

Bank Policy

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1. Purpose

The aim of this policy is to provide clear guidance to managers and bank employees when bank employees are used by 100Fold.

This policy applies to all bank employees (excluding employees employed on fixed term contracts and temporary/locum medical employees) across 100Fold, and substantive Employees who are also registered on the bank.

Consideration should be given to viable alternative options before bank employees are engaged.

The policy is intended to:

- minimise agency and temporary employee costs ensuring value for money
- improve monitoring systems/governance processes
- ensure that the health, safety and welfare of people who use our services is not compromised by ensuring appropriate pre-engagement safeguarding checks (such as Disclosure and Barring Service (DBS) & Identity checks) are completed before joining the bank
- ensure that 100Fold is compliant with current employment law

This policy should be read in conjunction with 100Fold's Recruitment Policy and other employment related policies.

2. Applicability

100Fold recognises that it will need to utilise bank and/or temporary employees in order to maintain safe services across the GP practices, PCNs and CIHs which we support. It is imperative that any decision to engage a temporary employee or offer over contracted hours is made in line with the needs of the service we provide.

3. Definitions

- Agency Staff – temporary or interim employees provided through an external organisation for an agreed rate, where the contract of employment lies with the providing company rather than the end user.
- Annualised Contract employees – this works similar to a bank employee who is registered to provide work on an ad hoc basis, with no obligation for regular work. However, there will be an agreed amount of work per week/month/year. Administered by 100Fold Central Team.
- Bank employees – employees registered to provide work on an ad hoc basis, with no obligation for regular work. Administered by 100Fold Central Team.
- Line Managers – the designated manager (at the Practice, PCN, CIH etc) for the bank employee during the assignment
- Disclosure and Barring Service (DBS) – The DBS was established under the Protection of Freedoms Act 2012 and merges the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).
- Self-Employed Consultants – these are individuals or a company who are brought in to deliver a particular piece of work or project. They are contracted to provide services on an agreed daily rate which is payable on the presentation of an invoice. They are neither worker nor employees.
- Substantive employees – those employed by the organisation on an ongoing contract of employment.
- Fixed term employees – those employed by the organisation on a temporary contract of employment for an event or period that is of limited duration.
- Assignment – means the individual shift or series of shifts, during which bank employees are engaged by 100Fold to carry out work.
- Bank employee's agreement – The agreement between the organisation and bank employees under

which 100Fold does not guarantee bank employees a fixed number of hours work per week or month and that work, if offered is on “an as and when required” basis.

4. Duties

Line Managers/on-site managers whilst on assignment

- are responsible for overseeing the dissemination and implementation of this policy across services at any time
- must ensure that they DO NOT book employees directly to undertake work. All bookings should be made via the 100Fold Central Team
- ensure any temporary/bank/agency employees receive a local induction
- ensure bank employees have rest breaks and/or compensatory rest breaks in line with the European Working Time Regulations
- monitor the performance of temporary employees and deal with concerns appropriately via arranged supervision sessions in line with policies
- ensure appropriate approvals have been gained prior to making a booking for 100Fold bank employees
- in the event of a shift being double booked, managers should inform the HR Workforce team as soon as possible where this has happened. This will allow unutilised employees to be allocated to other areas of need. This should effectively be a never event, in the case of employee refusing to work elsewhere when double booked then they should be sent home.
- ensure leaving process is appropriately managed, ensuring equipment including keys and ID are returned, exit interview completed (if appropriate) and IT accesses are revoked
- Report incidents involving bank employees via 100Fold Central Team

100Fold Central Team

- provide advice and guidance to managers on the implementation of this policy
- receive and process requests for assignment coverage
- ensure all employees have the necessary checks completed to ensure compliance with the Recruitment Policy
- ensure that bank employees receive the appropriate training to carry out duties
- ensure that bank employees do not breach the maximum hours that can be worked under the European Working Time Directive (EWTd)
- submit a monthly report to the Directors detailing what the trends are with GP practices booking our services
- will take appropriate action if any professional registration is out of date including suspension of the bank posting
- will be the central point of contact for any matters relating to the provision of bank employees
- responsible for making referrals to the disclosure and barring service, and/or professional bodies if criteria for referrals is met
- will review and amend the policy as necessary
- will monitor bank / annualised hours work and will contact them where appropriate if they have not worked for 100Fold for a set period of time

Bank Employee

- comply with all requests from 100Fold Central Team for information and submit information relating to employment checks in a timely way
- advise the 100Fold Central Team of any other paid employment and the hours worked to ensure the EWTd regulations are not breached
- be prepared for flexible working in all locations that 100Fold supports

