

TEMPORARY STAFFING SOLUTIONS (TSS)

OPERATIONAL PROTOCOLS (NON-MEDICAL WORKERS)

The purpose of this document is to clearly outline manager's role and responsibilities in reviewing the need for temporary workers and their obligations in adhering to the formal booking process in line with TSS procedures and Standing Financial Instructions SFI's.

Temporary workers make an important contribution to the Trust and the service we deliver. TSS aim to provide high quality temporary workers to teams as and when required. In order to ensure that manager expectations are met, it is critical that managers are clear regarding their role and responsibilities in booking and managing temporary workers.

Please note that these protocols should be read in conjunction with any relevant policies and procedures that may have an operational influence on the Temporary Staffing Solutions Department including the e-rostering user guides and staff rostering policy available on Connect.

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1.0 When and where to use Temporary Workers?

- Managers have a responsibility to ensure that appropriate staffing levels are in place for the delivery of safe and effective services, whilst taking account of skill mix requirements and agreed establishment levels.
- It is the manager's responsibility to make the best use of available resources and request the use of temporary workers only if substantive staff are unavailable to cover the shift through the effective use of E-rostering.

Temporary workers may be required to provide cover for the following reasons:

- Sickness absence
- Unplanned leave e.g. compassionate, special leave
- Increase in clinical activity
- TSS workers should not be booked to cover planned leave as outlined below, as this should be factored into roster planning and management therefore not impacting on the delivery of services.
 - Annual leave as this should be planned via the rosters
 - Maternity leave as this may be covered via advertising a fixed term contract for the period of the maternity cover (please contact the Recruitment team for further details)
 - Study leave as this should be planned via the rosters
 - Secondments as these may be covered via a fixed term contract as for Maternity leave cover.

1.1 What is the difference between Bank & Agency Workers?

The TSS team will either cover a shift with a Bank (TSS) or Agency worker depending on availability. However, the priority will always be to cover a shift with a bank worker which is more cost effective. The key differences between the two types of workers are:

Bank Workers

- Recruited directly by the Trust as casual workers on a zero hours agreement (the Trust is not obliged to offer work and they do not have to accept work – therefore, they can work flexibly as and when they wish to)
- They are paid agreed rates of pay
- Trust has responsibility to ensure that workers are paid on time and that relevant deductions are made (managers must authorise shifts in a timely manner)
- Trust has responsibility for undertaking pre-employment checks and providing mandatory training,
- Trust is responsible for responding to any concerns raised against a TSS worker in accordance with their terms of work and appropriate Trust policies.
- They are not classed as employees but, as 'workers' and therefore are entitled to:

- Paid annual leave (as referenced within TSS individual worker agreements)
- Rest breaks and limits on working time
- The National Minimum Wage
- No unlawful deductions from wages
- Discrimination rights under the Equality Act 2010 Health and safety at work.

It is important to note that bank workers should not be used to cover long term assignments and should only be placed in assignments for a maximum period of 3 months (see block booking section 2.3). Where bank workers are continuously booked to work in a set area and undertake regular working patterns, they may accrue employment rights. TSS will contact managers where bank workers are working set patterns within areas to understand why there appears to be an on-going requirement to book bank workers and discuss alternative long term solutions.

NHS Professionals workers

NHS Professional are owned by the Department of Health and Social Care and the trust has a partnership agreement with them that allows bank shifts - that are unfilled by the trust's own internal bank register - to be sent to their organisation to fill, prior to being sent out to agencies on the HTE Framework. For more information or clarification required on this process, please contact the TSS Department.

Agency Workers

Only NHS approved agencies who are on the HTE Framework can provide workers to the Trust. Managers should contact TSS team to put shifts out to agencies and should not in any circumstances contact agencies directly (see section 2.4 for more information). There is specific governance in place requiring Associate Director and / or Executive approval for certain agency roles and bandings or worker.

