

RECRUITMENT AND SELECTION POLICY AND PROCEDURES

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VALIDITY – Policies should be accessed via the Trust internet to ensure the current version is used.

CHANGE RECORD

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Contents	Page
1. INTRODUCTION	3
2. SCOPE	3
3. POLICY STATEMENT	3
4. DUTIES & RESPONSIBILITIES.....	3
5. PROCEDURES.....	5
6. EQUALITY & DIVERSITY	5
7. MENTAL CAPACITY	5
8. BRIBERY ACT	5
9. IMPLEMENTATION	6
10. MONITORING & AUDIT	6
11. REFERENCES/EVIDENCE/GLOSSARY/DEFINITIONS	6
Appendix 1 – Legislation Summary	6
Appendix 2 – Recruitment and Selection Procedure	9
Appendix 3 – Flowchart detailing differences with regard to Doctors recruitment	22
Appendix 4 – Trust Management Development Programme	23
Appendix 5 – Human Resource Recruitment Team Appointment Checklist	24
Appendix 6 – Professional Registration Procedure	25
Appendix 7 – Trust Reference Request Form	26
Appendix 8 – Recruitment of Ex-Offenders	28
Appendix 9 – Retire/Returns Process	29

1. INTRODUCTION

Effective recruitment is central and crucial to day-to-day functioning of any organisation. The ability of the organisation to adapt to changing internal and external environments, patient expectations, medical/clinical developments, new technology and legislation is dependent on the successful recruitment of employees with the appropriate level of skills, competence, expertise, qualifications and personal qualities to deliver organisational objectives and make a positive contribution in line with the values and aims of the organisation.

2. SCOPE

This policy applies to all employees of the Trust, staff with honorary contracts, students, voluntary workers, contractors, seconded staff, bank and agency staff, Doctors of all grades (see flowchart appendix 1 for differences) irrespective of age, colour, disability, nationality, religion/belief, sexual orientation, marital, social and employment status, gender reassignment, political affiliation, trade union or other membership or any other status.

3. POLICY STATEMENT

This policy, together with associated policies, procedures and guidelines will aim to ensure:

- Compliance with current employment legislation and equal opportunities at all stages of the recruitment and selection process, including commitment to be positive about Disabled People and people who have used mental health services.
- Best practice is applied.
- Selection is fair and systematic using objective, non-discriminatory job related criteria.
- Consistent application of the policy will enable the Trust to defend challenges from unsuccessful candidates.
- Commitment to Improving Working Lives; considering flexible working options, providing staff with personal development opportunities and appropriate support to maintain their health, safety and well-being to enable them to fulfil the full role and responsibilities for which they have been employed .

4. DUTIES & RESPONSIBILITIES

Chief Executive

To assure the Board that this policy is acted on through delegation to the appropriate business units and committees.

Trust Board

- To ensure that this policy is acted on through delegation of responsibility for the development and implementation of the policy to the appropriate directors and committees.
- Ensure the policy, procedures and guidelines comply with UK law requirements (see appendix 2).
- To ensure the policy and procedures are monitored and reviewed formally through the appropriate committees e.g. Trust Consultation Negotiation Committee (TCNC).

Directors and Assistant/Associate Directors

To ensure that this policy is acted on through a process of policy dissemination and implementation in collaboration with Trust senior managers.

Human Resources

- Provide specialist advice, guidance, support and training as required to Trust managers and staff.
- Assist Managers with the advertising, short-listing and interviewing processes.
- Will ensure all documentation and processes are kept and managed in accordance with Data Protection for Employment Records Policy
-

Employment Checks

- Ensure all necessary checks are satisfactory: verification of identity, confirmation of the right to work in the UK, confirmation of qualifications, confirmation that clinical staff are currently registered with the appropriate professional body; Disclosure and Barring Service (DBS) for relevant posts (including Protection of Children Act and Protection of Vulnerable Adults checks where necessary); NHS Alert letters, References and Occupational Health checks in accordance with Trust and NHS standards before the prospective employee commences work.
- Issue unconditional and conditional offers of employment.
- Advise managers on consulting relevant parties where checks appear unsatisfactory.
- Withdraw conditional offers of employment when checks are confirmed as unsatisfactory.
- Will provide data/information from recruitment teams for a quarterly Governance Committee report on recruitment and selection activity.
- Will ensure feedback from Governance Committee is shared at HR team meetings following the quarterly report and appropriate actions/responses are recorded in the minutes.
- Will conduct an annual audit that reviews policy into practice, with specific reference to NHSLA and other appropriate standards/ requirements and that actions from this informs/changes policy and local practices.
- Will contribute recruitment information in the annual HR report.
- Monthly leavers' reports will be checked against the Work Permit register by the Human Resources department and the UK Border Agency informed accordingly, if any employees listed on our register leave our employment. Similarly, if staff who are working on a work permit or have leave to remain do not turn up for work and are absent without leave, the line manager must immediately contact the Human Resources department who will inform the UK Border Agency accordingly.

Professional Clinical Registration

- Human Resources Team check with relevant professional bodies on a monthly basis via a data quality report to ascertain the current registration status of professional staff employed in the Trust. Human Resources contact Line Managers to inform them of any registrations due for renewal. Human Resources also inform Line Managers of next steps to be taken should the individual not renew their registration.

Training Department

- Will ensure any relevant training needs associated with recruitment and selection that are identified within the Training Needs Analysis are provided through planned sessions and/or customised training sessions
- Recruitment and Selection Training is currently provided as part of the Trust Management Development Programme (see appendix 3) and detailed understanding of the Recruitment and Selection Policy and Procedures are provided as part of this programme.
- Will ensure any training undertaken is recorded on ESR/OLM.

Senior Managers, Clinicians, Managers and Clinicians responsible for recruiting staff

- Need to be fully conversant with the policy and procedure and promote the policy and how it operates.
- Ensure equality and diversity issues are considered at the earliest opportunity and all appropriate individual support is identified and provided for e.g. use of interpreters, translation of documents, clarification of understanding of the policy and procedures, clarification of any cultural issues or barriers and adjustments to time-scales to accommodate the needs identified.
- Ensure all staff within their area(s) of responsibility are informed and understand the contents of this policy and other associated policies and procedures e.g. PADR, grievance, discipline, complaints, equalities policy, use of bank and agency staff, use of exit interviews, bullying and harassment, flexible working, maternity/paternity/adoption, retention, redeployment and redundancy, special leave, carer leave, work experience, criminal

records bureau, recruitment of ex-offenders, equal opportunities, confidentiality and use of staff information.

- Ensure all staff with delegated responsibility to recruit are appropriately trained and competent to undertake their role in recruitment and selection process and procedures.
- Ensure all staff treat any information gathered during this process as confidential. Staff who do not maintain confidentiality may be subject to disciplinary action.
- Ensure all staff using agency staff are recruited through the NHS Buying Solutions Framework

Procurement Department

- Will ensure agencies supplying staff conform to the NHS Buying Solutions Framework which includes safer recruitment processes and procedures

5. PROCEDURES

The procedure for this policy is included in Appendix 4.

6. EQUALITY & DIVERSITY

The Trust aims to treat all employees in a fair and equitable manner, recognising any special needs of individuals where adjustments need to be considered. The Trust aims to ensure that no employee suffers any form of discrimination, inequality, victimisation, harassment or bullying as a result of implementing this policy in line with the Equality Act 2010.

The Trust is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects employees and volunteers to share this commitment. The suitability of all prospective employees, volunteers, students or trainees will be assessed during the recruitment process in line with this commitment.

An equality impact assessment has been completed and any changes identified have been incorporated into the policy.

