, rest rooms

etc.

16.9 The Trust will provide the agency worker the following equal terms after the 12 week qualifying period:

- The duration of working time (e.g. shift length);
- Night work;
- Rest periods;
- Rest breaks;
- Annual leave (flexibility is granted for leave in excess of the statutory minimum);
- Pay.

16.10 The following terms are not covered and thus not subject to 'equal treatment' requirements:

- Occupational sick pay;
- Pension;
- Contractual Maternity/paternity pay;
- Redundancy pay;
- Time off work in accordance with certain statutory rights;
- Expenses;
- Non cash rewards (use of company cars, medical insurance).

#### **16.11 Procedure when the 12 week qualifying period has been reached**

16.12 When an agency worker has completed a 12 week engagement, HR Services will contact the recruitment agency and check that they have the correct information to provide Trust terms and conditions.

16.13 HR Services will remind the recruiting manager that the agency worker has reached the qualifying period.

#### **17. Pregnant Agency Workers**

17.1 After completing 12 weeks on an assignment, a pregnant agency worker will be allowed paid time off to attend antenatal appointments and classes.

17.2 Pregnant agency workers who are deemed unable to complete the duties of the assignment on health and safety grounds (following the completion of a risk assessment) will return to the recruitment agency who will be required to identify alternative work. If no alternative work can be found the agency is required to pay the worker for the expected duration of the original engagement. It is not the responsibility of the Trust to find alternative work or to pay any monies owed to the individual in respect to this.

#### **18. Complaints Regarding Application of the Agency Worker Regulations**

18.1 If an agency worker feels they are not being provided entitlement to day one facilities, as described in paragraph 16.8, they should write to their line manager who has 28 days to respond.

- 18.2 If an agency worker feels that they are not being provided with the correct terms after the qualifying period, they should raise their concerns to the recruitment agency who has hired them. The recruitment agency has 28 days to respond. If the matter is not resolved within this 28 day period the agency worker should write to the Trust who has a further 30 days to provide a response.

## **19. Performance**

- 19.1 If a manager has concerns about an agency workers performance they should contact the recruitment agency in the first instance to discuss their concerns so that the agency can address these with the individual or provide a replacement, as appropriate.
- 19.2 For certain roles (i.e. HEOC Call Handler) and as a condition of continued engagement, the agency worker is required to pass all assessments. Failure to pass these requirements can result in the engagement being terminated.

## **20. Reporting Arrangements**

- 20.1 Agency workers should contact their line manager regarding day to day operational issues such as reporting absences, taking annual leave, training needs etc.
- 20.2 Agency workers should contact the recruitment agency regarding ending the engagement, pay, equal treatment after the qualifying period, etc. They should also report any absences to them as well.

## **21. Record Keeping**

- 21.1 A database of agency workers previously and currently engaged by the Trust is held by HR Services.
- 21.2 Procurement will ensure that the recruitment agency approached will be in accordance with the framework adjudication criteria only and a record maintained to show fairness and probity in supplier selection.
- 21.3 Procurement will publish any relevant detail about the government Business Link website as required to comply with government regulation.
- 21.4 The completed Agency Worker Request Form should be held by the line manager.

## **22. Storage and Retention of Recruitment and Selection Information**

- 22.1 The storage and retention of recruitment and selection information will be retained in accordance with the Trust's Records Management Policy.

## **23. Complaints**

- 23.1 The Trust wishes to ensure that all applicants for posts, whether successful or unsuccessful, have a positive experience when applying to work in a post within the Trust whether substantively or temporarily as agency cover. Whilst it is not the

responsibility of the Trust to deal with any issues or complaints regarding the agencies actions, if an individual has a complaint specifically related to the Trust, they may write outlining their query or complaint to the Associate Director of Human Resources, East of England Ambulance Service, Bedford Office, Hammond Road, Bedford, Bedfordshire, MK41 0RG.

