North East Ambulance Service NHS
NHS Foundation Trust

Recruitment and Selection Policy

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Contents

1. Scope of Policy

1.1 This policy and procedure applies to all staff appointments within the Trust. The successful recruitment and selection of quality staff is a key objective of the Trust to support the delivery of care. The aim is to recruit high calibre staff possessing the skills and values consistent with the objectives and values of the Trust. This requires the Trust to ensure that best practice recruitment and selection principles are adhered to and to ensure that any discriminatory barriers to employment and advancement are removed.

1.2 The Trust values and respects the diversity of its employees, and aims to recruit a workforce which represents the communities that it serves. The Trust welcomes applications from all sections of the community, and ensures that all applicants are treated fairly at every stage of the recruitment process. The Trust has a legal responsibility to ensure that no unlawful discrimination occurs and this policy explains how the Trust ensures that all job applicants are not discriminated against on the grounds of their race or ethnicity, gender, gender reassignment, disability, age, religion and belief, sexual orientation, marriage and civil partnership, and pregnancy and maternity, as outlined within the Equality Act (2010).

1.3 The Trust is committed to the employment and career development of people with disabilities. To demonstrate this commitment, the Trust uses the Disability 'Two Ticks' symbol awarded by JobCentre Plus. As an approved symbol user, we guarantee an invitation to the first stage of the selection process, which may be either an assessment centre or panel interview, dependent upon the role applied for, to any applicant with a disability whose application meets the minimum essential criteria for the post, where the relevant required reasonable adjustments can be made.

1.4 The Trust is legally obliged to collect and report on monitoring information from all job applications received on ethnicity, disability, gender, sexual orientation, religion and belief, age.

1.5 The recruitment standards laid down in this policy comply with NHS Employers NHS Employment Check Standards (2012) and assist managers in the provision of a systematic, robust, effective framework for recruitment and selection in a non-discriminatory manner.

1.6 The Trust believes that the selection for a particular position is based on relevant qualification, experience, aptitudes and appropriate assessment of an individual's potential for future development. The process is designed to ensure that objective measurable criteria are applied to the selection of candidates.

2. Definitions

2.1 Acting Up

2.1.1 Acting Up refers to a short period of time where an individual is covering work of a more highly paid post. Internal advertisements, time permitting, will promote these opportunities. Staff will normally be paid full salary unless the full range of duties are not being carried out, at which time the increase will be negotiated individually.

2.1.2 Acting Up periods will normally last less than six months and will be subject to quarterly reviews, in accordance with Agenda for Change Terms and Conditions of Employment. Periods may be longer subject to organisational requirements. Only in exceptional circumstances should a period of 'acting up' last longer than 6 months and only if agreed and signed off by the Head of HR. No automatic transition from acting up to permanent status is allowed. In this case the post will need to be advertised.

2.2 Secondments

2.2.1 Refer to the Trust Secondment Policy.

2.3 HR01

2.3.1 The HR01 is the form by which vacancies requests are raised and approved.

2.4 Conditional offer

2.4.1 Conditional offers of employment are made to candidates prior to the receipt of satisfactory employment checks.

2.5 Unconditional offer

2.5.1 Unconditional offers of employment are only made to candidates once all pre-employment checks are completed to a satisfactory level.

3. Roles and Responsibilities

3.1 Appointing Managers

3.1.1 Appointing managers must ensure that the recruitment process is managed wholly in accordance with the content of this policy, including appropriate constitution of the selection panel, effective management of the recruitment process, verification of the identify of candidates is carried out on commencement of the interview process and, ultimately, reaching an appointment decision. It is the responsibility of the Appointing Managers to retain a copy of the Vacancy Requisition form.

3.1.2 It is the responsibility of the appointing managers and the HR Department to agree the relevant timescales of the recruitment process prior to any vacancy being advertised.

3.1.3 All managers and staff who are involved in the recruitment process must be trained adequately and understand clearly the consequences of poor recruitment practices. Managers and staff must ensure that throughout the recruitment and selection process no discriminatory practices occur. The interview panel must be agreed by Human Resources / Recruitment Team and as a minimum must have had Equality and Diversity training.

3.1.4 It is the responsibility of the appointing manager to arrange for shortlisting and interview panel members, rooms and, where appropriate, Driving Instructors and vehicles to be available for the recruitment and selection process.

3.1.5 Appointing managers are encouraged to seek advice, guidance or assistance from the Recruitment Team at any stage during the recruitment and selection process. HR representatives may participate in selection panels where appropriate.

3.1.6 It is the responsibility of all Managers and HR to ensure this policy is upheld at all times.

3.2 Human Resources Department

3.2.1 The HR Department will provide advice and support to the appointing manager throughout the recruitment and selection process.

3.2.2 It is the responsibility of the HR Department to transfer the required information and documentation onto the ESR System and create a personal file for every new employeee.

3.2.3 The HR Department will provide administrative and advisory support throughout the recruitment process including during volume assessment centres.

3.2.4 It is the responsibility of all Manager and HR to ensure this policy is upheld at all times.

3.3 The Workforce Planning Group

3.3.1 It is the responsibility of the Workforce Planning Group to approve the recruitment to all vacancies above 5 WTE and ensure that the Trust adheres to its Workforce Plan.

3.4 The Recruitment Manager

3.4.1 It is the responsibility of the Recruitment Manager to ensure that the Recruitment Policy is upheld and adhered to at all times.

3.5 The Applicant

3.5.1 It is the responsibility of the applicant to ensure that they are honest throughout their application and the recruitment process and to treat all staff involved in the process with dignity and respect.