An Equality and Diversity Impact Assessment has been carried out on this document using the Trust approved EIA.

7. MENTAL CAPACITY

Non-clinical policy therefore not relevant.

8. BRIBERY ACT

The Bribery Act 2010 makes it a criminal offence to bribe or be bribed by another person by offering or requesting a financial or other advantage as a reward or incentive to perform a relevant function or activity improperly performed.

The penalties for any breaches of the Act are potentially severe. There is no upper limit on the level of fines that can be imposed and an individual convicted of an offence can face a prison sentence of up to 10 years.

For further information see <http://www.justice.gov.uk/guidance/docs/bribery-act-2010-quick-start-guide.pdf>.

If you require assistance in determining the implications of the Bribery Act please read the Trust Bribery prevention policy available on the intranet at <http://intranet.humber.nhs.uk/bribery-prevention-policy-p183.htm>

or contact the Trust Secretary on 01482 389194 or the Local Counter Fraud Specialist on telephone 01482 866800 or fraud@humber.nhs.uk

The Bribery Act applies to this policy.

9. IMPLEMENTATION

This policy will be disseminated by the method described in the Policy for the Development and Management of Procedural Documents.

This policy will be presented and disseminated at the Trust Open Space Forum through Team Brief and cascaded through Team communication channels and policy dissemination process. It will be made available on the Trust intranet site. It will be made available at appropriate HR Training sessions.

10. MONITORING & AUDIT

Monitoring will be achieved by an **annual audit** by Human Resources, through a nominated lead. The audit will use the current Appointment check list (appendix 5) that is in the front of all recruitment files, **aiming for 75% compliance with the policy**. Results will be included in the HR annual report. Issues identified will require the formation of an action plan to be reviewed and monitored through the Governance Committee Quarterly reports and the HR Team Meetings.

See Responsibilities of Human Resources for additional monitoring and audit arrangements.

11. REFERENCES/EVIDENCE/GLOSSARY/DEFINITIONS

NHS East Riding of Yorkshire Recruitment and Selection Policy and Procedure July 2009
NHS Employment Check Standards (current version)

Appendix 1 – Legislation Summary

A Summary of Legislation:

Health and Safety at Work Act (1974) under this Act employers have a duty to provide a safe and healthy working environment. Employees also have a personal duty of care to safeguard their own health and well-being as well as their colleagues.

Rehabilitation of Offenders Act 1974 Ex-offenders have certain employment rights if their convictions become „spent, including not having to declare spent convictions and protecting them against dismissal or exclusion (with certain exceptions, such as those working with children).

The Sex Discrimination Act 1975 (amendment) Regulations 2008 The SDA (which applies to women and men of any age, including children) prohibits sex discrimination against individuals in the areas of employment, education, and the provision of goods, facilities and services and in the disposal or management of premises. The SDA was amended in April 2008 to ensure compliance in two key areas, discrimination on grounds of pregnancy or maternity leave and harassment.

The Race Relations Act 1976 (as amended by the Race Relations (Amendment) Act 2000)
The Race Relations Act (RRA) makes it unlawful to treat a person less favourably than another on racial grounds. These cover grounds of race, colour, nationality (including citizenship), and national or ethnic origin. The Race Relations (Amendment) Act outlawed discrimination (direct and indirect) and victimisation in all public authority functions not previously covered by the RRA, with only limited exceptions. It also placed a general duty on specified public authorities to promote race equality and good race relations. There are also specific duties for listed organisations including the production of Race Equality Schemes.

The Disability Discrimination Act 1995 This Act prohibits discrimination against disabled people in the areas of employment, the provision of goods, facilities, services and premises, and education; and provides for regulations to improve access to public transport to be made.

The 2005 Act places a general duty on public authorities to promote disability equality and to have due regard to eliminate unlawful discrimination. Those listed bodies within the public sector will also be subject to specific duties of the 2005 Act. The specific duties provide a clear framework for meeting the general duty and include the requirement to produce a Disability Equality Scheme. The Disability Equality Duty for the Public Sector came into force in December 2006.

Protection from Harassment Act 1997 This Act provides an individual protection against an actual or apprehended breach of the Act to seek an injunction for the purpose of restraining the defendant in civil proceedings.

Employment Equality (Religion or Belief) Regulations 2003 These regulations outlaw discrimination (direct discrimination, indirect discrimination, harassment and victimisation) in employment and vocational training on the grounds of religion/belief. The regulations apply to discrimination on grounds of religion, religious belief or similar philosophical belief.

Employment Equality (Sexual Orientation) Regulations 2003 These regulations outlaw discrimination (direct discrimination, indirect discrimination, harassment and victimisation) in employment and vocational training on the grounds of sexual orientation. The regulations apply to discrimination on grounds of orientation towards persons of the same sex (lesbians and gay men) and the same and opposite sex (bisexuals).

Employment Equality (Age) Regulations October 2006 The Age Regulations implement the age strand of the EU Employment Directive 2000, which prohibits discrimination on specified grounds in work and vocational training. The Age Regulations apply to all workers and to people who apply for work. In addition, they will cover access to vocational training. The Age Regulations prohibit direct and indirect age discrimination, harassment and victimisation.

The Equality Act 2006 Under the Equality Act it is unlawful to discriminate on the grounds of religion/belief and sexual orientation in the provision of goods, facilities and services, education, the use and disposal of premises, and the exercise of public functions. The Act also created a duty on public authorities to promote equality of opportunity between men and women.

The Equality Act 2010

The Act aims to harmonise existing discrimination law and in some respects extend it.

- **Harmonisation and extension of discrimination law:** The prohibition in directly or indirectly discriminating "because of a protected characteristic" will cover age, disability, sex, gender reassignment, sexual orientation, race, religion or belief and, in many but not all instances, marriage and civil partnerships. "Disability related" discrimination will be replaced with a prohibition on discriminating against a disabled person by treating them unfavourably where that treatment is not a proportionate means of achieving a legitimate aim.
- **Discrimination by association:** The ban on discrimination by association will be extended to all protected characteristics and so will reflect the law developed in recent appeal cases. This should protect spouses, partners, parents and carers who look after a disabled person or older relative from discrimination. They will be protected by virtue of their very close link to that person.
- **Pay discussions with colleagues:** Employees will be free to discuss pay, (including seeking or giving information) with current and former colleagues, and discuss whether there is a connection between pay and having (or not having) a particular protected characteristic. Action taken against them for being involved in such a pay discussion will be unlawful victimisation.
- **Single equality duty:** The Act creates a new single public sector equality duty which will continue to cover race, gender and disability but will be extended to cover age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment. Public bodies will be required to consider needs, by reference to these characteristics, when designing and delivering public services.
- **Extension of the ban on age discrimination:** The ban on age discrimination is going to be extended to the provision of services and public functions. Exceptions will be made and some

treatment will be objectively justified. We are expecting that regulations will be published possibly in the autumn dealing with the exemptions.

- **Caste discrimination:** A provision was recently added to the Act giving the government power to introduce regulations to outlaw "caste" discrimination.
- **Extended definition of harassment:** unwanted conduct "on the grounds of" extended to that "related to" the relevant protected characteristic, The Act extends the definition to include harassment based on association or perception. For example it will cover harassment based on a person's association with their disabled child, or harassment based on a perception that a person holds a religious belief.

PROCEDURE FOR RECRUITMENT AND SELECTION

1. Introduction

The aim of this procedure, which should be read in conjunction with the Recruitment and Selection policy and other associated policies as appropriate, is to ensure that all applicants for employment within the Trust are treated fairly and consistently and in doing so ensures the Trust complies with current employment legislation and NHS guidance and standards.