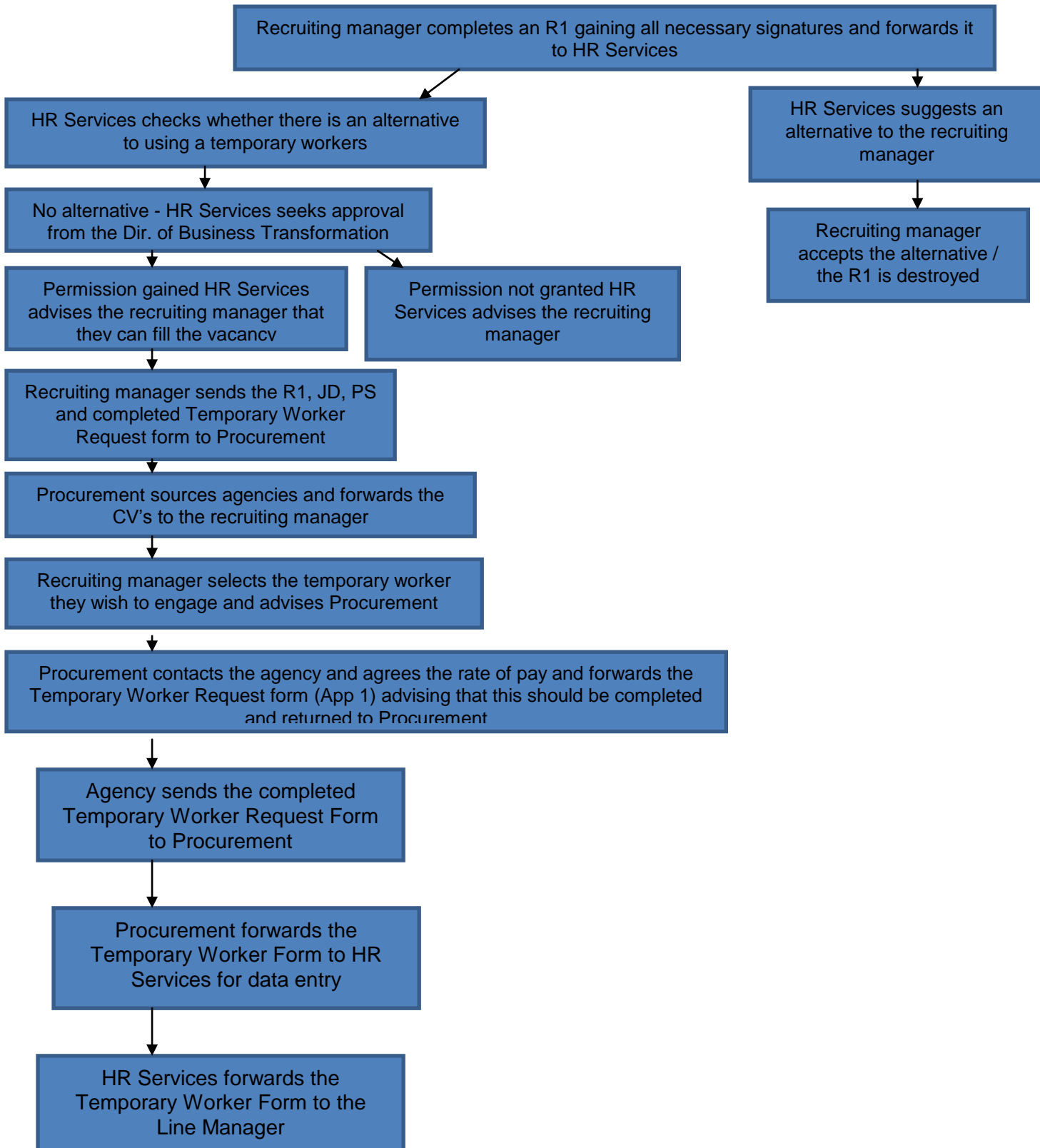
## **24. Policy Review**

- 24.1 This policy will be reviewed on an annual basis or amended in the light of new employment legislation and/or relevant case law.