4.1 The Vacancy

4.1.1 When a vacancy arises managers should take time to review the duties and responsibilities of the post and consider whether there is a continued need for the post. They should consider if they need to:

- Is it a new post or is it a replacement?
- Re-examine or re-allocate the duties
- Re-assess the skills needed
- Re-assess the grade
- Adjust the hours or working pattern
- Fill the vacancy on a permanent or fixed-term basis (Guidance on fixed-term contracts is available from the HR Department)

The Trust's commitment to flexible working arrangements opens up career opportunities for individuals who may not be in a position to work full time. Careful consideration must be given to whether a particular post can be job shared, worked on a reduced number of hours, or worked in a more diverse working pattern. The appointing manager must have clear and justifiable reasons should none of the above is possible.

4.1.2 A Vacancy Requisition Form (HR01) must be completed and authorised by the appropriate level of manager and forwarded to the central recruitment inbox (recruitment@neas.nhs.uk) by no later than close of business on Friday. This will ensure that the vacancy is advertised the following Wednesday. This should be accompanied by the following documentation (templates can be found on the Job Vacancy section on the Intranet):

- A current job description
- person specification
- draft advertisement

The job description and person specification should be supplied in electronic format. Copies of job descriptions and advert templates can be provided by the HR Department.

4.1.3 Where the recruitment of 5 or more staff is required, this must be taken to the Workforce Planning Group for agreement. Requests of this nature will not be considered out with Workforce Planning unless agreed by a senior member of the HR Team.

4.1.4 It is the responsibility of the Recruiting Manager to ensure that Job Descriptions are up to date, professionally formatted and non-discriminatory. Any significant changes to the Job Description must be discussed with an HR Advisor and will need to be submitted for job evaluation. Posts will not normally be advertised until they have been ratified through job evaluation.

4.1.5 In line with the above all new roles must be discussed with, and guidance sought from, Human Resources prior to commencing recruitment to ensure that existing staff are not adversely affected by any changes.

4.1.6 All vacancies will be advertised weekly, on a Wednesday, except in extenuating circumstances and when agreed by the Recruitment Manager.

4.1.7 Where it may be felt that Agency staff are required please refer to Appendix A.

4.2 Advertising

4.2.1 All vacancies will be advertised on the NHS Jobs website and Trust Intranet, either internally only or internally and externally dependent on the anticipated talent / skill pool within the Trust. For some specialist posts or if a vacancy is difficult to fill, the appointing manager can seek approval from the Recruitment Manager for the position to be advertised on an external publication or website other than NHS Jobs. The recruiting manager will be responsible for payment of any costs incurred. Where roles form part of a wider business restructure they may be 'ring-fenced' to certain groups.

4.2.2 Subject to organisation requirements, short term posts up to 3 months and / or posts requiring specific experience may not necessarily be advertised or may be advertised through an Expression of Interest process. Such posts will be closely monitored by the HR Department and a relevant HR Advisor should be consulted prior to any action being taken. The Expression of Interest process must include an assessment process under the guidance of the Recruitment Team.

4.2.3 Job Adverts shall be developed by the appointing manager from the vacancy job description and person specification, reflecting the realistic requirements of the post with regard to skills, qualifications and experience and shall not include any unjustifiable requirements. Advice on the development on job adverts can be provided by the Recruitment Team.

4.2.4 In circumstances where it is envisaged that there will be a high number of applicants consideration should be given to including filtering questions attached to the vacancy on NHS jobs. Filtering questions act as pre-screening facility identifying applicants that do not meet the criteria for the post based on the information provided by the applicant. Advice is available from the Recruitment Team. Filtering questions must relate directly to the essential and desirable criteria of the role.

4.2.5 The closing date for applications will be considered in light of the potential talent pool available, nature of the role and volume of applications. This may be for one week, two weeks or the post may be extended until a sufficient number of suitable applicants are received. The Trust also reserves the right to close a vacancy prior to the initially identified closing date should a sufficient number of applications be received. Where a candidate has not been shortlisted they will not normally be informed of this.

4.3 Applications

4.3.1 For all vacancies advertised by the Trust applications should be completed and submitted online on the NHS Jobs website. However, exceptions must be made in line with the Equality Act (2010) in which case applicants with a disability preventing them from completing an online application can request a paper application form by contacting the HR Department.

4.3.2 Late applications will be accepted only at the recruiting managers discretion and will only be accepted via NHS Jobs.

4.3.3 Where an employee is subsequently discovered to have been dishonest on their application form about a matter which was material in the decision to offer them employment e.g. qualification levels, previous convictions, then the Trust will view this as a Breach of Trust and disciplinary action may be taken which may result in dismissal.

4.3.4 Equality monitoring information is collated from all job applications (as outlined in section 1.4) and this is published annually in the Trust's Annual Equality report and Public Sector Equality Duty.

4.3.5 If a candidate has failed to meet the required standard at any point during the recruitment and selection or training / induction process, they will not be permitted to apply for the same or similar role for a period of up to 6 months, depending on the vacancy and the time required for development. This date will be 6 months from the last point at which they failed the recruitment / training process (i.e. shortlisting, online assessment, assessment centre, exam, written paper).

Exceptions will be made on the occasions where candidates have been unsuccessful at obtaining a post, but they were however deemed as appointable during the recruitment and selection process. This will be confirmed by re-visiting the relevant documentation.

4.3.6 Where a candidate is unsuccessful but is deemed as appointable they can be considered within a six month timeframe should a post arise within that timeframe. Pre-employment checks may be re-issued.