2. Written resignation of employment

Unless the post is a new one the recruitment procedure generally starts when a member of staff hands in their notice, in writing, to leave their post within the team/service/department. Managers should ensure that the individual is fully aware of the implications of their written notice to terminate their employment before accepting it, and for the manager to understand and address any underlying causes for concern e.g. working relationships, bullying or harassment that may have contributed or caused the individual's decision to leave.

It is the manager's responsibility to ensure that a termination form or change form if the member of staff is moving internally within the Trust, including register of Trust property is completed with the employee. This provides an ideal opportunity to conduct an exit interview to discuss any factors that may have contributed to the individual's decision to leave.

3. Analysing the Team and the Job

Once a written resignation is accepted the manager can commence with the recruitment process. This should start with a full review of the team/department to assess the current and future workforce needs/plans. By reviewing the team/departmental current workload alongside future planned developments/changes such as new roles, new service provision, different patient/customer needs, the manager is able to assess if there is a need to fill the post at all, or at the same band, for the same hours etc.

HR welcomes the opportunity to advise/support managers at any stage of the recruitment process but in particular at the beginning, especially if there are important or unusual circumstances, e.g. short-term funding or organisational change affecting the organisation at the time the vacancy has arisen.

If the manager decides to recruit to the vacancy then following the analysis above the appropriate job description and person specification can be selected from the core competency, job evaluated posts available on request from Human Resources. Using these will enable managers to proceed more quickly and effectively with the recruitment process.

If managers have specialised, one-off posts that are not available within the core competency frameworks then these job descriptions and person specifications must be written in Agenda for Change format and it is essential that any proposed changes or new posts undergo job evaluation before advertising, therefore managers need to allow appropriate time for this to happen before proceeding with the recruitment process.

4. Authorisation to Recruit

Managers must complete the authorisation to recruit form, and if appropriate, the work structure form prior to submitting the post for advertising. This is to ensure that the appropriate funding and work structures are available and authorised, especially in times of organisational change or financial constraints/restrictions. Once these have been signed and approved they should be submitted to Human Resources (electronically and hard copy version for signatures).

5. Advertising

The objective of any advertisement is to attract a field of appropriately qualified applicants. However, an advertisement also has an impact on the image of the organisation, its function being to attract potentially suitable applicants whilst preventing unwanted applications, without discrimination occurring. The foundation of every advertisement should be a careful analysis of the job and should be aimed as explicitly as possible at the type of person identified in the person specification/KSF post outline to enable potential candidates to assess their suitability for the role.

Care must be taken to avoid discrimination on any of the protected grounds, by not using language which could be construed as e.g. "age-related", by specifying a minimum or maximum length of experience. Managers need to determine if there is any additional information which can be provided that will make recruitment to the post more informative or attractive e.g. information about the service and/or an organisation chart.

Trust advertisements are based on a "corporate" style and the approved wording regarding standard paragraphs, e.g. ability to travel, are included on the Authorisation to Recruit/Advertisement Request Form. This form also prompts details regarding salary, location, hours of work etc. as prospective candidates are more likely to respond if such queries are addressed. Consideration must be given to the application package. As a matter of course this includes the following:

- Application Form
- Guidance notes for applicants
- Job Description
- Person Specification
- Mental Health Service User Employment Service information

Any other additional information. Please note that for e-recruitment purposes these must be contained within one WORD document. Further information about the Trust is already available on e-recruitment as a link is provided from the recruitment website to the Trust website.

NB. Gender Specific Recruitment (Genuine Occupational Qualification)

Very occasionally the essential nature of the job calls for a person of a particular sex for reasons of physiology (excluding physical strength or stamina). The post may need to be held by a person of that sex to preserve decency or privacy due to likely physical contact, people could be in a state of undress or using sanitary facilities. Any advertisement must reflect the job outline and employee specification and clearly state those essential requirements of the post which are likely to disqualify certain candidates from applying. The advertisement must not contain any information which could be discriminatory and must clearly state the justification for the genuine occupational qualification. Advice from Human Resources should always be sought prior to stipulating a genuine occupation qualification as exceptions are very narrow and they will be strictly interpreted by any court or tribunal considering a case at a later date.

N.B. It is the manager's responsibility to ensure that once the advertisement has been completed that they get it approved in accordance with the latest Trust requirements. Managers are also responsible for ensuring that the appropriate job description and person specification, along with any other supporting material (all of which is required electronically) are submitted to the HR recruitment team.

The recruitment team is responsible for ensuring that the necessary approval has been given and that all the required documentation has been received and that the advertisement and job description have included the latest version of the Trust standard paragraphs and do not include anything that could be deemed as discriminatory or ambiguous. If the submission is incomplete or requires changes they will be returned to the manager for amendment. If all is correct a reference number will be issued and the advertisement placed.

All advertisements will be advertised for two weeks on the NHS jobs website www.jobs.nhs.uk unless restricted to a pool of internal applicants only. If this method of advertising proves

unsuccessful, managers may then use other media to place their advert e.g. local, regional or national newspapers or professional publications. The only exceptions to this rule are: (i) an advertisement for a Doctor as medical posts must be advertised in the press/relevant journals at the same time as they are placed onto the NHS website and (ii) very senior posts, when Trust Board will determine where such advertisements would best be placed and (iii) if there are any clearing house arrangements in place due to staff being at risk from organisational change.

NHS Jobs is the Trust's preferred method for managing the recruitment and selection process. This means potential employees are required to complete and submit their job application on line. Support for this is provided through Job Centre Plus, Positive Assets Team and the Human Resource Team, however staff/potential employees can request a paper application form or support from the team to complete their application on line.

A timetable, to include short listing and interview dates should be planned by the Appointing Officer, ensuring everyone involved is available. There should;

- **Be a minimum of at least ten working days between short listing and the interview date.** Wherever possible it is good practice to include the expected interview date in the advertisement.
- **Be a closing date set for two weeks** however the recruitment team will contact the Appointing Officer one week prior to the proposed closing date to update them on the amount of applications. The Appointing Officer can then decide whether or not they wish the advert to be closed early if they deem enough applications has been received for their recruitment purposes

In the event that a vacancy is advertised but no resident workers apply, or resident workers apply but none are suitable, **the vacancy must be re-advertised for a further two weeks before a migrant worker, who would require a Tier 2 certificate of sponsorship, can be appointed in order to meet the requirement of the resident labour market test. The four week advertising process, if split across two two-week periods must be completed within a three month time period. Alternatively vacancies can be advertised for a full four weeks and both resident and migrant workers would be shortlisted together.**

6. Short-listing

Managers are requested to short-list on line whenever possible, as this will speed up the recruitment process. On the first working day after the closing date of the advert the Human Resources department will send the electronic short-listing pack to the Appointing Officer by e-mail the pack will include:

- Short-listing monitoring form
- Reasons for not short-listing
- Job description and person specification

Part B of the application forms will follow as a separate email directly from the e-recruitment website.

At least two people, one of whom must be the **Appointing Officer, who is accountable for the interview process, must undertake short-listing. The Appointing Officer must have previously undertaken the Trust's recruitment and selection training and attended an update/refresher within the last 3 years.** Short-listing should be done using the person specification, and only include applicants who meet **all the essential criteria for the post.** This should be an objective, systematic process to ensure that applicants are not discriminated against on the grounds of sex, race, disability, religion, belief, sexual orientation or age. The Appointing Officer should also be part of the interview panel.

