

**Staffing Matters and Urgency Committee**

**15 August 2022**

**Report of the Head of Human Resources and Organisational Development**

**THIS REPORT INDICATES WHERE TEXT HAS BEEN REDACTED WHICH IS DEEMED COMMERCIALY SENSITIVE INFORMATION IN ACCORDANCE WITH SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972**

**Council Agency Workers and Work with York Engagements**

**Summary**

1. This report provides a summary as requested by the Committee of the Council's arrangement in place with City of York Trading operating as Work with York (WwY) and more detailed information on the current number of agency engagements in place across the Directorates.

**Recommendations**

2. Staffing Matters and Urgency Committee are requested to
  - a. Note the Work with York arrangements in place to engage agency workers
  - b. Note the current recruitment market that the Council and WwY face giving rise to an increase in agency engagements, their cost and length of engagement
  - c. Note that there is currently an exercise being undertaken to reduce, challenge and review agency spend and the number of agency workers

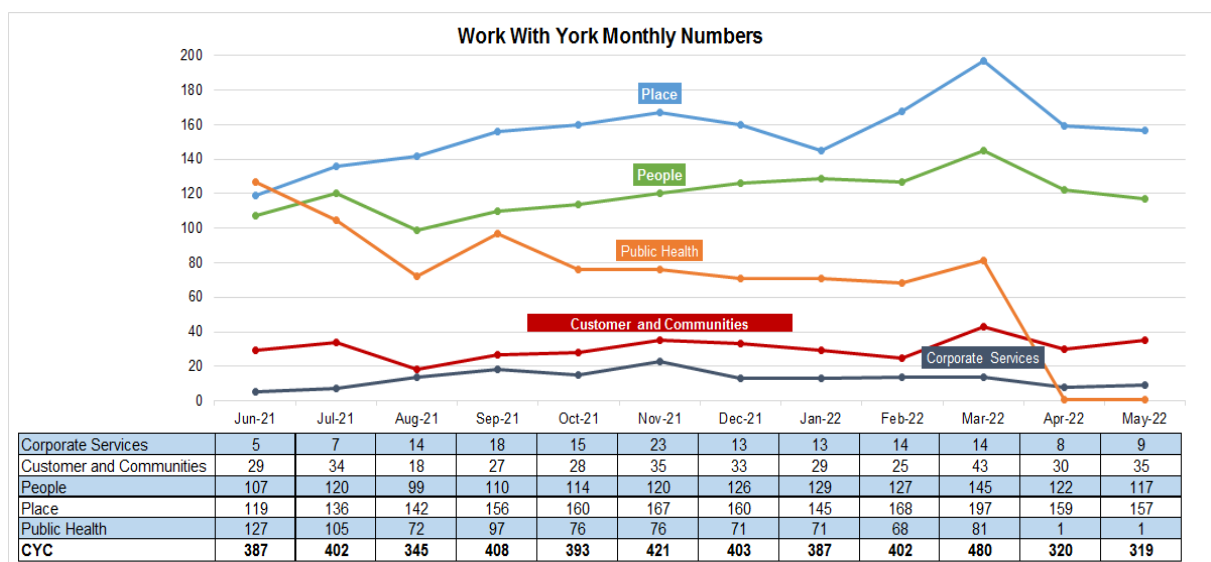
**Background**

3. The Committee receive a rolling year figure of total agency assignments engaged through WwY on a quarterly basis, including those who have been engaged for longer than 12 months.
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4. WwY are the preferred supplier for all agency engagements across the Council. Other arrangements can be made outside of this arrangement where WwY are unable to secure candidates for niche or specialist roles.
