



Report of the Director of Corporate Services

Governance and Audit Committee – 8 February 2023

Employment of Agency Staff Audit Report 2019/20 – February 2023 Update

Purpose:	To report on actions arising from the Employment of Agency Staff Audit report.
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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 further audit was undertaken in Quarter 1 in 2022/23. As a result, an Assurance Level of 'Substantial' has been given. This indicates that there is a sound system of internal control but there is some scope for improvement as the ineffective controls may put the system objectives at risk
- 1.3 At the September 2022 meeting a further update was provided. At that meeting the following further information was requested;
 - Provision of details of agency workers employed for more than 12 months in a future report.
 - Provision of details of high usage of agency workers against high sickness levels in a future report.
 - Provision of details of agency worker figures from the amalgamated Parks and Cleansing Services.

2. Provision of Details of Agency Workers Employed for More than Twelve Months

2.1 In Social Services,

There are four Agency Workers recorded as having worked for 12 months and over. These have been in Residential Care (2) and Child & Family Services (2).

Upon investigation, it has been established that two of the agency workers utilised within Residential Care (Adult Services) have both secured flexible contracts within the Resource Support Team and are not working consistently within the provision listed. Therefore the use of these Agency Workers is sporadic and in response to need.

The other two workers listed against Child and Family Services (1) in a Social Work role in the Friends and Family Team and (2) in a Project Worker role in Youth Justice and are both finishing their contracts at the end of March 2023 after being offered permanent employment.

2.2 In Place

In Building Services there were three agency admin staff covering Long Term Sickness but they have now either secured positions elsewhere or are no longer with the Authority.

In Libraries, there have been two Agency Workers used in the current financial year, one is longer term. These are utilised as a “last resort” to cover staff absence from sickness to avoid closure of services and are not continuous.

In the City Centre Management team, there have been three Agency Workers utilised. One is longer term and a business case has been submitted to make this role permanent.

In Highways and Transportation, there have been three Agency Workers utilised on a longer term basis for project based activities across the Service. There has been an ongoing requirement for the workers due to their unique skills and experience plus lack of suitable permanent candidates. None are interested in a permanent role.

Details regarding Waste, Parks and Cleansing are contained in Section 4 below.

3. Provision of details of high usage of agency workers against high sickness levels.

3.1 In Social Services

The area with the highest Agency usage is Residential Care (Adult Services) as can be shown in the following table. It is important to note that this reflects the number of “assignments” in this work area and not the number of different Agency Workers used. These workers are not permanently employed on a full-time basis.

	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22
Residential Care (Adult Services)	5	28	21	38	58	71	94	125	111	184	173	178	164

There is a clear correlation between the level of Agency Workers assigned in this area and the level of sickness.

P&FM Report - Period April 2022 to December 2022							
Section	Sub Section	Emp Headcnt	Tot FTE Sick Days (APR to DEC)	Total FTE Long Sick (APR to DEC)	Total FTE Short Sick (APR to DEC)	Avg Days sick per FTE TARGET	Avg Days sick per FTE ACTUAL
Service Provision (Adult Services)	Residential and Respite (Adult Services)	307	4300.2	3050.06	1250.14	7.5	23.2

There is a separate report to Audit Committee in response to sickness absence management in Social Services.

3.2 In Place

Some areas use agency to cover staff only if it is known that they will be off work for an extended period, whilst other areas, such as Waste Management, need to replace staff absence with agency staff on a daily basis, as the work needs to be undertaken on a daily basis. Therefore times of high sickness levels will generate a corresponding increase in the use of agency staff, as opposed to a high use of agency staff generating high levels of sickness absence.

4. Provision of details of agency worker figures from the Waste, Parks and Cleansing Service.

Within Waste Parks and Cleaning Services the number of agency workers covering specific roles for more than 12 months are as follows;

Work Area	Number	Current Status
Parks & Cleansing	8.5	These contracts will end on 31 st March 2023 upon completion of Economic Recovery Fund provision.
Collections	1	Application submitted for post to be made permanent upon lifting of "Vacancy Freeze.
Operations	19	Posts to be advertised as Traineeships in 2023/24.

Over the last few years, the service area has been recruiting 10 trainees per year into vacant posts which has resulted in a reduction in the use of Agency Workers from over eighty to its current level. This process has been accelerated in 2022/23, where we have taken on 30 Waste Collection trainees.

Any remaining long-term agency workers will now only be covering ad-hoc requirements (e.g., holiday, absence) rather than permanent vacancies.

5. Compliance Arrangements

- 5.1 Emails were issued in Spring 2021 and 2022 to members of the Corporate Management Team reminding Managers to ensure that they comply with the Agency Worker Policy. A further reminder will be issued in the Spring of 2023.
- 5.2 Following due consultation, a revised Agency Worker Policy has been implemented will act as a platform for further engagement with Managers on the engagement of Agency Workers in their respective areas.
- 5.3 HR&OD continue to 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.
- 5.4 In relation to “*contract spend with companies providing agency workers*”, a competitive re-tender exercise for the provision of Agency Services is underway and has been advertised openly on Sell2Wales. This is currently at evaluation stage. Value for money considerations such as rates offered forms part of the assessment criteria in tender evaluation and award. Officers are progressing with the evaluation and are working towards a new contract award and commencement by 1st April 2023.