'At risk' staff

Staff who are eligible to apply for another post at the same band, or up to the same band, within the Trust and demonstrates on the application form that they meet **all** essential elements of the

Person Specification, will be guaranteed a preferential interview. Short-listing details related to these staff only will be released to Appointing Officer in the first instance

At this stage interviews will be restricted to those designated 'at risk', and they should not be compared to other applicants. If during interview, they prove to be border line with some skills, providing they can demonstrate the potential to fill the gap within a 6 month period, they should be considered positively. However, this is not a guarantee of a formal offer. In circumstances where the employee is unsuccessful the manager chairing the Interview Panel must give written reasons for their decision. Only when this process has been completed will other applicants' details be sent to the Appointing Officer. This is in accordance with the Trust's Change Management (Retention, Redeployment and Redundancy) Policy.

Applicants with a disability (as defined by the Disability Discrimination Act (DDA) 1995) and Equalities Act 2010

The Trust has pledged to offer an interview to all applicants with a disability who meet all the essential criteria for a job vacancy. This is one of the commitments given by the Trust when awarded the two ticks' positive about disability accreditation. Where an initial short-listing produces more people than is practical to interview and a second short-listing takes place disabled applicants cannot be excluded from the final list of applicants invited to interview. Appointing Officer can access their Human Resources Manager for advice and support during this process.

Any applicant who does not meet all of the essential criteria of the person specification (including disabled applicants) must **NOT** be short-listed for interview.

It is the responsibility of the Appointing Officer to ensure details of the short-listed and unsuccessful applicants and interview arrangements are processed on the website accordingly. The monitoring form together with the interview details should be emailed to Humber Recruitment. This is to ensure feedback from the Appointing Officer can be given to unselected applicants should it be requested. Any notes as to why the applicants were short-listed or not must be attached with the monitoring form and will be retained in the recruitment file for the post.

Short-listing and prior to interview – Professional clinical registration

Sufficient time (a minimum of ten working days) needs to be allowed between short-listing and the interview date in order:

- To give interviewees sufficient notification and preparation time for the interview (Invite to interview letters should include asking all applicants to contact the Appointing Officer if they have any special requirements/needs for the interview so that they are not disadvantaged in any way).
- To inform applicants via the interview letter what documentation and original/copy certificates for professional registration and qualifications (including portfolios if required) should be brought to interview for verification and copying.
- For the preparation of the selection criteria based on interview questions/answers and appropriate selection methods that meet the requirements of the post derived from the job description, person specification, KSF outline and other appropriate professional competencies/standards.

Prior to interview the Human Resources recruitment team will email an interview pack to the Appointing Officer containing:

- Covering letter to remind Appointing Officers of their recruitment and selection responsibilities
- Job description and person specification.
- Score sheet.
- Interview checklist.
- Interview monitoring form.
- Notification of appointment form.

The most effective recruitment interviews are those that are well prepared and structured. Therefore a systematic approach to selection and interviewing is essential. The agreed selection criteria and methods, relating to each key area should be recorded on the interview score sheet and each question/method should be weighted appropriately. Where the successful post-holder will work with children, young people or vulnerable adults, interview questions must be asked to assess the personal attributes of the interviewees relating to safeguarding knowledge/issues as well as the needs of such groups in relation, for example, to emotional maturity, resilience, values and ethics

Planning Selection Methods

In most cases a traditional recruitment interview will take place.

However, other methods can provide valuable information to enable selection by assessing all areas of the Person Specification e.g. typing tests, in-tray exercises, skill tests, presentations and scenario discussions. In order to be valid measures, these methods must be based on selection criteria derived from the job description and person specification. The Human Resources department can provide advice as required. Any methods chosen for the interview must be included in the interview letters.

Panel Membership

Panels should include, **as a minimum, the Appointing Officer and another member of staff relevant to the post under selection.** Consideration should also be given to involve service users/carers/members of the local ethnic/gay/disabled communities on the interview panel and include both men and women of differing age groups in order to reduce any potential discrimination.

The Appointing Officer is responsible for ensuring:

- The interview is carried out in accordance with Equal Opportunities legislation.
- The interview is conducted using best practice.
- All interview checklist items are discussed with all applicants, in particular all gaps in employment should be verified.
- The interview does not include any variation to standard Terms and Conditions without prior authorisation before the interview takes place (Human Resources must be consulted).
- Informing all applicants that the successful applicant will start at the bottom point of the pay band until any previous service has been verified, and that this will NOT be negotiated during the interview process.
- Travel expenses are paid, where requested, from existing NHS employees or from an applicant from abroad for a hard to fill post, but only from the port of entry.
- Doctors are entitled to travel expenses as part of their terms and conditions of service.

For clinical posts for Agenda for Change Band 6 and above must include a panel member with the relevant specialist knowledge and experience to assess applicants at interview. Where this experience is limited or not available internally, an outside assessor can be invited to be part of the recruitment panel. The constitution of panels for consultant and other medical posts are laid down in the NHS (Appointment of Consultants) Regulations.

Agree the role and responsibilities of the Chair (ensuring the interview is conducted in a non-discriminatory way and the final decision is reached fairly) and panel members, including the sequence of the selection questions/methods. Also decide who, when and how to communicate and inform the successful and unsuccessful applicant(s) of the outcome of the interview and for giving feedback as requested.

7. The Interview

The Environment

The Appointing Officer is responsible for the arrangements for the interview. These should include a comfortable, quiet, informal room where there will be no interruptions, appropriate arrangements to meet any access or other needs on the day by interviewees so they are not disadvantaged in

any way. Interviewees should be greeted and taken to the place of interview, allowing sufficient time for access e.g. any security arrangements between interviews and for notes to be made.

Recording

A record of the interview must be made, including all questions asked and answers given, as this evidence will be required in the event of any dispute or by an Employment Tribunal. **Each panel member should score the interviewees individually and immediately following the interview and prior to any discussion with other panel members.**

Legislation and Documentation

The NHS Employment Check Standards developed with the Department of Health and NHS Employers apply to all staff, volunteers, students, trainees and locums. Approved providers of agency staff need to ensure that they comply with these standards.

These include: occupational health checks, employment history, reference checks, DBS checks, professional registration and qualification checks, verification of identity checks and right to work checks.

After the interview

- Following the completion of all the interviews, the panel members will discuss all interviewees using their score sheets to inform the decision for the successful applicant. There must be clear, recorded reasons why each interviewee is accepted or rejected and the best person for the job must be the person who best/clearly fits the criteria set out in the selection methods of the interview.
- All interview documentation must be forwarded to the HR department who will keep the information on file for 12 months, in case of feedback or grievances required/made by interviewees.
- The Appointing Officer or nominated person will contact the preferred candidate by telephone or in person to make the verbal offer of employment (conditional offer - subject to satisfactory clearances)
- The Appointing Officer or nominated person from the recruitment panel will make contact (by telephone or in person) with all unsuccessful candidates and offer feedback from the interview process.
- After 12 months, unsuccessful candidates' information will be destroyed through the use of a shredder.

Professional Clinical Registration – Employment Checks

- Documentation requested in the invite to interview letter must be brought to the interview and validated by the Appointing Officer, who is also responsible for ensuring photocopies, are taken and signed/verified accordingly. The documents for the successful candidate must be forwarded to the HR Recruitment Team for inclusion into the candidate's personnel file.

8. Offer of Employment – Professional Clinical Registration

It is the responsibility of the Appointing Officer (or agreed nominated panel member) to make a verbal offer to the successful applicant(s) as soon as practicable after all the interviews have been completed and a decision made. This is a **CONDITIONAL OFFER ONLY**, subject to the necessary acceptable clearances being received and verified. The successful applicant should be advised not to submit their resignation for their current job until all clearances; documentation and verification processes have been made and confirmed by the Human Resources recruitment team.