- provide the 100Fold Central Team with hours of availability or via Lantum
- contact the 100Fold Central Team as soon as possible before the period for duty if they are unable to work with 24 hours minimum notice period when possible
- ensure they understand the agreement for bank employees; seek clarification of any points not understood; sign and return the document to the 100Fold Central Team prior to undertaking an assignment
- ensure their professional registration is up to date and comply with their relevant professional code of conduct
- ensure they complete all statutory and mandatory training relevant to the role; this is a requirement of employment, and it is the Bank Employee's personal responsibility to ensure that they complete in their own time and maintain all statutory and mandatory training relevant to their role (this is an unpaid requirement of employment)
- ensure they comply with all policies of the organisation during their assignment
- if on an annualised contract; sign up for the minimum agreed shifts over the year period

Operations Director

- will ensure team managers comply with this Policy
- will be the lead of matters to professional registration, disclosure and barring service reviews and due process regarding performance, competence and professional conduct
- provide approval to use non-framework agencies

5. Process of Utilisation of Bank Employees

Bank employees should never be used as an on-going employee solution. All requests for bank employees should be affordable within the funded establishment which are making the requests to 100Fold.

There should be a justifiable service reason for requesting a bank employee for within 100Fold which includes:

- when there is a vacant post with funding available and the work cannot be covered from within the existing workforce
- when the service will be at risk, including patient safety, or targets for delivery are compromised
- an unexpected increase in the volume of work (i.e. due to a flu crisis, pandemic or heatwave)
- when there are adverse effects on the health and safety of employees.

Prior to deciding whether there is a need to book a bank employee for the central team, individual managers should:

- review rosters, including considering flexible working options to enable existing employees to cover the shifts and offering additional work to part-time employees
- consider whether the work can be reallocated/delayed
- offer additional hours and time off in lieu to full-time employee without compromising working time regulations.

All requests for Bank employees from outside of 100Fold must be submitted to the 100Fold Central Team. All 'Request for Bank Support' forms must have a booking reason, what is required etc.

Once the booking is received, the 100Fold Central Team will look to see if there are any internal employees available/suitable. If an employee is matched, the 100Fold Central Team will contact the bank employee to assess their availability.

Substantive employee with bank contracts should note that all substantive contracted hours should

be worked before a bank shift is accepted. If substantive hours are owed to 100Fold then the bank shift time frame should be reduced to allow the working of the owed contracted hours. Line Managers of employee with substantive and bank contracts should be aware of the current status of employee contracted hours owed to 100Fold.

If a post is advertised the recruitment will follow the Recruitment Policy of 100Fold and all pre-employment checks will be undertaken in line with this policy including for internal candidates.

6. Management of Temporary Employees

It is essential that all temporary employees within the organisation receive an induction that is appropriate to their role and planned length of engagement for each team they work with. This should include an orientation, information about local policies procedures and introductions to relevant colleagues.

100Fold will provide links to statutory and mandatory training, annual online training and practical training sessions (where applicable). Line Managers are expected to plan what functions are to be undertaken and monitor temporary employee performance while with the organisation.

Line Managers should raise concerns with regard to performance of any bank employee to the 100Fold Central Team, where matters cannot be resolved or are of sufficient seriousness to potentially prevent future use. Line Managers have a responsibility and duty of care to ensure that concerns are raised and addressed where appropriate. It is not sufficient just to release an unsatisfactory employee without explanation.

Where concerns are raised with a Bank employee, and it has not been resolved locally the relevant manager should make contact with the 100Fold Management Team.

Where a Bank employee may be in contravention of a 100Fold Policy or Procedure, and it has not been resolved locally the relevant manager should report the incident to the 100Fold Management Team with relevant policy interpretation and guidance whether an investigation is required. The line manager will be responsible for liaising with the 100Fold Management Team.

Where an employee member has a substantive role and a Bank role, and they are subject to formal or informal organisational procedures in one or more of their roles, it may be appropriate for action to be considered in both the substantive role and Bank role, for example in disciplinary and safeguarding investigations. Where an employee member is suspended from their substantive role their Bank shifts will also need to be reviewed and cancelled where appropriate pending the outcome of any investigation and conclusion. The manager should seek advice from 100Fold Management Team.

Where the organisation has reason to believe that Professional or other Codes of Conduct have been breached, this will be reported to the relevant professional or other body by the Line Manager, with support and advice from the Operations Director and 100Fold Management Team.

In cases where there is concern that the practitioner may be a danger to patients, 100Fold has an obligation to inform such other organisations including the private sector, of any restriction on practice or exclusion and provide a summary of the reasons for it. The Line Manager must inform the 100Fold Central Team who will contact the professional regulatory body, Directors and Professions as appropriate who will escalate to consider the issue of an Alert Letter.