- Recruited directly via the agency, all pre-employments checks are undertaken by the agency.
- Agency has responsibility to pay worker and provide relevant mandatory training and supervision
- Agency will pay fixed rates (tend to be higher than Trust rates).
- Trust responsible for local induction

2.0 How do I book a Temporary Worker?

2.1. Booking Requests

The following process is required when making booking requests:

All Managers will have undertaken training in using the e-rostering system. Any new managers must contact the IT department (ext. 5111) to arrange training and system access through the e-rostering team.

All Managers need to complete the Ad-hoc request form (appendix 2b) if they cannot get the shifts on the e-rostering system. Any booking requests which are not fully completed will not be processed until all the information required is completed.

Managers, who have completed their e-rostering training, must follow the detailed e-rostering user guides for bookings which are available on the Trust intranet <http://connect/e-rostering/Pages/default.aspx>

Managers should regularly check their rosters via the e-rostering system for progress regarding their booking request. Any changes or progress will show on e-rostering via the HealthRoster system.

When TSS have not been able to fill a shift, they will follow the alert system timeframes (see appendix 1a) to notify managers there is difficulty filling the shift so, that the manager can decide in good time whether an NHS Professionals or an agency worker is required.

Managers now have the ability to directly book in a named individual for any shift in HealthRoster. Please see staff rostering policy on Connect.

Managers must ensure that:

- The worker does not breach EWTD, taking previous hours worked into account.
- The worker is cleared to work and a restriction is not in place e.g. they have been restricted from work due to lapsed registration, non-completion of training, on-going investigation into their behaviour or conduct.
- A clear audit trail is available regarding who has undertaken the shifts in order that payment for the shift can be appropriately made.

Dos and Don'ts

- Booking requests will not be accepted over the telephone
- TSS must be contacted via e-mail or telephone if a same day request is inputted via e-rostering. This is to avoid going out to agency. If TSS are not contacted they may not see the new shift request as they will be focused on booking ahead.
- TSS will not accept self-bookings from Agency workers. All bookings must be requested and authorised by the appropriate manager for the area.
- There is specific governance in place requiring Associate Director and / or Executive approval for certain agency roles and bandings or worker.
- Managers are not authorised to request or book agency staff directly with agencies during TSS working hours (6.00 am – 9pm).
- Outside of TSS opening hours, Managers must contact their respected 'budget manager/holder' or designated manager (or their on-call manager – out of hours) for authorisation to book agency staff (agency contact details are available via main Trust receptions and are on Connect)
- In exceptional circumstances outside of TSS working Hours if an agency worker or TSS bank worker has been booked TSS must be informed on the next working day

Staff that have access to e-rostering and can request shifts are not allowed to put themselves forward as the preferred worker for any shifts that they request only their line Managers are allowed to do this. In addition, Ward Managers are not authorised to request and book themselves into shifts for their own units/areas. Any requests for managers to work in their own areas must be requested by their line manager (usually the CNM for their area) either through the e-rostering system or by a TSS request form. For finalisation of these shifts please see staff rostering policy.

2.2 Authorisation of bookings

Any bank shifts entered onto the e-rostering system need to have been approved by the relevant managers in line with Standing Financial Instructions (SFI's).

TSS must be able to demonstrate a clear audit trail in relation to the authorisation given for booking requests by Budget Managers/Budget Holders.

An up-to-date list of Budgets Managers/Budget Holders is available via the Finance Team.

Please note that it is important to remember that: -

- Only staff authorised to request shifts via the e-rostering system will be actioned by TSS via HealthRoster.
- Ward Managers must send through authorisation for their staff to request shifts via e-rostering on the TSS authorisation form found on the TSS site of Connect. TSS will keep a copy of the authorisation form for audit purposes and to ensure that only authorised staff can request shifts.
- For a worker with multiple bank assignments (at different pay grades), it is the responsibility of the manager booking each shift to ensure that that correct bank assignment is against the workers shift and to also ensure that the correct assignment shift is finalised for payment(s) by 10am every Monday.
- If a bank worker is acting up to cover the role of an absent substantive member of staff, HR advice, in consultation with the pay policy, would need to be sought for clarification.

2.3 Block Bookings

- **What is a Block Booking?**

Block bookings are bookings over 4 weeks and can only to be used where there is an indication that the post requiring cover cannot be covered on an ad-hoc basis and requires specific skills to promote consistency for the clinical / administration area.