The Human Resources recruitment team will ensure written confirmation of the verbal offer is made to the successful applicant(s) as soon as possible after the notification of appointment form is received from the Appointing Officer. This letter will include a list of the employment documentation and professional registration verifications that are required to be completed prior to commencing employment with the Trust.

9. Clearances – Employment Checks

In line with NHS Employers Employment Checks guidance, there are several legal and mandatory checks the organisation must carry out for the appointment and on-going appointment of individuals. These checks can be viewed via NHS Employers website

The Human Resources Recruitment Team is responsible for ensuring that clearances are obtained and checks carried out for all appointments as follows:

Proof of right to work in the United Kingdom

The Immigration, Asylum and Nationality Act 2006 (amended 2008) makes it a criminal offence for employers who knowingly employ illegal migrant workers and reinforces the continuing responsibility for employers of migrant workers to check their ongoing entitlement to work in the UK. Employers risk breaking the law unless they check the entitlement to work in the UK for all prospective employees and failure to do so could result in a civil penalty of up to £10,000 per illegal worker.

In order to confirm the right to work in the UK an employer must:

- a) request right to work documents
- b) validate the documents
- c) copy and securely store the documents.

These checks are only concerned with the individual's right to work in the UK and must be done in conjunction with verification of identity at their appointment with Human Resources in order that employers can be satisfied that the applicant is the rightful owner of the documents presented. In addition to the standards, employers must check the Border and Immigration Agency website for the latest information. Assumptions should not be made about a person's right to work or immigration status on the basis of their colour, race, nationality, ethnic or national origins, or the length of time they have been in the UK. The UK Border and Immigration Agency require employers to regularly check the personal details of staff who have been issued with a work permit and leave to remain.

If the personal details have changed the individual and or line manager must inform the Human Resources department by e-mail immediately. Monthly leavers' reports will be checked against the Work Permit register by the Human Resources department, and the Border and Immigration Agency informed accordingly if any employees listed on our register leave our employment. Similarly, if staff who are working on a work permit or have leave to remain do not turn up for work and are absent without leave, the line manager must immediately contact the Human Resources department who will inform the Border and Immigration Agency accordingly.

Where posts are unlikely to attract a Tier 2 certificate of sponsorship (formerly a work permit) applications from candidates who require Tier 2 immigration status to work in the UK may not be considered if there are a sufficient number of other suitable candidates. It would have to be demonstrated that the manager is unable to recruit a resident worker before recruiting an individual from overseas.

To avoid discrimination, all job applicants must be treated in the same way at each stage of the recruitment process and all prospective employees will be asked to produce satisfactory proof of their right to work in the UK.

The Human Resource Department will check all documents submitted by the successful candidate and if acceptable will store copies on the individual's personnel file. Any documents supplied from unsuccessful applicants will be destroyed by shredder after 12 months.

Should it be established that the preferred candidate has provided false documentation or it is established that they are not permitted to work in the UK after an offer has been made, the offer of employment will be withdrawn.

Professional Clinical Registration

A face to face meeting is an essential part of the verification process and it is therefore pertinent that this check takes place at interview in line with NHS Employers employment checks guidance.

- All original documents will require photocopying, signing and sending to Human Resources Recruitment Team for the successful applicant's file.
- A further check and face to face meeting is arranged by Human Resource Recruitment Team who use the appointment checklist (appendix 5) to record and verify all documentation and professional checks have been completed and received, and if not ensure that they are completed through this second face to face meeting. This check is particularly important in relation to RA Smartcards which require a face to face identification check before a form can be signed and a card issued.

Prospective employees must be informed that any offer of appointment may be withdrawn if they knowingly withhold information, or provide false or misleading information, and that employment may be terminated should any subsequent information come to light once they have been appointed (see appendix 6 for professional registration procedure)

Work health assessments (occupational health checks)

Pre-employment questionnaires should no longer be undertaken with all potential applicants after 1 October 2010 (Equalities Act 2010).

A conditional offer of employment can be made to the successful candidate subject to a satisfactory medical assessment, providing the employer does not discriminate against the applicant once medical information is revealed. The conditional offer letter will invite the preferred candidate to indicate which of the following two statements apply to them by either ticking statement A or B:

- A. I am not aware that I have a health condition or disability that might impair my ability to undertake effectively the duties of the position that I have been offered
- B. I do have a health condition or disability that might affect my work and may require special adjustments to my work or place of work

Managers must ensure the recruitment work health assessment form is completed by the preferred candidate after the interview has taken place and these need to be returned to the Occupational Health Team.

If any issues are identified then Occupational Health should advise managers accordingly. They may recommend adaptations to the post or identify equipment to enable the applicant to undertake the duties of the post in accordance with the Disability Discrimination Act 1995 (DDA) and Human Resources advice must be sought in this case.

The results of the occupational health check should be passed back to the Appointing Officer who should make a decision on employment based on this advice in conjunction with advice from Occupational Health and their Human Resource Manager.

Employment History and Reference Checks

Previous employment history must be checked before an unconditional offer is made to the preferred candidate. The Appointing officer will inform all applicants post interview that the preferred candidate will complete a personal statement to clarify and confirm any gaps in employment as prompted by the HR recruitment checklist.

Employers must:

- Ask applicants to provide details of their full employment and or training history and any recent or ongoing disciplinary action or referrals (e.g. to Professional Body)
- Seek references that validate at least three years of previous employment and/or training. Ideally you should aim to check a period that covers two separate employers (where possible), one of which should be from the applicant's current or most recent employer

- Always obtain references in writing (i.e. company letter via post or email, or by using a standardised form), although it may be necessary to further clarify information with the referee over the phone. Electronic references received via the NHS jobs reference request tool may be accepted providing the reference is from a bona fide company email address and contains an electronic signature (name and position of the referee company switchboard number and company address)
- Ensure information received from references is cross referenced to the information supplied on the application form

If an applicant has only worked as a volunteer, references should be obtained from the two most recent bodies for which they have worked.

Prospective employees must be informed that any offer of appointment may be withdrawn if they knowingly withhold information, or provide false or misleading information, and that employment may be terminated should any subsequent information come to light once they have been appointed

Should a member of staff be asked to complete a reference for a colleague for whom they have line management or supervisory responsibility they are doing so on behalf of the organisation and these must be accurate and not misleading. Employers should refrain from responding to/asking for comments in relation to whether or not a former employee would be suitable for the role for which they are applying or whether the referee would re-employ them.

Therefore staff supplying references on behalf of the organisation must use the template reference provided see (App 7). References should only be used to confirm a recruitment decision and not be used for selection purposes.

If a member of staff has been requested to provide a reference for someone for whom they do not have management or supervisory responsibility, this is deemed to be a character/personal reference and must **not** be provided on organisational headed paper.

If a member of staff is unsure about providing a reference for a colleague, advice from Human Resources should be sought. If a reference is supplied, a copy should be sent to Human Resources for their records.

Where the individual has been self-employed, evidence should be obtained that the individual's business has been properly conducted. If references are acceptable then the Appointing Officer should sign the letter sent with the references in the appropriate place and return both to Human Resources. If they are unacceptable this must be discussed with Human Resources prior to any decision/action being taken.

Employment checks may also return information which contradicts details provided by the applicant and may raise concerns which should be discussed with Human Resources.

If Managers have any concerns regarding an individual's reference, e.g. sickness absence, the individual's capacity from a health or disability perspective to undertake the full role and responsibilities of the post, they should make a specific referral to Occupational Health for assessment, advice and guidance. Managers should also discuss these concerns with their Human Resource Manager before any action is taken.

