

Establishment Control Panel Terms of Reference

Constitution & Authority	The Establishment Control Panel was established by the Executive Management Team with Director level authority to ensure safe staffing levels within robust workforce & financial controls and processes.
Overall Aim/Duties	<p>The purpose of this Panel is to receive, authorise and monitor as appropriate, any requested changes to the Trust's staffing levels and establishment figures.</p> <p>The Panel has been established to scrutinise all requests to fill vacancies and to make a decision as to whether the vacancy should;</p> <ul style="list-style-type: none"> • Be withheld (frozen for a period of time or given up completely); • Recruited to but from internal applicants only; • Recruited to and advertised externally. <p>The Panel will also review all requests for temporary staff use (where the assignment will be for longer than a week/ 5 working days) and make a decision as to whether;</p> <ul style="list-style-type: none"> • Bank only can be used for a defined period of time; • Agency can be used for a defined period of time; • Neither Bank nor Agency can be used. <p>Temporary staff use (emergency circumstances only) will be assessed and reviewed at the Temporary Staffing Tracker performance meeting. The use of temporary staff which are above the NHS Improvement cap rates need to be signed off and approved by the Business Group Director, or equivalent. Out of hours, this approval will default to the Executive Director on-call.</p> <p>In addition to the above, the Panel will also be responsible for reviewing and challenging;</p> <ul style="list-style-type: none"> • Requests to extend fixed term contracts, acting up and secondments. • WLI and overtime payments • Requests to override the Agency cap for reasons of patient safety and performance compliance. • Requests for retire and return in line with the Retirement Policy • Requests for approval to pay removal expenses • Requests for approval to pay recruitment & retention premia • Review & monitoring of the redeployment register, including pay protection arrangements. <p>In establishing and drawing opinions on the above, the panel will give due consideration to;</p> <ul style="list-style-type: none"> • Current use of temporary staff in the Business Group/ Directorate and the plan on how these staff are to be exited; • How long the post has been vacant and how work has been redistributed over the period; • Whether the service is contributing financially; • Whether the Business Group/ Directorate are on or under budget; • Current cost reduction plans and organisational change processes (including plans to restructure/ change the service); • Findings of the Workforce Efficiency Group meetings; • Consistent provision of quality or safety of the service.

	No binding decisions are made unless quorum is met.
Timescale for Decision Making	<p>Decisions will be communicated by the Secretary to the Business Group Director, the Business Group HR Manager the central Temporary Staffing Team (where appropriate for temporary staff approvals) and the relevant Business Accountant before close of business on the day the Panel meeting is held.</p> <p>Where further information is required by the Panel before a decision can be made the request will be reconsidered at the next meeting (provided the requested information is received).</p>
Process for submission	<p>All temporary staffing requests (where the assignment length exceeds one week/ 5 working days) need to be approved by the Panel and all Agency requests must be secured at rates within the cap;</p> <p>It is the responsibility of the Business Groups to liaise with the Temporary Staffing Team and/or the Business Group accountant to ensure sufficient information and documentation is available to support the request to the Panel.</p> <p>Temporary staffing requests that are as result of inadequate staff-rostering or poor planning of overall staffing requirements will not be approved.</p> <p>Where a request for temporary staff for a period of over one week/ 5 working days is as a result of a sickness absence, the sickness absence must be detailed on the absenteeism tracker and will be reviewed at the Absenteeism meetings to ensure an appropriate “<i>return to work</i>” plan is in place.</p> <p>All submissions and relevant supporting documentation should be submitted to the Secretary <u>before 4pm on Thursday</u>.</p> <p>No retrospective requests will be considered by the Panel and virtual approvals will only be permitted in urgent emergency circumstances. Requests for extensions to temporary staff contracts need to be made 3 weeks in advance of the contract expiring otherwise they will not be approved.</p> <p>Staff are reminded that the engagement of temporary staff without the necessary approval and the breaching of the capped rates without approval from the Panel will be deemed to be in breach of Standing Financial Instructions, which is covered by the disciplinary policy. Therefore it is imperative that the rules and application processes are adhered to.</p>
Agenda & Papers	The Agenda and relevant supporting papers will be circulated by the Secretary by 1pm on Friday