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**Agency and Bank Staff Policy**

**[Date of Issue]**

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| Policy Lead: | [Policy Lead] |
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# Introduction

[Company Name] have identified that staffing supply issues are a key, if not the key threat to business continuity and client safety. As [Company Name] provides essential care to vulnerable persons in their own homes robust contingency planning has been drawn up to make sure that if [Company Name] is hit by staff supply issues there is a pool of internal (bank) and external (agency) staffing available to call upon to mitigate risk to client safety and adhere to the Care Quality Commissions (CQC) regulation 18 regarding safe staffing.

# Policy Statement

This policy sets out the circumstances and procedures for the deployment of bank and agency staff.

# Scope

This policy applies to all permanent, agency and bank staff working for or on behalf of [Company Name].

# Roles and Responsibilities

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| **Registered Manager** | The Registered Manager is responsible for ensuring safe staffing levels and implementation of this policy |
| **Staff Member** | Staff are contracted employees within [Company Name] and are responsible for following the guidance in this policy and relaying any concerns back to their manager regarding staffing. |
| **Bank Staff** | Bank staff are a pool of people that an employer can call upon when shifts need to be covered. Bank staff are responsible for adhering to all procedures set out in this policy. |
| **Agency staff** | Agency staff have either a contract for services or a contract of employment with the agency who finds the agency staff work. Agency staff are responsible for adhering to all procedures set out in this policy in line with their agencies policies and procedures. |

# Procedures

[Company Name] should try to anticipate where practicable, the requirement in advance of bank and agency staff to ensure safe staffing levels. It is imperative that where bank or agency staff are required, that they have the correct values and skills to deliver high quality care and support to clients. This involves:

* Ensuring safe staffing levels and having contingency plans in place.
* Recruiting and selecting the right agency and bank staff with the skills and experience necessary to deliver high quality care.
* [Company Name] ensuring that the correct recruitment checks are undertaken and reviewed regularly (please refer to [Company Name]’s Recruitment Policy).
* Ensuring that bank and agency staff are safe and competent to undertake their role.

Ensuring the above leads to the delivery of good and coherent care to clients and prevents potential safeguarding issues and incidents from occurring (please refer to [Company Name]’s Safeguarding, Complaints and Incident Management policies).

**Inadequate Staffing**

As a part of [Company Name]’s risk management strategy and quality assurance, trends and themes should be identified to anticipate where the need for additional staff may be required. Such signs can include but are not exhaustive of:

* High turnover of employed, bank or agency staff.
* New permanent, bank or agency staff leave within a short time after recruitment.
* High sickness rates, particularly in relation to stress.
* Disorganised rota systems or processes that are difficult to follow.
* Staff training and induction is limited and restricted.
* Staff becoming ‘task orientated’ and not having time to communicate with clients/families and other professionals involved in the client’s care.

It is important that [Company Name] recognise and act upon potential staffing risk to ensure CQC regulatory compliance and to ensure the overall safety and satisfaction from the clients that they care for. Should inadequate staffing levels be identified, the shift lead should be notified.

The shift lead should firstly ascertain if any gaps can be filled by permanent staff. If this cannot be achieved, then the use of bank staff should be considered secondly and then agency staff to ensure client continuity. The shift lead should contact bank and agency staff from [Company Name]’s approved list of bank and agency staff. Consideration should be given to confidentiality and information governance if this list contains personal email addresses and phone numbers (please refer to [Company Name]’s Information Governance and Record Keeping Policy).

If a suitable bank worker can’t be found in sufficient time, then the shift lead should contact the Registered Manager to request authorisation to use agency staff. **[Please amend on call Duty Manager/Registered Manager as appropriate]**. If the list is structured in terms of preferred staffing agencies, then priority should be given to the preferred providers. It is up to the most senior person on duty to decide whether to contact all agencies simultaneously or to decide on the amount of time to wait before contacting the next agency on the list. When talking to the agency, the staff member should be clear on the necessary skills required for the shift as well as the length of time required.