4.3.7 Under normal circumstances candidates will not be permitted to apply for another role prior to completion of their probationary period in their current role. This is normally 12 months but may be extended in line with the Probationary Policy.

4.4 Shortlisting

4.4.1 Prior Consideration refers to the 'Prior Consideration' process (see Organisational Change Policy).

4.4.2 The individual(s) responsible for shortlisting will be identified on the HR01 form. This will either be the appointing manager or a nominated deputy. Both must have an in depth knowledge of the role and the essential and desirable criteria. The shortlisting panel must be at least one band above the role for which they are shortlisting.

4.4.3 The basis for short-listing applicants for interview must relate clearly to the person specification of the role. All applicants who meet the essential criteria on the personal specification should be considered for interview. It may however, be necessary to limit the amount of short listed candidates due to a high number of applications for a particular post and further shortlisting can take place based on the desirable criteria of the person specification. Interview questions should also be agreed at this stage with the Recruitment Team and standardised interview guides must be used.

4.4.4 Where a candidate does not meet all of the essential criteria they should not be progressed i.e. if a qualification is stipulated as essential in the job description / person specification the candidate may not be progressed if they do not possess this qualification.

4.4.5 If a candidate has not stipulated qualifications and / or grades, and the shortlisting manager is unable to confirm that they meet the essential qualification levels for the role to which they applied, assumptions cannot be made and the candidate may not be progressed past shortlisting stage. Where a candidate is able to demonstrate that they hold a relevant qualification higher than those specified in the job description this may be taken into consideration.

4.4.6 The shortlisting panel should expect to receive notification to initiate shortlisting by no later than 3 working days after the closing date, however this may be extended during times of peak recruitment activity. Shortlisting will be carried out online on the NHS Jobs website. It should be completed by no later than 5 working days from closing date of the advert. Shortlisting can commence while the advert is still live upon receipt of applications and a request can be sent to the Recruitment Team to make the necessary arrangements.

4.4.7 The shortlisting panel will indicate on the NHS Jobs website the reason for an application not being shortlisted. Where individual requests for feedback are made the shortlisting panel will be responsible for providing any feedback for any candidate who has not been successful. These requests must be actioned within one week of receipt of the request wherever possible.

4.4.8 Successfully short listed candidates will be notified by the Recruitment Team, normally via NHS Jobs and will be provided with information regarding assessment and interview details.

4.4.9 The Trust is committed to accreditation of the Disability ‘Two Ticks’ Symbol, awarded by JobCentre Plus. A key requirement of which is that all disabled candidates who meet the minimum essential criteria detailed in the person specification will automatically be short listed and either invited for an interview or to the first stage of the recruitment process, for example an assessment centre, dependent upon the role.

4.4.10 Applicants who are unsuccessful at the shortlisting stage will not normally be contacted and must assume that they have been unsuccessful if they do not hear anything within 6 weeks of their application.

4.5 The Selection Process

4.5.1 The aim of the selection process is to appoint the candidate who, in the opinion of the selection panel, is the candidate that has demonstrated that they are most able to perform the duties laid down in the job description by reference to the person specification.

4.5.2 Selection for posts will be based solely on objective criteria laid down in the person specification and the behaviours deemed to be applicable to the post. The Recruiting Manager Appointing has the responsibility, in conjunction with the selection panel, to ensure the criteria being used is not indirectly discriminatory and that any measurement is undertaken objectively.

4.5.3 The Chair of the interview panel should have attended the training course on Recruitment and Selection as a minimum.

4.5.4 To allow redeployment of existing staff whose posts are at risk, such staff would take priority when vacancies arise. This will be done through the 'Prior Consideration' process (please see the Organisational Change Policy).

4.6 Selection and Assessment

4.6.1 Following shortlisting, the next stage of the selection process may include some form of assessment, other than interview or presentation. Standardised competency based interviews must be used under the guidance of the Recruitment Team.

4.6.2 The Trust may use additional assessment methods such as literacy, numeracy or psychometric tests as part of its selection process. Tests must be administered by appropriately trained and experienced staff.

4.6.3 For Contact Centre and Operational assessments can include the following:

Written tests
Psychometric tests
Ability tests
Driving tests
Numeracy tests
Literacy tests
Clinical or job specific assessments

4.6.4 For all Senior Manager and Director positions a full assessment centre approach will be applied. This should where possible include the involvement of panel members either external to the organisation or the area of work where the role sits.

4.6.5 All panel members must be of a higher band to the post being recruited.

4.6.6 Where applicable, candidates will be entitled to receive feedback from the assessment process. This should be requested from the Recruitment Team. In normal circumstances this must be delivered verbally within 10 working days of the request by the recruiting manager. However, during high volume activity this may be extended within reason and at the discretion of the Recruitment Team.

4.6.7 Prior to attendance at any of the above assessments, all applicants must be asked to inform the Trust if they have a disability or other condition which requires any reasonable adjustments to be made to attend the interview or assessment centre, such as wheelchair access to an interview, enlarged paper tests to be provided instead of online tests, additional time to be allowed when completing psychometric tests, etc. Wherever possible, these adjustments must be made to the process. Where an adjustment would be deemed to be unreasonable, advice must be sought from the Trust's Equality and Diversity team before a decision is made regarding the progression of the job application. For job applicants with dyslexia, further information can be found in the Trust's Managing Dyslexia in Employment Policy.

4.7 Interview

4.7.1 The Recruiting Manager will normally chair the interview panel which must consist of at least one other panel member. Where a candidate is known to/related to a panel member, the panel member must declare this at the 'invite to interview' stage and consideration should be given to the use of alternative panel members.

