



Report of the Director of Resources

Audit Committee – 19 January 2021

Employment of Agency Staff Audit Report 2020/21 - Update

Purpose:	To report on actions arising from the Employment of Agency Staff Audit report.
Report Author:	Adrian Chard
Finance Officer:	Janet Morgan
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar
For Information	

1. Introduction

- 1.1 As a result of an internal audit on the Employment of Agency Staff carried out in 2019/20, an assurance level of “Moderate” was given.
- 1.2 A “follow up” Audit has now been completed, with confirmation that *“some progress had been made, however 5 of the 9 recommendations had still not been fully implemented”*.
- 1.3 Further discussions with the Audit team provided clarity that this relates to implementation of a revised Management of Agency Worker Policy, which is an identified action across the Management Action Plan. In addition, there *“were a few areas of non-compliance still evident in some services.*
- 1.4 The Audit Team have acknowledged that HR&OD have reminded Heads of Service of their responsibilities when it comes to procuring agency workers and *“are happy that there are processes in place”*.

2 Actions Undertaken

- 2.1 Following on from an email that was issued in March 2020 to members of the Corporate Management Team reminding Managers to ensure

compliance with the Agency Workers Policy, a further reminder has now been issued in response to the latest Audit Review findings.

- 2.2 In areas where non-compliance has been identified, Principal HR&OD Business Partners will work with the relevant Heads of Service to address the issues identified.
- 2.3 The Agency Workers Policy has been reviewed and updated and is currently being reviewed by our Legal team prior to consultation with Trade Unions.
- 2.4 Although not reflected in the report, HR&OD send regular reminders to Managers to review the engagement of agency workers who have been engaged for over 12 months and Managers are required to confirm that it is still appropriate for the Council to engage an agency worker rather than employ someone in the post.
- 2.5 There was also an action previously identified for “examination of the “off contract” spend in more detail and governance around these arrangements”. The Contract Procurement Regulations cover any spend above 10k that Procurement must be informed either via a Procurement Notification Form (to run a quotation exercise) or via an online Waiver Application. The revised Agency Workers Policy will state that only the Contracted Supplier is to be used, or for the Manager to liaise with Procurement.

3. Equality and Engagement Implications

- 3.1 There are no equality and engagement implications associated with this report.

4. Financial Implications

- 4.1 There are no financial implications other than those set out in the body of the report.

5. Legal Implications

- 5.1 The Agency Workers Regulations Act 2010 provide important rights for agency workers, concerning their basic working and employment conditions, from day one and after a 12-week qualifying period. These rights are reflected in our Policy.
- 5.2 There are no other legal implications other than those set out in the body of the report.

Background Papers: None.

Appendices: None.