Disclosure and Barring Service (DBS)

The DBS provides access to police information across England and Wales. Criminal Record and Barring checks are designed to help prevent people from entering the NHS workforce and gaining access to vulnerable groups. These checks include information about criminal convictions, cautions, reprimands and warnings as well as local police information. The DBS provides two levels of checks: standard and enhanced. The level of check is dependent on the roles and responsibilities of the post. HR will decide and undertake the required DBS checks with the

preferred candidate after the interview has taken place. HR will also decide and undertake a request to preferred candidates to complete a model declaration form.

Appointing Officers are no longer required to ask candidates about spent and unspent convictions, cautions, reprimands or warnings at interview. Instead Appointing Officers will inform all candidates that appropriate checks, dependent on the roles and responsibilities of the post, will be undertaken with the preferred candidate prior to an unconditional offer of appointment being offered, as prompted by the HR recruitment checklist.

Verification of Identity Checks

The Centre for the Protection of National Infrastructure sees identity verification as the most fundamental of all pre-employment checks and is designed to determine that the identity is genuine, relates to a real person, and that the individual owns and is rightfully using that identity. These checks should be undertaken prior to any individual commences any form of work, paid or unpaid, regardless of contractual status e.g. temporary, contractor, agency,

The process includes checking two elements of a person's identity:

1. Attributable – the evidence of a person's identity that they are given at birth (including name, date and place of birth) and any subsequent change(s) to their name
2. Biographical – a person's personal history including education, qualifications, addresses, electoral register information and employment history

Prospective employees must provide the required/requested **ORIGINAL** documentation:

- Successful candidates are provided with guidance notes within their offer letter regarding the required documentation they will need to provide
- ID documentation will be verified using a number of different methods, including electronic ID document scanners, where available, and that any individual found with fraudulent documentation will be immediately referred to the relevant authorities

N.B. New starters may also be subject to an external ID verification process

Over time, standards and practices used to check and validate identity, change. Although not a current legal requirement, employers may need to consider historical checks made to existing employees, and where there are significant differences may assess whether checks should be applied retrospectively. Any retrospective identity check must be proportionate to risk and it is recommended these checks are undertaken when suitable opportunities arise, for example when an existing member of staff changes jobs/roles within the organisation or when a periodic or rolling programme for DBS is undertaken.

Independent Safeguarding Authority (ISA) which is now part of the DBS

This has three main statutory duties in relation to providing safeguarding arrangements for children and adults. The three main statutory duties are:

- To maintain the two lists of individuals who are barred from engaging in regulated activity with children and/or adults
- To make discretionary decision on who should be placed on the children and/or adults lists where referred to the ISA
- To reach decision as to whether to remove an individual from the barred lists following review

Definitions of regulated activity relating to children and adults have been amended to reduce the number of individuals falling within the definitions. Only individuals falling within the new definitions of regulated activity are subject to the ISA's barring regime.

Professional Registration and Qualifications

Department of Health guidance states that “Before an NHS body appoints health/social care professionals, the NHS body must request the relevant regulatory/licensing body to specify whether the applicant is appropriately registered; whether that registration covers the duties to be undertaken; whether the registration is subject to any current restrictions and whether the applicant is the subject of any fitness to practice investigations which the regulatory body has a duty to disclose”.

What Appointing Officers should ask for before the appointment of any health professional:

- That the applicant is registered to carry out the proposed role
- Whether the registration is subject to any current restrictions that might affect the duties proposed
- If the applicant has investigations against them about their fitness to practice that the regulatory body has a duty to disclose

Each regulatory body has different procedures for disclosing fitness to practice information (see NHS Employment Standards: Professional registration and qualification checks) which can be found on the NHS Employers website

Applicants are required to give details of professional registration (where applicable) on their application form. They are also required to take original certificates to the interview, which should be examined by the Appointing Officer and a copy retained. Human Resources will also check professional registration when completing other employment checks post interview.

Where new Graduate candidates have applied for a qualified post they will receive the appropriate non qualified remuneration until such time as their registration to a professional body has been received and verified as they will need to provide this evidence before they commence in post. Managers will need to inform the Human Resources Department that preferred candidate's letters should reflect this. Candidates who are offered a post and who knowingly withhold information or provide false or misleading information will have their offer of appointment withdrawn. Should any subsequent information come to light once they have been appointed, their employment may be terminated.

It is the responsibility of the Appointing Officer to ensure that original certificates have been checked at the interview, copies taken and these forwarded to the Human Resource Recruitment Team. The qualifications should be checked to ensure the information matches the information given by the candidate on their application form. Should the details on the qualifications not match with the application form or it is found that the certificates are not genuine; any offer of appointment may be withdrawn.

Safe Recruitment; Safeguarding Children and Adults

Experience shows the importance of organisations providing services to children and/or vulnerable adults are operating procedures which help to deter, reject or identify people who pose a risk or who are otherwise unsuited to work with these groups. Recruitment practice means minimising the risk by thinking about and implementing processes which aim to protect those in society who are most vulnerable. It is also important that this is done in a non discriminatory manner hence the guidance on recruitment of ex-offenders (App 8). **Therefore it is vital that the measures described in this policy are applied thoroughly and consistently whenever recruitment takes place.**

Staff Recruited Via External Agency – Professional Clinical Registration

It is a requirement within the Procurement of Services by the Trust Procurement Department that any recruitment agency who are used to supply the Trust with temporary staff **follow the same recruitment checks**, to ensure they are providing the Trust with staff who are safe to practice and clinically/professionally competent. The Trust Central Bank System (CBS) manager/team should request copies of the temporary staff's documentation prior to them commencing work to ensure they comply with the organisation's recruitment checks. Managers are required to complete the

Use of Temporary Agency Staff pro forma and submit this to the CBS Manager, who will audit these on an annual basis.

Staff Recruited via Trust Central Bank System (CBS) – Professional Clinical Registration

This policy and procedure **is followed** for all temporary staff recruited on to the Trust Central Bank System the system is managed by the Trust CBS Manager

Voluntary Services

Volunteers who undertake unpaid duties for the Trust which brings them into unsupervised or regular contact with children, young people or vulnerable adults should be subject to the same recruitment processes as paid staff. Regular contact is defined as 3 or more times in a 30 day period or any overnight contact.

Secondments and Temporary Contracts

A secondment into another post within the Trust should follow the same recruitment process as above. Any extension to the period of secondment should be discussed with Human Resources in the first instance, at least 4 months before the secondment is due to end. Where further funding becomes available to extend a temporary contract, vacancy control authorisation must be obtained. Where the Manager may be considering extending the current temporary staff member's contract, advice should be sought from Human Resources before any discussion with the employee takes place.

To ensure compliance with Equal Opportunities Legislation, the contract cannot be extended for more than 2 years and the Manager should discuss with Human Resources as to whether other staff in the organisation are "At Risk". Members of the Human Resources Directorate are available to speak to Managers on any aspect of this policy and procedure.

Retire and Return

Staff and Managers can consider, as part of their skill mix review supporting staff to take early retirement and return to the Trust on a lower band and or part time. This ensures key skills and expertise are retained in the Trust and provides a flexible working arrangement for staff at this stage in their working careers (see appendix 9 procedure flowchart).

9. The new starter process

When all the necessary clearances have been obtained an unconditional offer will be sent to the successful applicant confirming their appointment. Normal start dates will be the first day of the next available Trust Induction programme. A copy of the letter is sent to the manager together with other information required for the first day.