**Agency Worker Request Form (Appendix A)**

FOR COMPLETION BY THE LINE MANAGER		FOR COMPLETION BY THE RECRUITMENT AGENCY	
Name of authorised Manager:		Name of employment business:	
Department:		Contact name:	
Job role to fill:		Agency worker full name:	
Agenda for change pay band:		Pay point / Starting rate agreed	
Date worker required:		Date starting:	
Anticipated end date: <i>A temp.worker is entitled to the same pay as equiv Trust staff after 12 weeks engagement</i>		Available for full period:	YES / NO
Hours per week required:		Hours available per week:	
Any unsocial hours required:	YES / NO	Able to work unsocial hours?	YES / NO
Routine patient contact:	YES / NO	Meets OH for this role:	YES / NO
Details if role involves children:		Date of OH Cert.of Fitness:	
CRB Required:	Yes at Enhanced / No	Type and date of CRB disclosure:	
Regulated or Controlled Activity (ISA)	YES / NO	ISA Status?	YES / NO
Name of Professional body if required:		Registration number and body: Evidence received: Registration validated via appropriate online register (date):	YES / NO .....
Qualifications required (see essential criteria from Person Spec):		Qualification awarding body and date: Photocopies received:	YES / NO
Training to perform the role (see essential criteria from Person Spec):		Training body and date:	.....
Skills to do the job (see essential criteria from Person Spec):		Any skill shortfall:	.....
Required to use IT:	YES / NO	References obtained for last 3 years	YES / NO
Health & Safety risks :		Worker made aware of H&S risks?	YES / NO
Driving required for Trust business?	YES / NO	If YES – copy & check of driving licence	YES / NO
Key deliverables of the role		Type of photographic proof identity seen	.....
Are CV's requested	YES / NO	Any requirements of the worker in respect of disability:	YES / NO
Are interviews required	YES / NO	Eligible to work in the UK:	YES / NO
Whom worker should report to		<b>AGENCY:</b> EMAIL THIS FORM TO: <a href="mailto:requistions@eastamb.nhs.uk">requistions@eastamb.nhs.uk</a>	
Any other comments	<b>PROCUREMENT:</b> Forward this form to HR Services Date:		
	<b>HR SERVICES:</b>		
	Check undesirables List Date: Input on agency staff spreadsheet Date: Forward this form to the line manager Date:		

## FLOW CHART FOR THE ENGAGEMENT OF AGENCY WORKERS (Appendix B)



## Appendix C

Document Reference:	Document Title: Managing the Use of Agency Workers
Assessment Date: 1 <sup>st</sup> August 2011	Document Type: HR Agreement
Responsible Director: Lesley Bradley	Lead Manager: Tracey Leghorn

### Step 1: Identify main aims of policy

Describe the main aim, objectives and intended outcomes of the proposed project/policy

Aim:
To improve and increase the efficiency and the appointment of agency workers.
Objectives:
<ul style="list-style-type: none"> <li>- To have an effective recruitment and selection process which complies with Procurement procedures, employment legislation and NHS employment checks</li> <li>- To have control mechanisms in place to audit and control expenditure</li> </ul>
Intended Outcomes:
Clarity of how and when to use agency workers in conjunction with employment legislation

### Step 2: Collect and Analyse Information

Has any previous work or research been done on equality issues in the area of the proposed project/policy? If so, what were they?

no			
You should ask relevant questions in relation to all the strands equality & diversity, but information gathered should be relevant to your needs that will inform your decisions around the topic you are reviewing. If you identify a need for information that is not available you should consider and plan with the relevant others how this information could be obtained. <sup>1</sup>			
Gender including transgender	Do you have enough information?	Yes	No
	What else do you need to know? Concerns around the lack of data around the profile of candidates		
Race	Do you have enough information?	Yes	No
	What else do you need to know? Concerns around the lack of data around the Race of candidates		
Disability	Do you have enough information?	Yes	No
	What else do you need to know? Concerns around the lack of data around the disability of candidates, also what support is provided to		
Sexual Orientation	Do you have enough information?	Yes	No
	What else do you need to know? Concerns around the lack of data around the Sexual Orientation of candidates		

<sup>1</sup> Refer your need for information and proposal to the Equality & Diversity Steering Group using a copy of this page with your information before proceeding to ensure all similar requests can be coordinated