4.7.2 Candidates will be asked to bring identification documents with them to interview, in accordance with the NHS Employment Checks Standards (2012). It is the responsibility of the interview panel to check, copy and sign this documentation. Guidance can be sought from the Recruitment Team.

4.7.3 For Director positions the panel should include one external assessor who is at Director level or above, a Non-Executive Director and the Chief Executive. An assessment centre approach should be used.

4.7.4 For positions 8a and above an external assessor from outside of NEAS and a senior manager from another area within the Trust must be on the panel. An assessment centre approach should be used.

4.7.5 All candidates must be asked the same questions during their interviews. This will ensure an objective method of measuring capability and will produce an unbiased outcome. Guidance can be obtained from the Recruitment Team. Additional 'behavioural /competency' questions may be asked but only when based on the outcome of a psychometric assessment or if the candidate has sat the same assessment before. Guidance must be sought from the Recruitment Manager.

4.7.6 All candidates will be reminded at interview that their employment is subject to a 12 month probationary period and in addition to this, for relevant posts to which this applies, continuation of employment is subject to the successful completion of the appropriate training course.

4.7.7 Interview paperwork will be completed by the appointing Manager for each candidate and providing a record to show how the individual compared to the person specification, behaviours / competencies and any other relevant information.

4.7.8 Interview paperwork must contain all details of salary offered, start date, band, location, spine point and any additional payments. The Recruitment Team will not accept this paperwork or make any offers until the aforementioned is completed. This may delay candidate start date.

4.7.9 Relevant recruitment and selection documents must be returned to the Recruitment Team within 3 working days of the assessment. Recruitment paperwork will be retained in line with the Records Retention Schedule.

4.7.10 The information collated during this process can be used to form the basis of feedback to candidates to demonstrate that the recruitment and selection panel have acted fairly and reasonably.

4.7.11 The relevant panel member is responsible for arranging and providing feedback to any candidates who request this in a timely and constructive manner

4.7.12 Interviewers should remember that candidates may request sight of interview notes made by the panel in line with the Freedom of Information Act (2000).

4.7.13 Interview, and other subsequent recruitment and selection expenses, will not normally be paid.

4.8 Offers of Employment

4.8.1 Following the completion of the interview process all candidates, both successful and unsuccessful, will be contacted by phone within 3 working day by the Recruiting Manager and will be informed on the outcome of the interviews, with the exception of volume recruitment activity where contact may be made in an email via NHS Jobs.

4.8.2 If the Recruiting Manager wishes to make an appointment at a salary that is anything other than the bottom spine point of the band advertised this must be discussed and agreed by a senior member of the HR / Recruitment Team. This is to ensure the fair application of Agenda for Change salary levels with particular reference to equality of pay and benefits.

4.8.3 Offers will be made on the salary and associated benefits stipulated in the advert and not the continuation of current or previous entitlements (i.e. unsocial hours, car allowance or ‘on call’ payments).

4.8.4 The initial offer of posts to all successful candidates, both internal and external, will be conditional and subject to the successful completion of all pre-employment checks, as defined by the NHS Employment Check Standards.

4.8.5 All unconditional offers of employment are made once all pre-employment checks have been successfully completed, in line with the NHS Employment Check Standards (2012) which outline the legal and mandatory checks employers must carry out for the appointment and on-going employment of all individuals in the NHS.

4.8.6 The set of six documents below make up the NHS Employment Check Standards (2012), covering:

- Verification and identity checks
- Right to work checks
- Professional registration and qualification checks
- Employment History and reference checks
- Criminal record checks
- Occupational Health checks

4.8.7 The Recruitment Team will issue an unconditional offer letter upon the successful completion of all pre-employment checks. A contract of employment will be sent no later than 8 weeks after commencement in the post.

4.8.8 Where an internal candidate has been successful for a role, without prior agreement from a senior member of the HR / Recruitment Team, they may not start in their new role until all employment checks have been successfully returned.

4.8.9 Where a successful applicant has a disability or other condition which requires reasonable adjustments to be made to the post to enable them to carry out the role safely and effectively, they must be considered. Failure to do so may constitute disability discrimination as defined within the Equality Act (2010). In all such cases, advice must be sought from the Occupational Health and Human Resources departments.

4.8.10 In cases outlined above where a more complex assessment of possible adjustments is required (for example a technical assessment for different software to be used), the employee should contact their local Access to Work team who will then make contact with the Trust to arrange an assessment of the individual in the new workplace. The appointing manager should also be present at this assessment, to provide Access to Work with relevant information about the role. Following the assessment, Access to Work will produce a report recommending the adjustments to be made and any necessary equipment to be purchased by the appointing manager. Any costs incurred by the Trust can usually be reimbursed by Access to Work, once the applicant has commenced their employment.

4.8.11 Where, following any relevant workplace assessments it is not possible to make adjustments to the role that are sufficient to allow the applicant to undertake that role, the appointing manager must seek advice from all relevant parties, including the Occupational Health and Equality and Diversity teams, before a decision is made to withdraw the conditional offer of employment. The applicant must then be informed in writing as soon as possible following the decision. They should also be provided with the opportunity to attend a meeting with the appointing manager and other relevant parties to understand the decision and to enable them to ask any questions. If possible, information about other Trust roles that may be suitable in future, or existing vacancies for which the relevant adjustments could be made, should be shared with the applicant. Notes of the meeting should be recorded, a copy sent to the applicant, and a copy held on the applicant's file.