Starting work prior to receipt of a DBS check

In **exceptional circumstances** Managers may make a risk based decision in consultation with their HR Manager to appoint applicants while they are waiting the outcomes of a criminal records check, in these cases the employer needs to ensure that:

- An appropriate DBS has been applied for
- Safeguards are put in place to support/manage that individual i.e. supervision, restricted access/duties to patients, until satisfactory clearances have been obtained

Any individual who knowingly withholds information or provide false or misleading information will have their offer of appointment withdrawn. Should any subsequent information come to light once they have been appointed, their employment may be terminated. This applies at all stages of the recruitment process.

Once the start date has been agreed a contract of employment will be issued, normally within 8 weeks of their commencement date. This will be sent to the manager for them to go through with the employee. There are two copies. One is to be signed and returned to the Human Resources Department for retention on the personal file. The other is to be retained by the employee.

A New Starter Form or Notification of Change Form will be processed by the Human Resources Department as soon as possible to ensure staff details are entered onto the Electronic Staff Record in time for new staff to be paid.

10. Induction

It is the manager's responsibility to ensure that all new starters receive appropriate induction. This will vary depending on whether they are already employed by the Trust or are new to the Trust, and what mandatory training requirements are currently in date.

All successful candidates (internal or external appointments), will need an induction into their new service/area of work. A workplace induction checklist is forwarded to the manager from the Human Resources Department. Once complete it must be signed and returned to Human Resources for retention on the personal file. The Training Department is responsible for reviewing and updating the Induction checklist and the Trust Induction process.

11. Expression of Interest Procedure

The aim of this recruitment option, notwithstanding Employment Legislation and NHS Employers Standard compliance, is to appoint staff as speedily as possible in certain agreed situations. For example, where it is necessary to fill a post on a temporary basis to cover intermittent/long term sickness, maternity leave, gap between recruitment and the internal bank is unable/inappropriate to fill the gap, then Managers can consider advertising a post internally, asking for expressions of interest within their own team/service. This process remains the responsibility of the Operational Manager and is not supported by the Trust central recruitment team.

The Manager will initially contact their Human Resource Manager to discuss

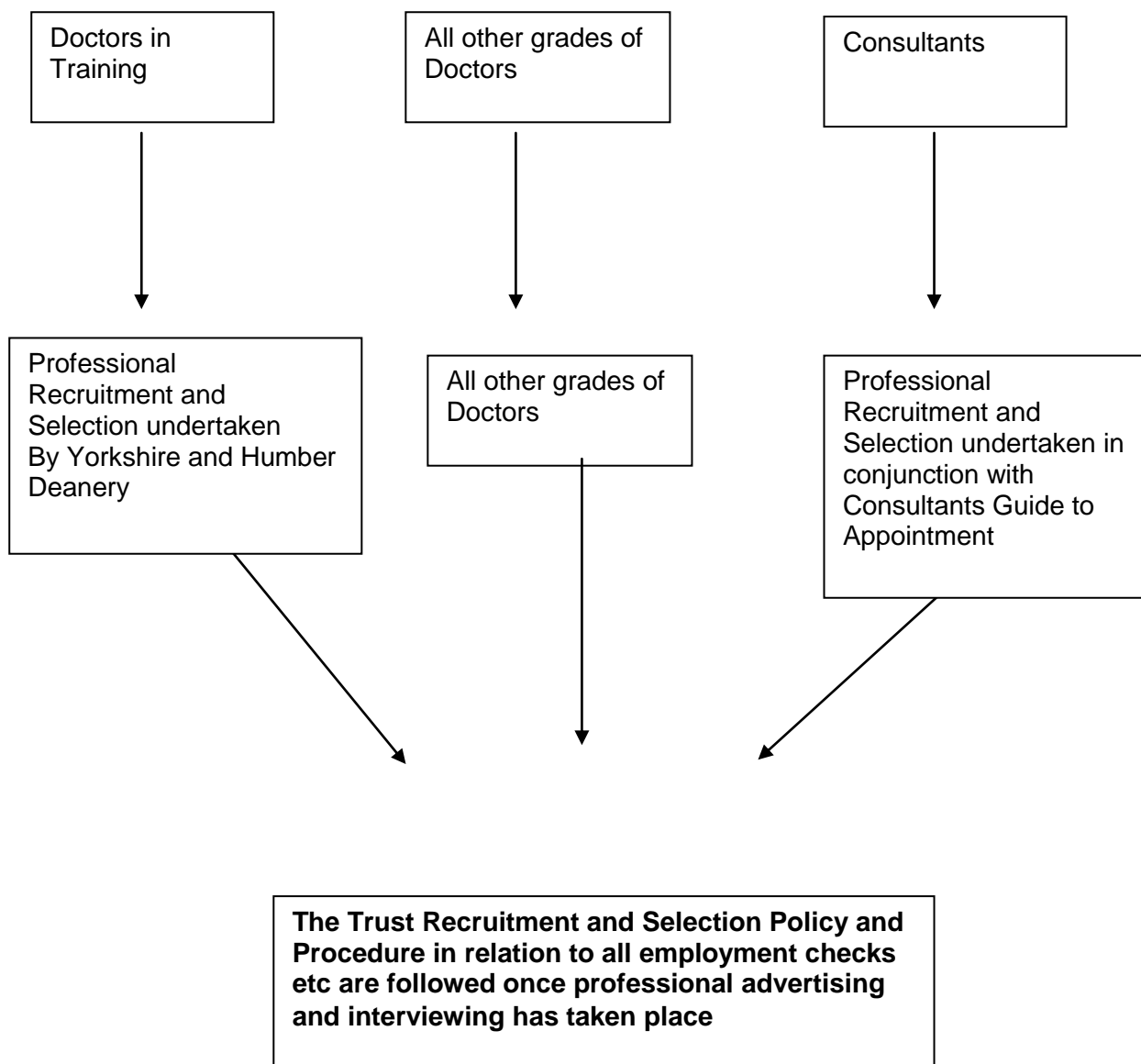
- if this option is applicable
- how the post will be advertised and closing date
- information requirements e.g. authorisation to recruit, job descriptions, person specifications
- which employment checks are required
- any equality and diversity implications

Once agreement and the necessary documentation has been completed the Manager will then be responsible for the recruitment process as per the normal recruitment procedure.

12. Appointment of an Internal applicant, following normal recruitment procedure

If the successful candidate from a normal recruitment process is already employed by the Trust, then notwithstanding Employment Legislation and NHS Standard compliance, Managers should discuss with their Human Resource Department what checks and offer letters are required in order to increase the efficiency and speed of their appointment procedure and start date.

Appendix 3 – Flowchart detailing differences with regard to Doctors recruitment and selection procedures



Appendix 4 – Trust Management Development Programme

Includes sessions on:

- Leadership and Team working
- **Recruitment and Selection**
- Managing Attendance and Health and Wellbeing
- Managing Mental Health and Addictions in the workplace
- Disciplinary Policy and Procedure
- Training and Development
- Bullying and Harassment and Whistleblowing Policy and Procedure
- Capability and Grievance Policy and Procedure

Recruitment and Selection training is also provided through the Trust Training Diary and can be provided as a customised team based programme upon request.