  5. WwY currently charge **REDACTED TEXT** on top of the current pay rate (as a minimum), there is a sliding scale of temp to permanent fees **REDACTED TEXT** should the Council want to directly employ an agency member of staff from WwY. WwY terms are generally more favourable to second tier agencies or those not associated with WwY. Recent exercises have been undertaken to directly employ waste agency staff and social workers which offer a saving to the Council and a permanent role for the agency staff member and employee status.
  6. There are advantages of engaging an agency workforce, and agency staff do offer short term resourcing solutions. The WwY charge is not too excessive when considering pension and NI costs.
  7. There is a robust arrangement in place to procure an agency worker and costs and numbers are monitored monthly by both Departmental Management Teams (DMT) and Corporate Management Team (CMT). Data provided gives an overview of the current patterns and levels of spend and DMT's role is to offer challenge as appropriate.
  8. Agency Workers should not normally be engaged for longer than 3 months unless there is a specific business case. In practice, and in part owing to the current recruitment market, the trend is to engage agency staff for longer than 3 months. Recruitment agencies report increasing difficulties to secure agency workers similar to other employers nationally.
  9. Engaging agency is usually for the following reasons.
    - a. Sickness absence cover (short or long term) for established employees
    - b. Cover between an employee leaving a post and new starter being recruited (should be short term)
    - c. Failure to recruit due to market conditions / pressure shortage of skills
    - d. Seasonal work or additional capacity for a short-term project over and above establishment structure
    - e. Maternity leave cover (up to 1 year)
    - f. Fixed term contract (for example funded opportunity)
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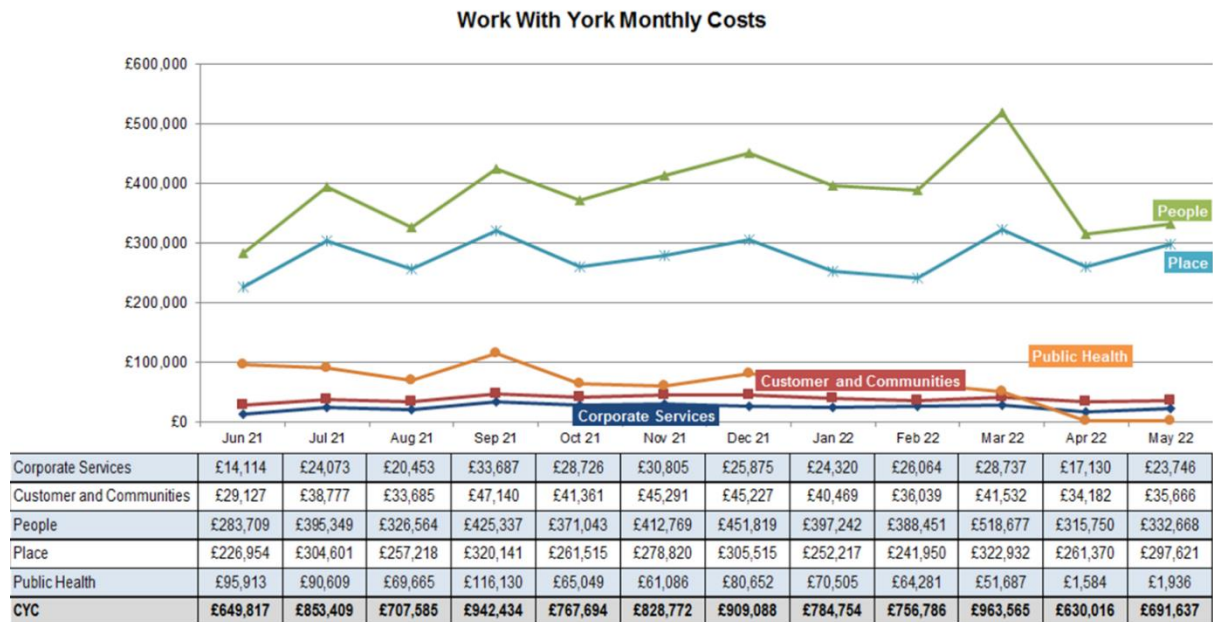
## Agency Numbers and Spend