6. Agency Worker Numbers (to be updated)

Total number of Agency Workers engaged through the corporate contracted agencies (Staffline and RSD Social Care), and reflecting the Governance and Audit Committee request are now detailed monthly as follows;

Directorate	Service Area	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22
Place	Corporate Building Services	0	0	0	0	0	0	2	2	5	7	7
	Cultural Services	0	2	2	2	2	2	2	1	2	2	2
	Highways & Transportation	12	19	17	17	15	19	18	16	16	17	18
	Housing & Public Health	1	1	0	0	0	0	0	0	0	0	0
	Planning & City Regeneration	2	2	2	2	2	2	3	3	3	3	3
	Property Services	0	0	0	0	0	0	0	0	0	0	0
	Waste Parks & Cleansing	157	149	143	138	136	134	134	117	130	134	145
	Place Total	172	173	164	159	155	157	159	139	156	163	175
Social Services	Adult Services	8	7	5	4	14	10	17	22	28	34	39
	Child & Family	1	1	0	0	19	4	4	3	2	5	5
	Social Services Total	9	8	5	4	19	14	21	25	30	39	44
Corporate Services/ Finance	Occ. Health (within Comms & Marketing)	0	1	1	1	1	1	1	1	1	1	1
	Digital and Transformation	1	1	1	1	1	1	1	2	0	0	0
	Financial Services and Service Centre	0	0	0	0	0	0	0	0	0	0	0
	Legal, Democratic Services & Procurement	0	0	0	0	0	0	0	6	6	0	0
	Corporate Services/ Finance Total	1	2	2	2	2	2	2	9	7	1	0
	GRAND TOTAL	182	183	171	165	176	173	182	173	193	203	219

Numbers have remained steady in the Place Directorate and have reduced overall in Waste Parks and Cleansing. It should be noted that the agency numbers reflect the number of different individuals employed through the month, and do not reflect the average numbers of agency staff employed on any particular day, which is of the order of 70.

There has been an increase in numbers in Adult Services to help meet the resource challenges facing this service area. It should be noted that these are primarily part-time workers and some working in multiple roles.

7. Agency Worker Cost (to be updated)

Total spend/cost of Agency Workers for 2021/22 was £5,879,140.

The monthly spend for 2022/23 so far, is as follows:

	Apr	May	Jun	Jul	Aug	Grand Total
Aled Simons				£1,080.00		£1,080.00
Wellell UK Ltd		£3,974.00		£3,585.00		£7,559.00
Beverly Goold	£2,958.00	£1,465.00	£1,513.00	£1,513.00		£7,449.00
Manpower UK Ltd	£1,960.00	£2,598.00	£1,960.00	£2,503.00	£543.00	£9,564.00
Steddy Ltd	£5,653.00	£5,588.00	£5,162.00	£4,968.00		£21,371.00
Ace Social Work Ltd	£2,275.00	£450.00	£1,913.00	£2,475.00	£3,788.00	£10,901.00
Hays Specialist Recruitment Ltd	£30,674.00	£33,429.00	£35,537.00	£26,040.00	£39,396.00	£165,076.00
RSD Technology Ltd	£36,047.00	£43,496.00	£107,749.00	£47,129.00	£12,417.00	£246,838.00
RSD Social Care	£139,295.00	£8,195.00	£77,413.00	£81,358.00	£67,279.00	£373,540.00
Prospero Group Ltd	£2,635.00					£2,635.00
Staffline Group Plc T/A Select Appointments Ltd	£278,817.00	£291,425.00	£378,951.00	£310,861.00	£103,554.00	£1,363,608.00
Grand Total	£500,314.00	£390,620.00	£610,198.00	£481,512.00	£226,977.00	£2,209,621.00

The largest total spend this year is with Staffline (c£1.36 million) and RSD Social Care (c£373 thousand). The above figures also include provision for consultancy work, primarily in Social Services and the provision of the Welsh Government Social Care Bonus.

Further analysis of these costs have identified small numbers of agency workers engaged via non- corporate contracted agencies. There is 1 FTE in the Baling Plant (via Manpower UK Ltd), where consideration will be given to an alternative employment model. In addition, in Social Services, there was less than 1 FTE (via Prospero Group) that was used for support staff cover for emergency placements in May, and less than 1 FTE for provision of cover in Domiciliary Services to ensure continuity of service in those key areas .

The engagement of non-corporate contracted agencies has been addressed. Firstly, these agencies are no longer being used, and in addition and all Managers via a briefing note have been reminded of the appropriate use of agency workers and that approved suppliers only must be used, unless there are exceptional or emergency circumstances/situations which is authorised by Procurement.

8. Integrated Assessment Implications

8.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.

- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

8.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

8.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

8.4 There are no direct implications associated with this report.

9. Financial Implications

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

10. Legal Implications

10.1 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.

10.2 There are no other legal implications other than those set out in the body of the report.

Background Papers: None.

Appendices:

Appendix A - Integrated Impact Assessment Form