Block bookings for bank workers are for a maximum of 3 months, which can be extended in exceptional circumstances - all extensions AND new bank Block Booking requests require the TSS Block Booking form to be completed outlining the reason for the extension or new booking, and approval will be granted or rejected by each directorate's Associate Director.

Please contact the TSS Department for any further clarification that may be required or to assist with block booking completion requests.

Please note: If the form is incomplete or not authorised appropriately it will not be processed and will be returned to the manager.

New agency block bookings are currently not permitted and the remaining few agency block bookings in critical areas will be replaced as soon as a suitable TSS worker or fixed term cover can be identified.

Managers will be contacted in writing via e-mail one week prior to the bank workers assignment end date to remind them that the worker will be finishing the assignment.

If a manager wishes to terminate a block booking earlier than their original booking, they must give the TSS worker and TSS department a minimum of 1 weeks' notice (except in exceptional circumstances).

Dos and Don'ts

- A TSS Block Booking form must be used for all block bookings and an Extension Block booking form used for any requests for an extension of a block booking.
- Only the Budget holder/Budget manager for the area can authorise a block booking.
- If an Agency worker is used due to a bank worker not being available then once a bank worker is available then the agency worker will be replaced.
- All agency or TSS bank workers must have a local induction to the area
- Extensions are not automatic, and a reason must be given for the extension with authorisation/approval by a CNM in the first instance, for that area before it will be considered.
- All Block Booking Requests must go through TSS.

2.4 Use of Agency Workers – What do I need to know?

- The use of Recruitment Agencies to fill roles should be kept to a minimum. (For example, support to fill a permanent vacancy or engage a temporary worker on a fixed term basis, when internal mechanisms or NHS based schemes such as the Regional Talent Pool are exhausted).
- There is specific governance in place requiring Associate Director and / or Executive approval for certain agency roles and bandings or worker.
- The Trust Board has highlighted that only clinical shifts can be covered by Agency workers. For all other shifts Managers need to seek approval and sign off from CNM and Associate Director of relevant area. The approval (via email) along with all relevant information will be sent to Chief Operating Officer (or nominated Deputy) who will review and advise TSS if an agency worker can be requested, via and NHS England submitted business case.

- TSS will only use Agency workers when they are unable to identify a TSS temporary worker to fill a shift. TSS will contact all of our preferred agency suppliers as long as the request has been authorised by the budget manager/budget holder in advance. Only agencies currently working with BSMHFT under The HTE Framework Service Level Agreement will be contacted.
- The Agency worker must be given a local induction/orientation to the area for safety and audit purposes using the TSS Local Orientation form (appendix 4a).
- Managers are not allowed to go directly to the agency outside of TSS working hours except in an emergency and must be authorised by the area's CNM or On Call Manager if the Budget Holder/Manager is not available. In this situation the TSS department must be informed on the next working day. Please take note of the above (specific governance in place for certain roles and bandings requiring AD and / or Executive sign off.)
- Where managers repeatedly make inappropriate 'direct to agency' bookings, the matter will be escalated to the Associated Director of the service area. Service Areas will be required to investigate the reasons for 'direct to agency' bookings and taking appropriate action.

Dos and Don'ts

- Agency workers must have a local induction/orientation to the area they are working in.
- If an Agency worker is used out of hours of TSS (7am - 8pm) then TSS must be informed on the next working day otherwise there will be a delay in payment to the agency.
- Agency workers must not be left in-charge of a shift (unless they have undertaken a minimum of 14 shifts within the area and the ward manager has deemed them competent to undertake the role).

2.5 Cancellations - How do I cancel a booking?

- A cancellation form must be fully completed (and include the booking reference number) and sent to TSS (cancellation forms are available via the TSS intranet page – Appendix 6). A reason for the cancellation must be recorded on the form for audit purposes. Managers should not cancel shifts via e-rostering without informing TSS first as a member of staff may have been allocated to the shift and will need to be contacted.
- If a ward chooses to cancel a shift via e-rostering without informing TSS and the TSS worker attends for duty the area will be charged for the shift.
- Please note that TSS does not accept verbal cancellations.