Alert Letters ensure that NHS bodies are made aware of employees who pose a risk to patients or other employees because their conduct seriously compromises patients' safety and/or quality. They are intended to cover those situations where an NHS employer considers that a member of their health care employees

may pose a threat to patients and may be working or seeking work elsewhere in a health or social care setting.

Managers of employees with substantive and bank contracts should be aware of the current status of employees contracted hours owed to the organisation and the bank bookings that are being requested. Contracted hours owed to the organisation should be worked by employee with bank contracts first, with an option for bank working once the contracted hours are worked.

The leaving process for bank employees must be appropriately managed, including ensuring the return of equipment e.g. diaries, mobile phones, ID badge, keys etc. and the preparation of closing down Lantum and any other programme they have access to.

7. Bank Employee Agreement

Bank employees will be engaged on a Casual Bank Agreement. It does not create any obligation on the organisation to provide work, nor does it make any promise or guarantee of a minimum level of work. Thus, there is no mutuality of obligation between the organisation and a bank employee at any time.

If the employee goes onto an annualised contract, then there will be an expectation for hours to be available each year for the employee to work; it is therefore expected that the employee would work those minimum hours of work over the year (January to December).

The Casual Bank Agreement will set out the following terms of engagement:

- induction
- it, information governance, data protection and confidentiality
- rates of pay and banding
- annual leave
- sickness
- pension scheme
- other statutory leave
- policies and procedures
- availability and commitment
- termination of agreement
- training and development
- professional registration
- European working time directive
- conduct matters
- variation of terms of engagement

8. Training

All employees involved in the Recruitment and Selection of employees should have Safer Recruitment Training or at least one person on the panel. All employees involved in the booking of bank employees must be made aware of this policy.

Courses are relevant to the employee's grade and will differ dependent upon job role, qualifications and due to specific areas of work.

9. Monitoring

Management information concerning use of temporary employee will be supplied by managers as requested. The information supplied will be used to monitor individual departmental use of temporary employees.

Managers should review assignments on an on-going basis. This review should address:

- the continuing need for the work
- whether alternatives have now become available that can be considered
- the standard of work performance
- progress against agreed targets and requirements
- the expenditure incurred
- Patient and employee safety.

With regard to agencies included on the framework, the HR Workforce Manager will undertake intermittent reviews to ensure that compliance is adhered to.

A monthly workforce report will be provided to the Board of Directors by the HR Workforce Manager.

10. Data Protection

100Fold will treat personal data collected during this process in accordance with its data protection policy or policy on processing special categories of personal data. Information about how an employee's data is used and the basis for processing their data is provided in the 100Fold's employee privacy notice.

11. Review

This procedure will be reviewed to respond to any changes in the employment legislation, and at least every three years.

Appendix 1 – Request for Bank Support Form

Request for Bank Support

This form should be completed and emailed to somicb.100foldadmin@nhs.net who will look in to fulfilling your position. Please ensure that you give the 100Fold Central Team, as notice as possible. If this is a long term position the 100Fold Central Team will be in contact with you to discuss further options.

Position Required:		Date needed from:	
Number of People Required:		Date needed to:	
Shift Pattern:		Job Share Suitable:	Yes / No
Organisation:		Location of Position:	
Systems Knowledge:			
Other Special requirement(s):			
HR's Key Contact: Contact Number:		Employee's Key contact: Contact Number:	

Request submitted by:

Date submitted:

HR Workforce

Date Received:		Received by:	
Entered on System:		Called Bank:	Yes / No
Booked:		Emailed Bank:	Yes / No
Comment(s)			

Appendix 2 - Bank Employee Feedback Form

Bank Employee Feedback Form

We always like to receive feedback with how you feel the Bank Employee has performed. If you feel that you would like to provide feedback, please complete this form and return it to somicb.100foldadmin@nhs.net. A member of the 100Fold Central Team may contact you to discuss your feedback. Thank you for taking the time to complete this form

Name of Bank Employee:		Date They Worked:	
Location of work:		Position covered:	

Performance Evaluation	Excellent	Good	Fair	Poor	Comments
Knowledge of position					
Productivity					
Quality of Work					
Patient Care					
Patient Feedback					
Technical Skills					
Co-operation					
Attitude					
Work Relations					
Punctuality					
Attendance					
Dependability					

Any other feedback
Would you have them back again and why?

Name of who completed this form:

Job Title:

Date Completed:

Organisation:

HR Workforce

Date Received:

