



<b>Policy Hierarchy link</b>	<b>Recruitment and Selection Policy</b> (Under development)		
<b>Responsible Officer</b>	Director, Human Resources		
<b>Contact Officer</b>	Senior HR Manager		
<b>Superseded Documents</b>	Not applicable – new Procedure		
<b>File Number</b>	2011/05517		
<b>Associated Documents</b>			
<b>Version</b>	<b>Authorised by</b>	<b>Approval Date</b>	<b>Effective Date</b>
1.0	Executive Director, University Services	12 December 2011	16 December 2011

## 1. Purpose and Scope

This Procedure provides the circumstances in which managers can engage people to perform work through an Agency, and the process and approvals for such engagements.

This Procedure applies to all situations where a person is engaged to perform work or services for UNSW through an Agency, commonly referred to as Labour Hire (see explanation below). This Procedure does not apply to the engagement of recruitment agencies for the sole purpose of sourcing labour (i.e. search firms) where the successful candidate will be employed by the University.

## 2. Definitions

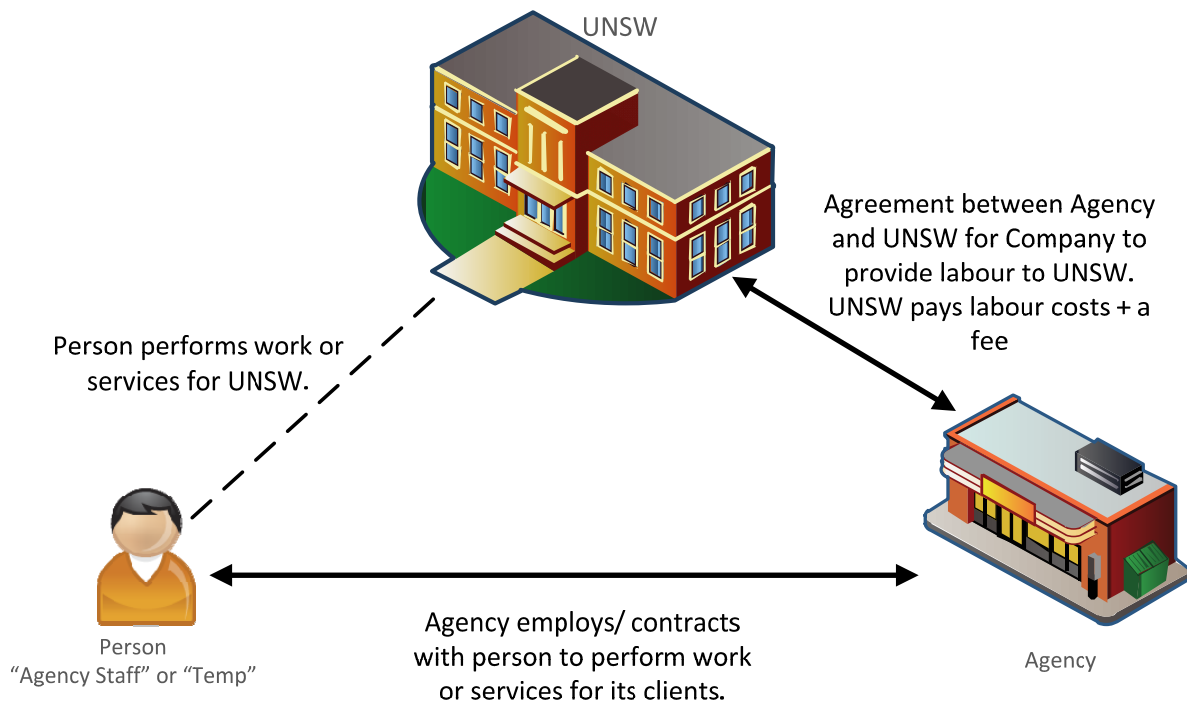
**Agency**  
(also known as Recruitment Agency, Employment Agency or Labour Hire Agency)  
An organisation that sources people to perform work/services for a company, employs/contracts the person and then provides the person to a company to perform the work/ services. The Agency charges the labour costs plus an additional fee to the company.

**Agency staff**  
(also known as Temps)  
A person who performs work or services at UNSW, but is employed or contracted by an Agency, instead of being employed or contracting directly with UNSW

**Contractor**  
An individual or company that runs their own business and contracts with UNSW to provide services. It should not be used to describe a temp or agency staff, however it is commonly, mistakenly used in this context.