Cancellations of TSS worker – completed forms must be received by TSS at least one whole shift prior to commencement of the shift that had been booked (e.g. cancellation of a night shift, would require a cancellation form to be received by TSS by 1.00pm or earlier).

Cancellation of Agency worker – completed form must be received by TSS at least 4 hours prior to commencement of the shift that had been booked.

- If the above timescales are not adhered to the area will be charged for the shift due to insufficient cancellation notice being received by TSS

What happens if a TSS worker cancels their shift?

- Where a booking is cancelled by the temporary worker assigned to work, then TSS will inform the area as soon as possible, and attempt to cover the shift with another worker unless they are advised that a temporary worker is no longer required.
- A shift must be cancelled by a TSS worker via telephone to the TSS department – cancellations will not be taken via email.
- Please note where a TSS worker fails to provide sufficient notice to cancel a shift they are due to work this will be discussed with them and if they do this on up to 3 occasions, they may cease to remain on the Trust bank register.
- If a booked TSS worker arrives for a shift that has not been cancelled and they are subsequently not required and TSS cannot re-allocate the worker elsewhere, then they must be sent home however the worker will be paid for the shift by the original area. However, if clinical area decides to book them for a shift, then they will have to be paid by the clinical area they have been assigned to.

2.6 The use of Recruitment Agencies to fill Senior or Executive positions

- Where Recruitment Agencies are used to fill Senior or Executive positions this protocol outlines the approval process to agree usage is a Director Level function. As such the use of a Recruitment Agency should be discussed in a meeting of the Executive Team, with notes kept of the discussion and decision.
- For decisions made by the Non-Executive Directors, this should be discussed and documented in the Remuneration Committee.

3.0 Approving Shifts for Payment

3.1 Validation and Finalising shifts via e-rostering by 10am on Mondays.

- All TSS workers will be paid weekly in arrears via the e-rostering system upon the manager authorising their bank shifts and finalising them by 10am on a Monday.
- Managers will be required to verify bookings and cross check information via e-rostering on a daily basis. It is vitally important that managers validate information and finalise shifts via the e-rostering system to ensure timely payment, additionally managers need to ensure that they are not inappropriately charged for shifts.

- Please refer to the detailed staff rostering policy user guides for bookings which are available on the Trust intranet.
- The manager authorising bank shifts worked is responsible for ensuring that the hours worked are correct, the bank assignment is correct and where appropriate that a break has been taken. Failure to allow workers a break is in breach of the Working Time Directive (WTD). If for any reason a member of staff has not had a break the reason for this must be clearly written or indicated on the wards e-rostering system.
- Managers who repeatedly finalise shifts late resulting in workers not being paid in a timely manner will be reported to their line managers and finance for the appropriate action to be taken.

4.0 Effectively Managing Bank/Agency Workers – what do I need to do?

4.1 Induction

- All TSS workers are required to attend the full Trust induction when they commence with the Trust. For bank workers local orientation is completed at Trust Induction (appendix 4b).
- Managers are responsible for ensuring that a local induction/orientation is completed when a TSS or Agency worker undertakes a shift in their clinical area. This is to ensure that they are aware of local procedures and health and safety requirements.

4.2 Sickness

- TSS only workers (not employed substantively) may be eligible for Statutory Sick Pay (SSP). However, TSS workers must provide a certified 'fit note' . These payments will be processed directly by TSS via payroll.
- If a TSS only worker suffers an injury whilst at work, they may be paid Statutory Sick pay on production of a fit note. TSS must be notified at the earliest opportunity when a TSS worker has been injured or involved in an accident within the workplace. The TSS manager must also be sent a copy of the incident via the Eclipse system.

4.3 Supervision

- All TSS qualified nursing workers are required to have regular clinical supervision. In line with the Trust Clinical Supervision policy the individual is responsible for identifying a supervisor via the central supervision list (available on intranet). Individuals must ensure that they programme regular supervision and can provide documentation to support this.
- Substantive staff are not required to have a separate clinical supervision for bank work undertaken.

