

Frequently Asked Questions

I require cover immediately, do I have to complete and email an Agency Request Form?

If an agency worker is required immediately you can approach the agencies (in the ranked order) and complete the agency request form in retrospect. This will help to ensure you have confirmation of what had been requested and what the agency had agreed to provide.

Where IR35 is likely to apply to an engagement and you are unable to establish if the worker is PAYE prior to engagement – ask the worker at the earliest opportunity if they are set up as a sole trader, limited company, partnership or engaged through someone else (other than the agency), where this is the case you must undertake the [IR35 self-assessment](#) asap.

How do I know which method to use when approaching agencies to source an agency worker?

You can refer to the [Contact Details Factsheet](#) which details the method that should be used to approach agencies for different 'lots' of worker.

Are there any considerations regarding pay after an agency worker has been engaged?

After a 12-week qualifying period, an agency worker will be entitled to the same basic conditions of employment as if they had been directly employed by the hirer on day one of the assignment. To reflect this, once the 12 week period has passed, the rate selected on iProc should reflect the post 12 week rate. This rate may increase as the worker will be entitled to the same rate of pay as an employee – with the addition of supplier contribution and commission rate paid to the agency supplier.

Other conditions also need to be taken into account and are highlighted within the [Agency Worker Started and PO Raised](#) information sheet.

What is an on-framework agency supplier?

An agency supplier that is 'on-framework' is an agency with whom Aberdeenshire Council have agreed terms and conditions and have obtained the best rates possible for the agency workers engaged.

HR & OD POLICIES

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Q&A

What is an off-framework agency supplier?

This is an agency with whom we have no agreed terms and conditions or rates in place. If you are considering approaching an agency that is not included on the framework, it is necessary that you complete the [Procurement Feedback Form](#) and ensure you comply with [GDPR](#) and [Financial Regulations](#). It would be best practice to liaise with Legal and Governance to help ensure you have a full understanding of the terms and conditions you are agreeing to.

What if I need an agency worker for a period that extends beyond 12 weeks?

Prolonging an agency worker engagement beyond a 12 week period is a service decision. However, you could explore the option of running a recruitment campaign alongside the extended engagement, if deemed appropriate. The agency worker can apply for the role if they are interested – a finder's fee may apply (this can be confirmed by the Resourcing Team).

What can I do if the on-framework agency suppliers cannot provide me with an agency worker?

You need to complete the [Procurement Feedback Form](#) to ensure Commercial and Procurement Services are aware there may be a gap in provisions from those agencies on the framework. It may be necessary to approach off-framework agencies, however, you should ensure you comply with [GDPR](#) and [Financial Regulations](#). It would be best practice to liaise with Legal and Governance to help ensure you have a full understanding of the terms and conditions you are agreeing to.

What will I do if I receive unsolicited calls from agencies?

Let them know we have a framework agreement in place and direct them to [Commercial and Procurement Services](#) for any additional information.

Do I have to undertake an IR35 check every time I engage the same agency worker?

Yes – This is needed to ensure we are complying with HMRC requirements.