### What is Labour Hire?

Under a labour hire arrangement, the University has an agreement with an Agency for them to source and provide labour to perform certain work or services. The Agency employs or contracts with a person and provides that person to UNSW to perform the work or services. The University does not have any direct employment or contractor relationship with the person (who is commonly referred to as a temp or agency staff). The University pays the labour costs to the Agency plus an additional fee for the Agency's work in sourcing and employing/contracting the person. A diagram of the arrangement is set out below:



### 3. When can an Agency be used?

The University's strong preference is to engage employees directly, as the use of Agencies is not considered to be a cost effective method of engaging labour. However, the University recognises that in limited circumstances, there may be legitimate reasons for engaging a person through an Agency. This procedure details the circumstances when Agency staff may be used. People should not be engaged through an Agency outside of these circumstances.

#### Circumstances when Agency staff may be used

- There is a short term need for labour (typically no greater than 6 months) or to fill an unanticipated peak workload – for example, engaging a temp to cover a period of annual leave or as an interim arrangement while recruiting for a replacement for someone who has left;
- Where there is an immediate need for a person to perform work and the standard recruitment methods are not practicable;
- To perform work/services on a project (typically no greater than 12 months) where the project requires highly specialised skills; or
- Other exceptional circumstances with approval from the Director, Human Resources.

Prior to utilising this type of arrangement, the manager should consider whether the labour need could be met through a form of employment (for example, a fixed term employment contract or a casual employee). Other than in exceptional circumstances, a person should not be engaged through an Agency for more than 12 months.

### 4. Qualified Agencies

In order to engage a person through an Agency, the agency must be a Qualified Agency under the University's Pre-Qualification Scheme. The list of Qualified Agencies is available from Procurement [www.fin.unsw.edu.au/OurServices/Procurement\\_BuyingGuide.html](http://www.fin.unsw.edu.au/OurServices/Procurement_BuyingGuide.html). Any Agency can apply through Procurement to be added as a Qualified Agency, provided that it meets the University's standard terms and conditions.

### 5. Procedure for engaging a person through an Agency

In order to engage a person through an Agency, the manager must comply with the following procedural requirements:

- a) Check the arrangement complies with the circumstances when agency staff can be used and the total estimated duration of the arrangement not exceeding the time periods, as outlined in section 3 above; and
- b) Obtain approval from the Head of the budget unit.
- c) Engage a suitable candidate through a Qualified Agency, as follows:
  - i. Check the UNSW Buying Guide to identify Qualified Agencies, contact details, and applicable fees. The UNSW Buying Guide is available at the following link: [www.fin.unsw.edu.au/OurServices/Procurement\\_BuyingGuide.html](http://www.fin.unsw.edu.au/OurServices/Procurement_BuyingGuide.html) (unipass required to access);
  - ii. Contact one or more Qualified Agencies and provide them with details of the required position (including a list of duties), the duration of the assignment, hours/days per week required, and the total hourly salary you are willing to pay;
  - iii. Qualified Agency/s should provide you with information for 3+ candidates within 24 hours (4 hours if notified as urgent). Resumes should be provided with a Candidate Cover Sheet detailing an itemization of costs/details for the person;
  - iv. Select a suitable candidate and notify the Agency. If no suitable candidates are presented, contact other Qualified Agencies and follow the same process or consider alternative methods of recruitment (e.g. advertising); and
  - v. Prior to the person commencing the assignment, the Qualified Agency must provide you with an Individual Assignment Contract and Confidentiality Deed (if required) signed by the candidate. The Individual Assignment Contract needs to be reviewed and signed by a UNSW Financial Delegate and a copy kept for UNSW records.
- d) Raise a bulk purchase order within the NSS Finance Portal for the total duration of the assignment. Insert the full name (first name and surname) of the candidate (or for multiple hires, insert details for each candidate) in the purchase order description, including their position title and the duration of the assignment. A purchase order will be issued by the Faculty/Division Finance Staff when the first valid tax invoice is received.
- e) Agency Staff performs the work or services.
- f) When an invoice is received, check that the invoice is correct and has a valid timesheet attached. Send the invoice to Accounts Payable for payment.

## 6. Converting an agency staff member to an employee of UNSW

It is not uncommon that where an agency staff member has been doing work for UNSW, it becomes apparent that there is an ongoing need for that work to be done. In these circumstances, the relevant manager can seek to convert the agency staff to continuing, or fixed term employment with the University.

In some cases, the manager may provide justification for doing so without following a merit based selection process (e.g. because the Qualified Agency has already complied with principles of merit based selection in providing staff to the University and there are no other potential internal candidates for the position). In other cases the conversion may be after a merit based selection process.

To convert an agency staff member, the relevant manager should contact Human Resources to arrange an offer of employment to be made.

**Managers should be aware that there may be a conversion fee charged by the Labour Hire Agency in these circumstances, and that any such costs will be borne by the local work unit. Advice on these costs should be sought before any decision to offer employment is made.**

## 7. Review & History

This Procedure will be reviewed every 3 years.

Version	Authorised by	Approval Date	Effective Date	Sections modified
1.0	Executive Director, University Services	12 December 2011	16 December 2011	New procedure