4.9 Pre-Employment Checks

4.9.1 All pre-employment checks will be carried out in line with the NHS Employment Check Standards (2012)

4.9.2 The HR Department will ensure that pre-employment checks are carried out for successful candidates by the appointing managers and are recorded appropriately throughout the recruitment process.

4.9.3 It is the responsibility of the Recruiting Manager to make the necessary arrangements for the verification of the original documents candidates produce on the day of the interview and for copies to be taken and returned to the HR Department along with the rest of the interview paperwork in no more than 5 working days.

4.9.4 The Trust will only make unconditional offers of employment to those successful candidates who can provide the following as appropriate:

- Satisfactory references – see below
- Proof of identity – this must include photographic personal ID and proof of address
- Signed / returned acceptance of conditional offer.
- Qualifications –

  Original certificates must be provided and match those qualifications required as essential criteria for role.

  Where a candidate is unable to prove the required qualifications and have equivalent relevant vocational experience they may be progressed under the discretion of HR and the Recruiting Manager.

  Where a candidate possesses a relevant qualification at a higher level than those stipulated as essential criteria. Proof of this qualification may suffice.

- Proof of the right to work in the UK in line with Home Office guidelines

- Proof of Professional Registration

- Occupational Health Clearance

- Satisfactory Disclosure and Barring Service (DBS) Disclosure –

  If a DBS check is appropriate for the post then the candidate will not be allowed to take up post until a satisfactory DBS Disclosure has been received – please refer to DBS Policy

- Driving Licence checks -

  Where the post holder requires a driving licence then the original driving licence must be seen and checked to ensure the candidate is legally entitled to drive the appropriate class of vehicle. Furthermore, any candidate who applies for a post which requires a high proportion and level of driving e.g. those requiring D1, C1 classification or Certificate of Professional Competence must not have had any previous driving disqualifications or have been prosecuted for driving under the influence of alcohol or drugs or have more than 3 penalty points. If penalty points over and above the 3 points remain on the licence, offers will not be progressed until they have been removed and evidence produced to demonstrate this.

4.9.5 One reference is required for every internal candidate who has been successful during the recruitment and selection process. Where applicable this will be from the most recent line manager.

4.9.6 For external successful candidates as a minimum requirement, 2 employment references will be sought, covering 3 full years of employment. These will be taken from the list of employers detailed in the application. Where the applicant has had more than two employers in the preceding three years, the Trust retains the right to seek additional references if this will help to support the application.

Where an individual has been with the one employer for 5 years or more, one reference may be sufficient.

Where it is deemed necessary a personal reference may be sought from a person of standing within the community.

4.9.7 Where an individual has not been employed for a considerable amount of time but has had previous employment, then the Trust will seek one reference from their last known employer and a personal reference from a person of some standing in their community (see appendix B).

4.9.8 Where it is genuinely not possible to obtain any employer references then two personal references will be requested.

4.9.9 Where no personal references can be obtained, references may be sought from personal acquaintances. These must not be related to or involved in any financial arrangement with the individual.

4.9.10 Where they have been in full time education, a reference will be sought from the relevant academic institution.

4.9.11 Applicants must provide documentary proof to explain any gaps in employment e.g. training, periods abroad, periods of claiming benefits of more than 3 months, etc. Where a candidate is unable to document gaps in employment a DBS Check may suffice where applicable.

4.9.12 References will normally be requested for successful candidates only on verbal acceptance of offer.

4.9.13 When an employee leaves the Trust, all requests for references should be sent to the HR Department who will provide a standard reference with information from ESR.

4.9.14 Where an applicant fails to declare a criminal / driving conviction / sanction (spent or otherwise), as part of the application process the Trust may view this as a false declaration and their continuation in the recruitment process may cease. Similarly, any offer of employment may be withdrawn.

4.9.15 Responsibility for the verification of recruitment checks lies with the appropriate HR Administrator, under the guidance of the Recruitment Manager and / or HR.

4.9.16 Where the Trust deem a pre-employment 'unsatisfactory' for any reason, consideration will be given to the standards under current NEAS policies including (but not exhaustively) the Attendance Management Policy, Probationary Policy and DBS Policy.

4.9.17 The Trust reserve the right to withdraw an offer of employment where all, or some, of the employment checks have not been received to a satisfactory standard. Due to the Training requirements of some roles this may mean that employment checks must be fully completed up to three weeks in advance of the anticipated start date.

4.9.18 Any decision to withdraw an offer of employment must be done under guidance of an HR Advisor / Manager and the Recruitment Manager. There is no recourse to appeal.

4.9.19 Formal documentation contained on employee personal and electronic files, concerning employee's individual performance, attendance (this does not apply for employees to which the provisions of the Equality Act apply, or those being medically redeployed) and live formal disciplinary record, which could be legitimate grounds for refusing applications, will be considered.

4.9.20 For ex-employees an internal reference will always be sought from the Human Resources Department and will form part of the decision making process. Each case will be judged on its own merit and a final decision will be made in conjunction with the HR Department, Recruitment Manager and appointing manager.

4.9.21 The Trust has a duty of care to protect its service-users and employees and consequently one of the qualities we look for in job applicants is the ability to meet the high standards of our code of conduct and dignity at work policy. Where candidates have been found to display behaviour falling below our standards or have been abusive during the recruitment process they will be excluded from the selection process.