Age	Do you have enough information?	Yes	No
	What else do you need to know? Concerns around the lack of data around the Age of candidates		
Religion & Belief	Do you have enough information?	Yes	No
	What else do you need to know? Concerns around the lack of data around the Race of candidates		

**Step 3: Identify the level of impact**

To help you think about this, you should complete the High, Medium, Low table and give reasons/comments for where:

- (a) The policy/strategy/project could have a positive impact on any of the equality target groups or contributes to promoting equality, equal opportunities and improving relations within equality target groups.
- (b) The policy/project/procedure could have a negative impact on any of the equality target groups, i.e. disadvantage them in any way. **If the impact is high, a full Equality Impact Assessment should be completed.**

Equality target	a. Positive impact			b. Negative impact			c. If NONE how did you evidence this?
	Low	None	High	Low	None	High	
Gender (including transgender)	Yes			Yes			Applicable to all
Race	Yes			Yes			Applicable to all
Disability	Yes			Yes			Applicable to all
Sexual orientation	Yes			Yes			Applicable to all
Age	Yes			Yes			Applicable to all
Belief and Religion	Yes			Yes			Applicable to all

**Step 3<sup>a</sup>: Decide if policy is equality relevant**

Does the proposed project/policy have an explicit focus on inequalities, human rights and diversity? If so, how?

No

Is there a risk that the proposed project/policy may unintentionally mask or cause a negative impact on equality and diversity?

Yes

Is there a risk of adverse impact? If yes, please list the specific risks. If no, please explain the basis of your judgement.

Risk of detrimental treatment in managing people with different beliefs, religion and culture.

**Step 3<sup>b</sup>: Record findings and produce action plan**

If there are any potential or actual risks, what action will be undertaken to mitigate the specified risks, or to minimise the adverse impact. Within what timescales will this be done, what are the implications on resources and who will be responsible?

Findings	Proposed action	Timescale	Implications on resources	Responsible lead
Recruitment Agency's having unfair selection methods preventing minority groups being put forward for interviews	Track and monitor data for agency workers on a spread sheet (age/disability/gender and ethnicity)	On –going monitoring	None	HR Services

Please state how the policy, procedure or process will be monitored for inequalities that may arise after the implementation:

This policy will be reviewed after one year as it is a new policy

**Summary:**

On the basis of the information/evidence/consideration so far, do you believe that the proposed project/policy will have a positive or adverse impact on equality or diversity? (please circle one)

Positive Impact		Adverse Impact	
Yes	No	Yes	No

**Basis for your judgement:** Procedures will now be in place so only PASA agreed Recruitment Agencies are used; all agency workers will be assessed against the person specification limiting the scope for bias in selection, the age, disability, gender and ethnicity of agency workers engaged by the Trust will be monitored and reviewed.

**Has a significant adverse impact been identified that requires a Full Equality Impact Assessment?**

<b>YES</b>	<b>Some Impact Identified</b> Local Actions set out to resolve the impact <sup>2</sup>	<b>NO</b>
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**Name of the project/policy lead completing this assessment:**

<sup>2</sup> Please ensure that the arrangements for monitoring the implementation and outcomes are stated in the executive summary

Name: Laura Norton	Job Title: Human Resources Business Partner
Signature:	Date: 1 <sup>st</sup> August 2011
<b>Please email this completed draft document to the Equality &amp; Diversity Lead for quality assurance purposes and record monitoring. <i>This form must accompany all policies and procedures when sent to Trust Board Committee or Group for approval</i></b>	

<b>Executive Summary Page for Equality Impact Assessment:</b>	
Document Reference:	Document Title: Policy
Assessment Date:	Document Type: HR Agreement
Responsible Director: Lesley Bradley	Lead Manager: Tracey Leghorn
Conclusion of Equality Impact Assessment:	
Recommendations for Action Plan:	
Risks Identified:	
<b>Approved by a member of the executive team:</b>	
<b>YES</b>	<b>NO</b>
Name: Lesley Bradley	Position: Director of Business Transformation
Signature:	Date:
<b>This whole document should be stored with the master document and a final approved copy must be sent to the Equality &amp; Diversity Lead at Bedford Office</b>	