10. As at May 2022, there were 319 agency workers engaged through WwY. In April, 2022, there was a reduction of agency workers compared to March 2022, this is a common pattern as fixed term contracts associated with funding often cease as at 31st March. An example of this is the Covid funding and Government rule changes from 31st March 2022, which brought an immediate reduction of 80 agency workers in public health.
11. The Council have recently engaged a number of agency workers to assist with the Ukraine effort to support families to come and settle in York, again these are short fixed term contracts and limited by Government funding.
12. We have a number of agency staff engaged to fill established vacancies ahead of restructures being implemented.
13. Services such as customer services, business support and social care are active users of agency to deliver the key services to our community, these are also areas where there are specific recruitment challenges nationally. Other key areas which are facing on ongoing recruitment challenges include waste, public realm, highways and fleet, this includes LGV drivers' availability. Housing is also another area.



14. The cost of agency staff has been increasing over the last 12 months as such there is an exercise already underway for greater scrutiny and

challenge of both spend and agency numbers. It is felt that there is room for reducing agency spend and numbers in People services. We are soon welcoming the new Director roles in People in August and restructures at Heads of service level are also nearing completion to give the workforce greater stability and a reduction of agency reliance.



15. The review also extends to reviewing agency engagements over 12 months. As at May 2022, 99 WwY assignments exceeded twelve months. The majority of these are in Place Services and can be accounted for in terms of turnover of key services and specialist roles, however, challenge will be provided. Of the 99 agency staff who have been engaged over 12 months, some of these are specialists, others are called on only for specific cover – for example public health engage with one specialist agency worker for annual leave cover or peaks in service requirement when needed and this engagement is sporadic over the year on and as and when basis which suits both the service and the individual. Similarly in Place some agency workers are engaged to carry out inspections in trading standards on an as and when basis again not employed on a full time basis.

<b>Work with York Assignments exceeding 12 months</b>	
Public Health	1
Corporate Services	1
Customer and communities	10
People	29
Place	58
<b>Total</b>	<b>99</b>

## **Council Plan**

16. The engagement of the agency staff are key to delivering council services and therefore, assist in the delivery of the Council Plan.

## **Implications**

17. The following implications are for noting;

- **Financial** – the use of temporary staffing can be a cost effective, value for money solution in some services. However, the reduction of agency spend is one of the key challenges to reducing staffing costs for directorates. Spend continues to put pressure on the Council budget and Medium-Term Finance Plan (MTFP) and plans are in place to review and challenge spend.
- **Human Resources (HR)** The Council's strategy is to reduce the agency spend but being mindful that there will never be a position where the Council will not have any agency workers as they provide a valuable temporary workforce that assists services to meet the needs of achieving the Council plan and objectives. HR are working with managers to consider options and alternatives to using agency.
- **Legal** – there are legal protections for agency workers including the Agency Worker Regulations 2010 which is a general framework for the protection of temporary agency workers and the regulations provide certain rights for agency staff. The Council ensures that agency workers have access to the terms and equal treatment rights as specified by the Regulations. This extends to key elements of pay and other entitlements such as annual leave after 12 weeks in the same job. There are also regulations associated with successive contracts protecting agency workers of which the Council review.

There are no known **equalities, crime and disorder, information technology, property** and other implications.

## **Risk Management**

18. There are no risk management issues known

## **Contact Details**

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**Chief Officer Responsible for the report:**

Ian Floyd  
Chief Operating Officer

**Report  
Approved**

Yes

**Date** 28<sup>th</sup> July  
2022

**Specialist Implications Officer(s)**

Janie Berry – Director of Governance and Monitoring Officer  
Debbie Mitchell – Chief Finance Officer and s151

**Wards Affected:** *List wards or tick box to indicate all*

**All**

Yes

**For further information please contact the author of the report**

**Background Papers:**

None

**Annexes:**

*None*

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