Appendix 5 – Human Resource Recruitment Team Appointment Checklist

NAME:	POST:	JOB REF NO:	
Task	Action	Completed By	Date
Recruitment Monitoring Sheet	Updated		
Alert Register	Checked		
Professional Registration	Checked		
Right to Work/Work Permit/Leave To Remain/Identity Documents – Placed within a punched wallet.	Copy On File		
Interview Notes	On File		
Job Description & Person Specification	On File		
Advert / Signed Vacancy Control Form	On File		
Application Form (Part A) – Placed in a brown envelope within a punched wallet	On File		
Application Form (Part B)	On File		
Notification of Appointment	On File		
Conditional Offer Letter checked	Checked		
Conditional Offer Letter Sent	Copy On File		
Signed Conditional Offer Letter Received	On File		
Have you updated the Recruitment Monitoring Sheet/ESR?			
Reference 1	Requested		
Reference 1	Received		
Reference 2	Requested		
Reference 2	Received		
Reference 3	Requested		
Reference 3	Received		
Reference Memo	Sent		
Reference Memo	Received		
Have you updated the Recruitment Monitoring Sheet/ESR?			
Occupational Health Clearance Received	Received		
Have you updated the Recruitment Monitoring Sheet/ESR?			
Code of Conduct Form	On File		
Business Integrity Form	On File		
Declaration of Interests Form	On File		
Secondary Employment Form	On File		
ID Badge Form	On File		
Specimen Signature	Received		
Original Signed Pink Starter Form	On File		
RA 01 (Completed)	On File		
Model Declaration (Signed)	On File		
DBS – Enhanced/Standard – POCA/POVA	Sent		
DBS (Employed/Not Employed) – (Disclosure Number)	Insert No:		
Photograph Taken	Saved		
Work Permit/Leave to Remain	Checked		
Have you updated the Recruitment Monitoring Sheet/ESR?			
Unconditional Offer Letter Sent	On File		
Unconditional Offer Letter Sent (Risk Assessment)	Sent		
Clearance Letter (CRB Received)	Sent		
New DBS Information Entered on ESR (if applicable)	ESR		
Contract Sent	Sent		
Contract Returned Signed	On File		
ID Badge Issued	Collected		
Smart Card Issued	Collected		
Have you updated the Recruitment Monitoring Sheet/ESR?			
Have you sent the starter confirmation to Workstructures?			
New Starter/Notification of Change Form	Copy On File		
Specimen Signature Sheet Info Gov and Pharmacy	Sent		
Workplace Induction Form Completed	On File		
Trust Induction Policy Completed	On File		
All Above Completed			
DBS Destroyed	White Bag		
Internal Staff – revalidate and update ESR from App Form			

PROFESSIONAL REGISTRATION PROCEDURE

INTRODUCTION

Certain professional groups of staff are required to be registered with the appropriate professional authority in order to practice. These groups of staff include doctors, qualified nurses, pharmacists, health visitors, district nurses, school nurses, physiotherapists, podiatrists, occupational therapists, dieticians and speech therapists. Any individual who fails to renew their registration is unable to practice at a qualified grade. Failure by an employee to ensure they hold current registration is regarded as a fundamental breach of the terms of their Contract of Employment.

PROCEDURES

For all qualified staff where the post requires that they are registered with a professional body, the following procedure applies:

- At interview candidates will be asked to produce relevant original qualifications and registration certificates.
- Following receipt of all clearances and prior to adding to the Payroll via the Electronic Staff Record (ESR), the HR Team will check directly with the relevant professional body to ensure that the new employee has or continues to hold an up to date registration.
- The employee will be required to produce a current Professional Registration Number and evidence of identity. This will be copied and held on the employee's personnel file.
- On a monthly basis the HR Team will run a report detailing when registrations are due and where a registration has lapsed, an email will be sent to the Manager informing and advising the manager that the employee will not be able to practice as a qualified member of staff until their professional registration has been renewed. The manager will speak to the employee and decide whether he/she should be allowed to practise as an unqualified member of staff on reduced pay.

LAPSED REGISTRATION

All employees requiring a current registration are required to comply with this procedure, individuals have the ultimate responsibility for:

- Ensuring they are properly registered and that registration is reviewed and promptly renewed
- Ensure that they do not practice in a post which requires registration without holding a current valid registration

Steps to be taken

- Where a directly employed member of staff allows their registration to lapse, the Trust will take steps to ensure the employee does not undertake work that would require registration and will find them alternative employment. In such circumstances the individual will be paid the rate for the band in which they will be working.
- Where no alternative employment can be found the Trust will immediately suspend the employee without pay.
- In relation to independent contractors, an incident report will be submitted to the Risk Management Committee, and the procedure relevant to the professional body will be followed.

List of website addresses for checking professional registration:

- **ROYAL PHARMACEUTICAL SOCIETY OF GREAT BRITAIN**
<http://www.rpsgblist.org/membership.asp>.
- **NURSING AND MIDWIFERY COUNCIL**
www.nmc-uk.org
- **HEALTH PROFESSIONS COUNCIL**
www.hpc-uk.org
- **GENERAL MEDICAL COUNCIL**
<http://www.gmc-uk.org/#>

Appendix 7 – Trust Reference Request Form

CONFIRMATION OF EMPLOYMENT (WITH SICKNESS ABSENCE) REQUEST		
STANDARD REQUEST: To be used only AFTER a conditional offer of appointment has been made. If requesting information prior to a conditional offer has been made, please use the form at Appendix 2 of the Employment History and Reference Check Standard.		
Name of the applicant		
National Insurance number or date of birth		
Please confirm employment dates	From:	To:
Please confirm the applicant's current / most recent job title and grade		
1. How many days sickness has the applicant had over the past two years, and in how many episodes?		
2. Are there any current warnings on the applicant's record?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please give details:		
3. Is the applicant currently under investigation for any matter (incl. conduct, capability or performance) under any of your employment policies?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please give details:		
4. Please provide details of when you last completed a CRB/DBS check		
<ul style="list-style-type: none"> - Date when CRB/DBS check was last completed - Please indicate the level of CRB/DBS check undertaken (Standard/Enhanced/ or Enhanced with Barred List check) - If Enhanced with Barred List check was undertaken, please indicate which barred list this applies to 	Date Level Adults <input type="checkbox"/> Children <input type="checkbox"/> Both <input type="checkbox"/>	
- Did the check return any information that required further investigation	Yes <input type="checkbox"/>	No <input type="checkbox"/>
5. Are you aware of any recent/outstanding allegations that were made against the applicant that relate to any safeguarding issues/referrals (including any referrals to the Disclosure and Barring Service or Independent Safeguarding Authority)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If yes, please give details:

6. The answers given above have been provided in good faith and are correct to the best of my knowledge and belief.

Referee name (please print):

Signature:

Email address:

Telephone number:

Date:

Data Protection

This form contains personal data as defined by the Data Protection Act. This data has been requested by the Human Resources/Workforce Department exclusively for the purpose of recruitment. The Human Resources/Workforce Department must protect any information disclosed within this form and ensure that it is not passed to anyone who is not authorised to have this information.

RECRUITMENT OF EX-OFFENDERS

INTRODUCTION

The Trust uses the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust in the organisation. This Trust complies with law, legislation and best practice and undertakes to treat all applicants for positions fairly and not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed. The Trust is committed to the fair treatment of its staff, potential staff or users of its services.

PROCEDURES

All job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

Where a Disclosure is to form part of the recruitment process the Trust encourages successful applicants called for interview to provide details of any criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover to a designated person within the Trust and guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

The Trust ensures that all those involved in the recruitment process have been suitably trained to identify and assess the relevance and the circumstances of offences. They have also received appropriate guidance and training in the legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

Unless the nature of the position allows the Trust to ask questions about your entire criminal record we only ask about "unspent" convictions as defined in the above Act.

The Trust ensures that an open and measured discussion takes place on the subject of any offences or other matter that may be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

The Trust undertakes to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

N.B. Please note that having a criminal record will not necessarily bar you from working with NHS Humber Foundation Trust. This will depend upon the nature of the position and the background and circumstances of the offences.

RETIRE/RETURNS PROCESS