4.10 Positive Action

4.10.1 The Trust aims to have a workforce which is representative of the community it serves. As such the Trust may at times take positive action to encourage applications from a particular section of the community, such as those from BME backgrounds, for example with targeted advertising. Other examples of positive action could be to provide training or other support for a particular minority group. However, the Trust will only take such action where there is a justifiable and demonstrative reason to do so, and will act in accordance with legislative requirements.

4.10.2 The Equality Act (2010) provides employers with a new legal entitlement, should they wish to use it, to select a job candidate from an under-represented group or ‘protected characteristic’, when there are two or more equally ‘qualified’ candidates. Before using this provision, approval must be obtained by the Recruiting Manager, and / or from a senior member of the Recruitment / Human Resources Team.

5. Equality and Diversity

5.1 Equality and Diversity Statement

5.1.1 The Trust is committed to providing equality of opportunity, not only in its employment practices but also in the services for which it is responsible. As such, this document has been screened, and if necessary an Equality Impact Assessment has been carried out on this document, to identify any potential discriminatory impact. If relevant, recommendations from the assessment have been incorporated into the document and have been considered by the approving committee. The Trust also values and respects the diversity of its employees and the communities it serves. In applying this policy, the Trust will have due regard for the need to:

5.1.1.1 Eliminate unlawful discrimination

5.1.1.2 Promote equality of opportunity

5.1.1.3 Provide for good relations between people of diverse groups

5.2 Equality Impact Assessment Procedure

5.2.1 In accordance with the Trust's Equality Impact Assessment Procedure this policy has been assessed by the Equality and Diversity Team as part of the Policy Review Process

For further information on this, please contact the Equality and Diversity Department.

6. Consultation, Approval and Ratification Process

6.1 Consultation Process

Appropriate review and consultation process e.g. staff, unions, human resources, finance department, external stakeholders, including service users for each type of procedural document. The organisation may consider developing a matrix with the type of document on one axis and the individuals, committee(s), department(s) and staff groups to be consulted on the other.

6.2 Policy Approval Process

Identify the processes for the approval of procedural documents used within the organisation; the policy owners name and their authorising signature must appear in the document profile box displayed on the title page. As guidance all policies must be approved by Policy Review group

6.3 Ratification Process

All policies should be ratified by the appropriate Committee with designated or delegated board authority. Identify the ratification process used within the organisation. The only Committees with authority to ratify a policy are:

- Strategic Workforce and Equality Committee
- Quality Committee
- Governance and Risk Committee
- Business Investment and Finance Committee
- Audit Committee
- Trust Board

7 Review and Revision Arrangements including Version Control

7.1.1 Process for Reviewing a Procedural Document

State frequency of review of each type of procedural document, who/which group will be responsible. All reviews and revision to any procedural document must be approved according to the process described in section 7 of this document.

This policy should be reviewed within 12 months of issue date shown in document profile box.

7.1.2 Version Control

7.1.2.1 Identify the version control process used in the organisation, including numbering of documents to aid tracking and retrieval.

8 Dissemination and Implementation

8.1 Dissemination

8.1.1 Explain how procedural documents will be circulated including arrangements to record distribution of the document and thereby aid retrieval. Confirmation of receipt may also be required in some circumstances. If the document replaces a previous version, also include the process to remove outdated copies and to ensure staff are aware of the new version. See Appendix D Plan for Dissemination of Procedural Documents.

8.2 Implementation of Procedural Documents

8.2.1 Identify arrangements for training, support, etc.

9. Monitoring Compliance With and the Effectiveness of Procedural Documents

Outline the organisation's process to monitor compliance with and the effectiveness of all procedural documents.

As a minimum you will need to provide information in all of the categories in the table below.

Minimum requirement to be monitored	Process for monitoring e.g. Audits	Responsible individual/group/ committee	Frequency of monitoring	Responsible individual/group/ committee for review of results	Responsible individual/group/ committee for developing Action Plan	Responsible individual/group/ committee for monitoring Action Plan

9.1 Process for Monitoring Compliance and Effectiveness

As a minimum include the review/monitoring of all the minimum requirements within the NHSLA Standards.

- Monitoring arrangements for compliance and effectiveness i.e. audit, review, etc.

- Responsibilities for conducting the monitoring/audit.
- Methodology to be used for monitoring/audit.
- Frequency of monitoring/audit, i.e. quarterly, on a rolling basis, etc.
- Process for reviewing results and ensuring improvements in performance occur.

9.2 Standards and Key Performance Indicators

A description of the standards or Key Performance Indicators (KPI's) by which the policy will be measured.

10 Document Control including Archiving Arrangements

10.1 Register/Library of Procedural Documents

- Process and responsibility for recording, storing and controlling current procedural documents.
- Identify the location of the register/library of procedural documents, such as a shared directory, or the trust intranet of master documents.
- Identify who is responsible for maintaining the register/library of procedural documents.

10.2 Archiving Arrangements

- Process for recording archived documents.
- Where master copies will be archived.
- How archived documents will be stored.
- Responsibility for archiving.
- When archiving will occur.

10.3 Process for Retrieving Archived Documents

- Where information on archived documents can be found.
- How copies of archived documents can be obtained.

11 References

Provide evidence base for procedural documents with up to date references. It is recommended that all references are cited in full using an agreed uniform approach to referencing.

- *Equality Act 2010*
- *NHS Employment Check Standards 2012*
- *Freedom of Information Act 2000*
- *Agency Workers Directive 2011*

- *Agenda for Change Terms and Conditions*

12 Associated Documentation

Provide details of any supporting/linked procedural documents. E.g. Other policies referred to in the body of the text, Procedure documents etc.