4.3 Feedback

- Managers can complete a feedback form (Appendix 5) regarding a TSS worker and return this to TSS for review at any time.
- Block Bookings - Managers will be sent the Feedback Form directly for all block bookings for completion.
- For all TSS workers – feedback forms for each bank worker will be sent out on 3 occasions during a 12-month period to areas where the bank worker has worked the most often during that period.
- Feedback from the forms will be reviewed by TSS and where appropriate discussed in more detail with the manager who has completed the form. TSS will meet with the individual bank worker where it has been identified that further development and training is required or resolve any concerns that have been raised.

4.4 Raising Concerns

I have comments/concerns regarding a TSS worker – how do I raise them?

- All complaints regarding temporary staff or agency workers must be made in writing and emailed to the TSS Manager in a timely manner. Managers will be required to forward any witness statements or other information available to the TSS Manager. See complaint process on connect Temporary Staffing pages.
- TSS will then review the details of the complaint and will inform managers on how the matter will be dealt with. Managers may be required to support the fact find into the concerns raised.
- When a concern has been raised regarding a bank worker who is also employed substantively, the substantive line manager will be required to lead.
- Where appropriate, consideration will be given by TSS as to whether the individual should be restricted from working on a temporary basis during the fact-find.

5.0 Substantive Staff working via TSS
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Many staff who are employed substantively also work bank shifts via TSS. The Trust supports staff who wish to undertake additional bank shifts however, their substantive line managers and 'bank' shift managers need to ensure the following criteria is adhered to:

5.1 Working during periods of annual leave

- Substantive staff are able to work bank shifts during annual leave taken from their substantive role. However, in line with the Working Time Directive (WTD) staff must take a minimum of 28 days (210 hours, in accordance with their statutory entitlement) annual leave and not use this to undertake additional

shifts. This is to ensure that staff are using the majority of their annual leave to rest and not work additional hours.

- Substantive line managers are responsible for checking with staff that they are taking their annual leave appropriately and not using the majority of it to undertake TSS additional shifts.
- Individual staff have a responsibility to ensure they are taking their minimum requirement for annual leave and not using it to undertake additional shifts via TSS.

5.2 Reporting sickness absence and Returning to work – what should you do?

- If a substantive member of staff is absent from work due to sickness, their line manager must record this information on their rosters via e-rostering in a timely manner in order that staff are not allocated to work bank shifts whilst off sick via the HealthRoster system.
- Following any sickness absence, substantive members of staff must have worked at least one shift in their substantive role before they are authorised to work a TSS shift (please refer to Sickness Policy).
- Those returning from long term absence must complete their 'phased return' to work before they undertake any TSS shifts

If a member of staff is found to have undertaken TSS shifts when they have not worked one substantive shift then disciplinary action may be considered.

It is important to remember that managers have a responsibility to ensure:-

- Any sickness and unplanned absences need to be recorded in a timely manner in order that staff are not allocated bank shifts via HealthRoster.
- Staff must have had a return-to-work interview and worked one substantive shifts in their own area before they can be allocated any bank shifts in accordance with the Sickness Policy
- That staff should be informed that disciplinary action may be taken if they are found to be working a bank shift whilst being recorded as being off sick or if the above procedure is not adhered too.

5.3 Investigations/Dismissal

- If there is an investigation that involves a substantive member of staff which warrants withdrawal of that staff member from their substantive post or suspension from duty TSS must be informed immediately so they are not offered any bank shifts.
- TSS must also be advised by the substantive line manager when the member of staff has returned to work so that the restriction from the HealthRoster system can be lifted, and they can again be offered shifts.

- TSS must be informed when a substantive member of staff is dismissed by the Trust in order that they are removed from the TSS register.

5.4 Leaving / Retiring from Substantive post / Removal of bank assignments due to inactivity for bank only (not substantive staff).