**Bank and Agency Staff Pre-employment Checks**

All bank and agency staff must have pre-employment checks undertaken prior to commencing any work with [Company Name]. Further details can be found at:

<https://www.cipd.co.uk/knowledge/fundamentals/emp-law/recruitment/pre-employment-checks-guide>

Pre-employment checks include but are not exhaustive of:

* Agency and bank staff’s right to work.
* Criminal record checks.
* Medical checks/self declarations for fitness to practice.
* Reference checks.
* Additional information obtained from the agency staff provider.

[Company Name] should refer to their Recruitment Policy for more detailed information regarding recruitment and selection.

**Bank and Agency Staff Conduct in Relation to COVID-19**

All permanent, bank and agency staff must follow the guidance set out in [Company Name]’s COVID-19 policy.

**Bank and Agency Staff Training and Support**

[Company Name] should make the required checks before appointing bank or agency staff to ensure that their mandatory training is up to date. In relation to agency staff, this information must be obtained from the agency that the staff member is contracted through and stored safely and securely. Any additional training undertaken though [Company Name] by agency staff must also be stored safely and securely. (Please refer to [Company Name]’s Training and Induction policy). [Company Name] must ensure that both bank and agency staff have the sufficient training and up to date skills before commencing work. Additional support should be offered to bank staff to help them complete the required, and any additional training, to safely undertake their role. Should [Company Name] identify any additional training needs that they feel would be beneficial to agency staff to further develop their skills, [Company Name] will liaise with the agency staff member’s agency company to discuss further training and support.

If the bank worker accepts the offer of the shift they should be given access to up to date care plans and all required information. If the bank worker has not worked in a location or with a particular client before, consideration should be given to swapping locations to match staff skill sets and experience with clients and locations or provide the opportunity where possible for the bank worker to undertake some ‘shadowing shifts’ from a permanent member of staff before commencing lone working.

**Bank and Agency Staff Personal Information**

Staff profiles for agency workers that are approved to work for [Company Name] will be stored securely and confidentially in accordance with the service’s Information Governance Policy.

Agency worker profiles will include:

* Name and photograph
* Up to date contact details (mostly relevant to Bank staff who [Company Name] may have to contact directly)
* The name of the agency they are from
* DBS status
* Training they have undertaken
* Relevant experience
* Vaccination Status.

When the agency confirms which Agency Worker it has allocated, it is the responsibility of the person in charge to check that the company has a worker profile in place.

If a profile is not in place, the company will need to request this from the agency before the Agency Worker begins their shift.

# Monitoring

This policy and the use of bank and agency workers will be reviewed and monitored regularly by the Registered Manager.

Should an increase in the use of agency or bank workers be noted, this will be thoroughly investigated and will potentially trigger the recruitment process as per [Company Name]’s Recruitment Policy.

# Related Policies

* Complaints Policy
* Duty of Candour Policy
* Governance and Risk Policy
* Incident Management Policy
* Information Governance and Record Keeping Policy
* Lone Worker Policy
* Quality Assurance Policy
* Recruitment Policy
* Safeguarding Policy
* Training and Induction Policy

# Legislation and Guidance

**Guidance**

* What an agency worker is: <https://www.nidirect.gov.uk/articles/agency-workers#:~:text=An%20agency%20worker%20works%20through,'%20or%20'agency%20work>'
* What are bank staff: <https://embracehr.co.uk/to-be-or-not-to-be-employed-bank-workers/#:~:text=What%20are%20bank%20staff%3F,extra%20staff%20as%20and%20when>
* Skills for Care, Guide to Safe Staffing: <https://www.skillsforcare.org.uk/Documents/Standards-legislation/CQC/Safe-staffing/Guide-to-safe-staffing.pdf>
* <https://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-18-staffing>
* CIPD Pre Employment Checks: <https://www.cipd.co.uk/Images/pre-employment-checks-guide-dec-2020_tcm18-51572.pdf>

# Summary of Review

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| Version | 1 |
| Last amended | [Date of Issue] |
| Reason for Review |  |
| Were changes made? |  |
| Summary of changes |  |
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