- *Secondment Policy*
- *Work Force Plan*
- *Annual Equality Report*
- *Public Sector Equality Duty*
- *Organisational Change Policy*
- *Managing Dyslexia Policy*
- *Records Retention Schedule*
- *DBS Policy*
- *Attendance Management Policy*
- *Equality Impact Assessment Procedure*

Appendix A:

PROTOCOL FOR RECRUITMENT OF AGENCY STAFFING

1. Introduction

From time to time departments may experience extreme staffing difficulties and in order to maintain service provision may need to secure the use of agency staff. However the use of agency staff is an expensive solution to short term staffing difficulties and has certain inherent legal obligations.

As part of the Trust's approach to service efficiencies it is proposed that the use of Agency staff be restricted and will only be granted in particular circumstances (see below) and with the agreement of HR / Recruitment.

1.1 Definition of an Agency Worker

An agency worker can be defined as someone who is:

"supplied by a temporary work agency (TWA) to work temporarily for, and under the supervision, of a hirer (NEAS)"

i.e. an individual who has a contract with the TWA and not the hirer

2. Agency Staff Use – Process and Criteria For use

2.1 In **all** cases a request to recruit external agency staff should only be made once the following options have been explored;

- Existing staff working additional hours (not overtime)
- Existing staff working different shift patterns
- Changes to planned activities, project plans
- Reallocation of work to other staff within the work area
- Use of staff on restricted/light duties
- Secondment of staff from other areas within NEAS for a specific period of time.

2.2 There are a variety of situations which can arise in which it **might** be appropriate to request to recruit an agency worker, including;

- Covering vacant posts on a temporary basis whilst recruiting to them, or that have proven to be difficult to fill (once HR01 has been agreed)
- Short term funding for specific projects where specialist / scarce skills are required.

- Staff sickness absence (likely to extend beyond 4 weeks) N.B. No cover will be agreed until at least 4 weeks has elapsed.

- Other authorised leave for a substantive post holder which cannot be reasonably covered by other colleagues.

2.3 If any of the above situations arise then it should be noted that Agency staff cover would only be granted for 50% of the substantive role for a maximum period of 12 weeks.

2.4 Following the introduction of the Agency Workers Directive in October 2011, Agency staff are entitled to a number of different legal entitlements and rights.

These rights include, not exclusively, access to facilities and the right to apply for internal vacancies from day one.

After twelve weeks service agency workers are entitled to many of the same basic terms and conditions as a permanent member of NEAS staff, these include, not exclusively, pay (including basic, overtime, shift or unsociable hours allowances), annual leave and paid time off for ante-natal appointments.

Therefore the cost of agency staff is often greater than provided for within departmental staffing provision and careful consideration should be given to agency staff use.

At all times HR Advice should be sought.

3. Submitting a Request for Agency Staff

3.1 All requests for Agency staff must be discussed with your HR Advisor in the first instance. Where usage appears to be prudent and justifiable an HR01 form must be completed and submitted to the HR Recruitment inbox:

recruitment@neas.nhs.uk

The Recruitment Team will then action your request and contact you for further details.

3.2 It is important that the following details are stipulated within the request to ensure the Trust is fulfilling its legal obligations:

- Length of assignment
- Pay (this should be on parity with that of a permanent employee operating within the same role)
- Any additional benefits such as unsociable hours allowance etc.
- The required level of pre-employment checks.

4. Agencies to be Used and Pre-Employment Checks

4.1 Agency staff must be sought from a PASA approved supplier unless agreed by HR.

4.2 Agencies on the PASA framework are required to check staff supplied to NHS Employment Check standards and must supply signed documentation (checklist) to show that all appropriate checks have been undertaken.

4.3 Where an Agency is used out with the PASA framework the HR Team will carry out and evidence all appropriate employment checks prior to commencement of placement.

4) Monitoring of Agency Staff Use

4.1 It is essential that Managers continue to monitor agency staff on a weekly basis and the usage of all agency staff must be formally reviewed with your HR Advisor / Recruitment after no longer than eight weeks.

4.2 As highlighted in 2.4 after a period of twelve weeks Agency staff are entitled to certain rights. The twelve week period can be defined by the below:

The 12 week period is triggered when an agency worker has worked in the same role with the same hirer for 12 continuous calendar weeks.

It is important to note that included in this is:

- If the agency worker has worked only for a few hours of any week, this is still classed as a full weeks accrued service.
- This can be through two different TWA's.
- Absence related to maternity, pregnancy or childbirth – clock starts again on return
- Statuatory contractual maternity, paternity or adoption leave – clock starts again on return
- End of assignment

<u>Breaks in which the '12 week period' is suspended</u>

- Breaks of less than 6 weeks for any reason
- Sickness absence (up to 28 weeks)
- Annual leave
- Jury Service (up to 28 weeks)
- Temporary cessation of hirer activity i.e. factory shutdown
- Industrial action

Procedure to Request Agency Staff

Manager considers alternatives to using agency staff

⬇

If no alternative identified then following procedure would apply

⬇

Manager completes HR01 form specifying whether the post is within the current establishment, the anticipated duration for which agency cover will be required and relevant budgetary provisions made to cover the cost of recruiting agency staff

⬇

Recruitment Team contacts PASA approved agency(s) (list available from Procurement Department)

⬇

Agency contacts relevant appointing manager to discuss role further and arrange shortlist.