- Substantive staff leaving or retiring from their substantive post will automatically be terminated from TSS and will not be able to undertake shifts. Managers are required to complete a Managers Approval form and return it to the TSS Department if an individual wishes to continue to work via TSS (Managers approval form available via the TSS intranet page or via TSS).
- Staff who have left their substantive post to retire are not allowed to work any TSS shifts for a minimum of 24 hours after they have left their substantive post. For Finance/Payroll purposes staff will still be within the termination process, and this may have an impact on any monies owed to them if they work any bank shifts via TSS during this period.
- Staff who have been made redundant from their substantive role will be automatically terminated from TSS and will not be able to work for the Trust (in a substantive, fixed term or bank role) for a period of 12 months from the date of their redundancy.
- If a bank shift has not been worked in the last six months, the bank worker's bank assignment(s) will be removed from the bank register - not Substantive staff members bank assignments, which can continue with no removal date for inactivity. If a bank worker has 2 or more assignments, only assignments not worked via for 6 months will be removed. If a bank worker feels that they have a genuine reason why they have been unable to work a bank shift, they can contact the TSS Department.
- A staff member can contact the TSS department to apply to re-join the bank / reinstate their bank assignment(s) should they wish. The relevant documentation will be provided to you to complete.

Dos and Don'ts

- Once staff have left their substantive post, they will automatically be deregistered from TSS and will not be able to undertake shifts
- Staff are not allowed to undertake any further bank shifts once they have left their substantive post, without re-registering with TSS
- Before staff can re-join TSS they must have a managers approval form from their substantive line manager.
- If staff continue to work once they have been terminated from their substantive post, then they will not be paid as they will not be on the Trust's ESR system or Payroll system

6.0 Reporting

- All information from the HealthRoster/e-rostering system which includes booking requests, cancellations & block bookings is reviewed and reported to

senior management on a monthly basis. These reports are used to formally report TSS and Agency usage across the Trust.

- The reports are used to understand staffing requirements, trends in reasons for usage and financial impact. The reports highlight any trends in usage by areas and across the Trust as a whole.
- Managers will be required to have a clear understanding of their TSS/Agency usage and give clear reasons for booking requests, associated costs and failure to follow TSS guidance.

7.0 Availability of TSS workers

TSS workers are informed at induction how they can leave their availability and managers are encouraged to let TSS workers have time during their shift to leave their availability on Employee Self- Service.

- TSS workers are responsible for ensuring that they provide their availability for bank shifts. This can be done by using Employee online(EOL) which can be accessed via this link
<https://eol.bsmhft.nhs.uk/EmployeeOnlineHealth/LIVE/Login>
- TSS workers are required to have a personal login to Trust's computers via the IT department in order to access EOL facility. EOL will also enable workers to view any shifts that have been finalised or any future bookings.

8.0 Joining TSS register

8.1 Internal Staff joining TSS

- Substantive Trust staff may apply to join TSS using the internal TSS application form on the TSS Trust intranet site. However, all substantive band 5 nurses and band 3 HCA's will be auto-enrolled onto the Trust bank for the same post / role bank position and grade as per their substantive post. This will happen within 5 working days of the Trust Induction. A substantive member of staff in one of these roles that is auto-enrolled onto the bank is not required to complete a TSS worker agreement form (Bank Registration Agreement for Temporary Workers) - nor is any substantive member of staff required to complete the Bank Registration Agreement for Temporary Workers due to having a Substantive Contract of Employment.
- Substantive staff need to ensure that they have their substantive manager's authorisation on the application form.
- Staff will only be able to commence TSS work once they have been allocated a new assignment number and are set up on the HealthRoster system and e-rostering via TSS, ESR and the e-rostering Team.
- Staff need to be aware that they must not accept TSS shifts prior to joining TSS as they will not be paid unless they are on HealthRoster system and ESR. This can take up to 7 working days to set up.

- A Temporary Staffing Solutions Internal Application Form will be completed for all substantive staff that have opted to join the bank and will be held in a secure location where it can easily be retrieved. This aids the Trust in demonstrating that they have gained consent from substantive staff members to join the staff bank.

