

# Working With an Agency



Using a recruitment agency for your temporary or permanent staff can be not only a time saving and cost effective solution, but also a way to add value to your business. But are you a little unclear about just what level of service you can reasonably expect from your agency? Here's a short summary of your agency's responsibilities in its dealing with you. You could also have a look at the REC's Code of Professional Practice for more information about the business standards expected of REC member agencies.

## What you can expect from your recruitment agency...

**Unsolicited Calls:** Any agency should agree to remove you from their database if you politely request not to be contacted again. If you are registered with the Telephone or Fax Preference Service, you have a legal right not to be "cold called". However, remember that even TPS registered firms can be contacted by any firm they have a previous relationship with – even if you did not ultimately give them your business.

**Terms and Conditions:** An agency should provide you with its Terms and Conditions of business from the first meeting, and before they provide you with any services. The terms should be not only lawful but also clear and transparent – and the agency should be happy to discuss them with you and to answer any questions.

**Fees:** The agency has the right to charge certain fees, including a margin on temporary assignments, a placement fee for permanent assignments and temp to perm fees for temporary workers they introduce who go on to be permanent employees with you. They should state their fee structure up front.

**Complaint Handling:** The agency should have a clear written process for how to manage any complaints if problems should emerge in your interactions. You may wish to ask them about this early in your partnership to avoid confusion later.

**Accountability:** Similarly, the agency should be clear about what external authorities regulate its work. If they are REC members, for instance, they are subject to the REC complaints and disciplinary procedure. The Department for Business, Enterprise and Regulatory Reform regulates all agencies according to industry legislation. Certain sectors, such as agriculture and nursing, have separate regulatory bodies.

**Equal Opportunities:** An agency should have a clearly written equal opportunities policy and should be able to explain how this will influence their services.

**CVs:** An agency should never send you a CV without the express permission of the candidate.

**Candidates:** Any candidate that an agency recommends for your role should be "suitable" – and the agency should always be able to justify what in the candidate's skills or experience makes them a good fit for the role.

**Checks:** The agency is required to conduct certain checks on candidates before placing them in a position. These checks include identity and eligibility to work. An agency should be very clear during a placement exactly which checks have and have not been done – in some cases you will be expected to perform certain candidate checks yourself, and the agency should clearly state when this is the case.

**Unsatisfactory Temps:** If a temporary worker does not meet your expectations or requirements, you are not obliged to continue their assignment. Your agency should have a procedure for what you should do if you are unsatisfied with an individual worker.

**Your Contact:** An agency should always specify the individual or team that will be managing your account, and should keep you informed of your new contact if your existing contact should move on.

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## What your recruitment agency can expect from you...

To get the most out of your relationship with a recruitment agency, you need to be honest about your situation, clear in your instructions, and open-minded in listening to your consultant's advice. Following the advice below can help ensure that all of your dealings with recruitment partners are professional and productive.

**Unwanted Contact:** If you receive unwanted commercial solicitation from agencies, simply advise them firmly but politely that you do not wish to receive further contacts. Remember that until you ask them to terminate their contacts the agency is doing nothing wrong in seeking to offer you their services. Equally, if you feel you are receiving too many calls from an agency with which you have an existing relationship, simply advise them clearly how often you want to be contacted and what is your preferred contact mechanism (phone, text, e-mail).

**Briefing an Assignment:** For both temporary and permanent placements it is important to give a full and detailed description of the work to be performed. This should include information such as the hours and location of work, to whom the candidate will be reporting and what type of tasks will be involved. For longer term assignments and for permanent contracts you should also provide a person specification describing the skills and attributes essential to the role. This will help the agency to find candidates with the right skills.

**Understand What You're Agreeing To:** The agency is required to send you their terms and conditions before an assignment and, unless you specifically object to or query them, your agreement is considered to be implied. Therefore, when you do receive these documents make sure to read them promptly and thoroughly. If you have questions, ask them immediately and make sure you get an answer. Although this may not seem important

at the time, it is much better to begin the working relationship on a clear footing than to start to raise concerns after it is already too late. If you do agree any changes to the agency's standard terms, make sure these changes are put in writing for future reference.

**Worker Management:** Be clear with the agency about who will have direct control over the worker while they are on assignment and, if appropriate, allow them to speak to that person directly if they have questions. Remember as well that the agency has a legal responsibility to pass on to the worker any relevant information about health and safety at your site, so if they request a Health and Safety assessment for this purpose do make an effort to accommodate them – it's for everyone's benefit.

**Payment:** Your bills should be paid promptly. Not only is this good business practice and professional courtesy, but you should understand that, for a temporary assignment in particular, the agency will already have paid the worker long before you receive your invoice. Typically agencies take enormous financial risks by outlaying significant costs to ensure their workers are paid on time while clients are not invoiced until later. Even where clients have a good intent to pay, delays in making payment can exacerbate an agency's risk and cause extreme commercial pressures that can hurt your relationship and ultimately the service an agency is able to deliver.

**Openness:** Within the constraints of commercial confidentiality, please try to be as open as possible with your agency about the reasons behind your recruitment decisions. For instance, if you can let your consultant know that a new position has been created because of planned organisational restructuring that is going to grow a particular department, or that a certain role is not being recruited right now while you wait for a Board decision – this kind of information helps recruiters to think ahead, provide strategic advice, and better identify candidates who might suit your requirements.

**CVs from Multiple Agencies:** If you receive the same CV from more than one agency – even if it is unsolicited – and if you are interested in interviewing the candidate, you should explicitly reject the terms of the agency you do not wish to contract. This will avoid the risk of being charged by both agencies – or winding up in a legal dispute.

*"A good recruitment process requires investment and the best process will allow companies to hire the right person in a timely, cost effective manner."*

Ian Ruddy  
Head of People Services for O2



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