Please note that staff that are already substantive or bank in a non-clinical role i.e. Administration, but want to join TSS to undertake a clinical role e.g. Healthcare Worker will need to go through the same internal / external recruitment process as staff that do not work for BSMHFT. For example, a DBS check may be required for any additional bank assignment which is not their substantive role or not in their substantive area of work. Please contact bsmhft.recruitment@nhs.net for clarification.

8.2 External Applications for TSS

- Non BSMHFT staff can only apply to join TSS via the external recruitment process via an advert on NHS Jobs. TSS place adverts for clinical and non-clinical staff and candidates are required to apply online in the usual way.

9.0 Importance of Working Time Directive (WTD) requirements

- The Trust is required to adhere to the Working Time Directive (WTD) which is a legal requirement and is there to protect the health and safety of workers.
- Workers are only able to work a maximum of 48hrs in any one week averaged over a 17-week reference period this includes hours worked in a substantive post. Workers are able to opt out of this by completing the TSS form and complete 60 hours per week.
- Workforce Team review the working pattern of bank workers on a weekly basis and will be monitoring any breaches. Workforce/TSS team will contact bank workers if any breaches occur.
- Managers at ward level are able to view substantive member of staff complete working patterns and therefore should ensure EWTD is not breached

The regulations also cover breaks and rest periods:

- All workers must have a minimum break of 20 minutes (unpaid) if working 6hrs.
- An 11 hour rest period between each shift worked in a 24hr period
- A minimum of 1 day (24 hrs.) rest day per week.

Please note the following shift patterns are not compatible with Working Time Regulations and should not be worked:

- A Late shift followed by a night shift
- A Night shift followed by an early shift
- An Early shift followed by a Twilight or Night Shift
- A Night shift followed by a late shift

- A 9 -5 shift followed by a night shift
- Training days are included as a normal working day so are counted as a shift worked therefore the same EWTD rule applies
- All workers must adhere to EWTD. Any workers found consistently breaking these rules will not be allowed to work via TSS and their name will be removed from the TSS Register and their TSS agreement terminated.
- If a bank shift has not been worked in the last six months the bank workers assignment(s) will be removed from the bank. If a bank worker feels that they have a genuine reason why they have been unable to work a shift, they can contact the TSS Department.
- A bank worker can contact the TSS department to apply to rejoin the bank should they wish. The relevant documentation will be provided to you to complete.

Further details can be found in the link below.

<http://www.legislation.gov.uk/ukxi/1998/1833/contents/made>

10.0 Retrospective Bookings

- Retrospective bookings are bookings where staff have been contacted by the clinical area/ward to work in clinical areas without the knowledge or authorisation of the TSS department.
- Retrospective bookings are not in accordance with the Trust's Standard Financial Instructions The TSS team will review on a monthly basis if any managers have made retrospective bookings and report this to the appropriate CNM for review/action.
- Details of managers who have been found not to have followed the TSS protocols and made repeated retrospective bookings will be sent to CNM's on a separate monthly basis for review and appropriate action. It is expected that a discussion will take place with the manager to understand why the retrospective booking was made, with any mitigating circumstances being taken into account.

Where a manager has repeatedly made retrospective bookings in 3 consecutive months within a 12 month period the matter will be escalated to the CNM for review in the first instance.

11. CONFLICTS OF INTERESTS

All Bank workers must report immediately to the TSS Office any gifts and/or hospitality they receive and all material interests in connection with an assignment. The Trust considers it to be a serious offence for anyone, in connection with the Trust, to accept gifts and hospitality, other than by way of a token nature, from any person or business with whom you or the Trust is involved. This also includes an offer to a third party or acceptance of any benefit whether financial or in kind from any other party (other than the proper remuneration from the Trust). If in doubt a TSS worker should seek advice from the TSS Office or assigned line manager. Failure to comply with this guideline will be treated as misconduct and may result in their removal from the TSS Register.

12 Disclosure and Barring Service

- Subscribing to the Disclosure and Barring Service Update Service is required by all bank workers. This is an annual requirement, and the Trust will reimburse the annual cost of £13 through a salary payment.

These guidelines are not exhaustive and will be regularly reviewed in line with any changes in operation of The Trusts Temporary Staffing Solutions