⬇

Manager undertakes interview, selects agency worker(s) and notifies HR of decision

⬇

HR undertake all necessary pre-employment checks in line with agreed PASA / NEAS practice and managers is asked to ensure agency worker has appropriate IT access

⬇

HR provides manager with agency worker(s) name, contact details and copy of CV / application forms

⬇

Manager reviews agency staff expenditure on a regular basis and provides HR with updates on agency staff usage

RECRUITMENT AND SELECTION CHECKLIST

Name:……………………………………………………………………

Proof of Right / Address OK	Quals Received & Checked	Prof . Alerts Checked	Driving Lic. Checked
Interview Notes Rec.	**Prof. Reg. Checked**	**DBS Confirmed Clear**	**Airwaves Dec.**
Reference 1 Requested	**Ref 1 Chased x 1**	**Ref 1 Chased x 2**	**Ref 1 Returned**
Reference 2 Requested	**Ref 2 Chased x 1**	**Ref 2 Chased x 2**	**Ref 2 Returned**
Reference 3 Requested	**Ref 3 Chased x 1**	**Ref 3 Chased x 2**	**Ref 3 Returned**
Occ. Health Issued	**Occ. Health Booked**	**Occ. Health Clear**	**Exposure Prone Clear**
TB Cleared	**Eye Test OK**	**Personal File Made**	**Manager**
Agency Contact	**Agency Name**	**Start Date**	**Band and Point**
8 Week Review	**12 Week Review**	**End Date**	**Spreadsheet updated**

File Complete:	Signed off:

Appendix B

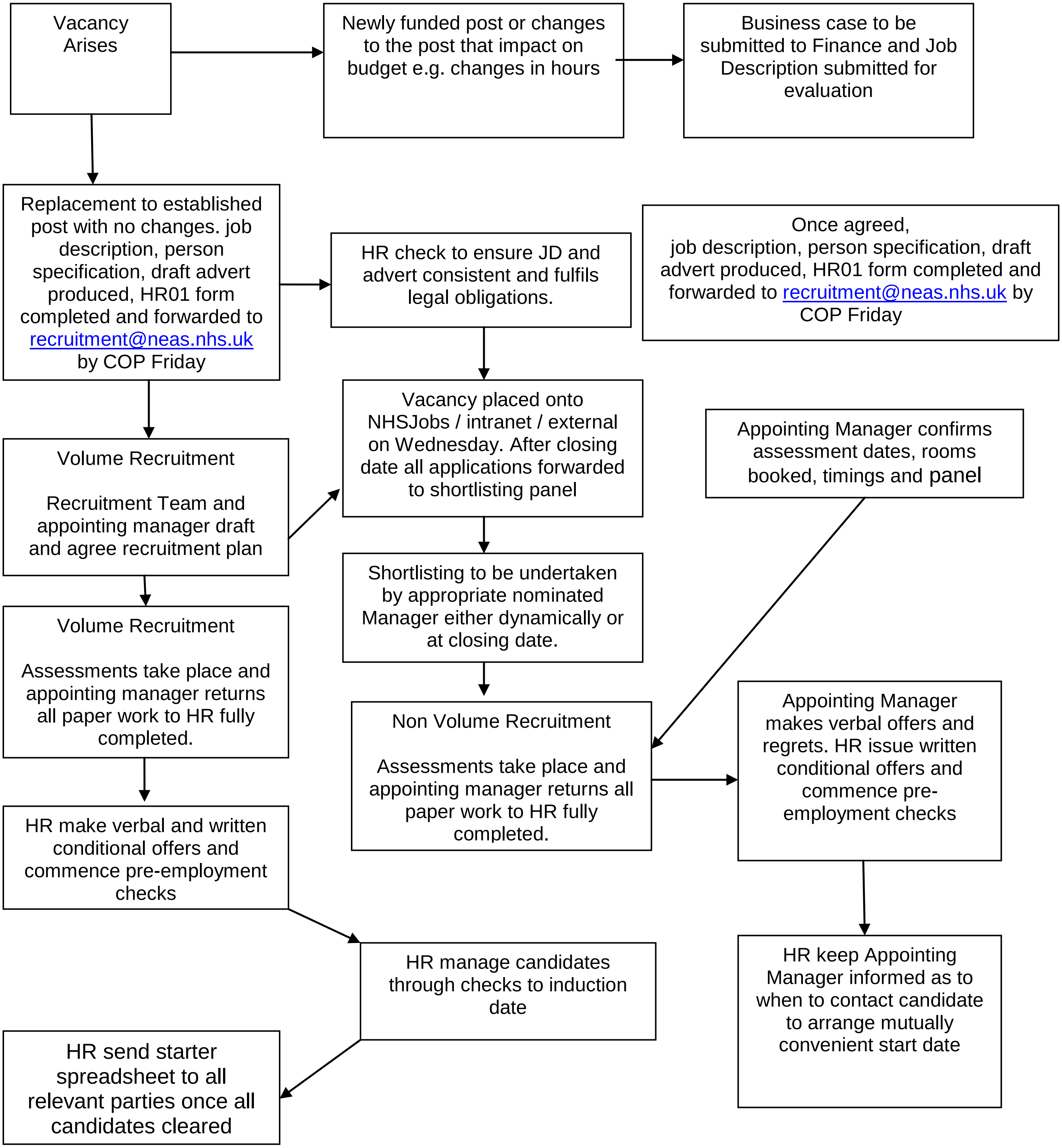
<u>Person of Standing Signatory List</u>

The signatory should be a professional person or a person of good standing in the community. The following are examples of the type of person that would be suitable based on those suggested by the Identity and Passport Service (IPS):

- Accountant
- Airline pilot
- Bank/building society official
- Barrister
- Chairman/director of limited company
- Chiropodist
- Commissioner of oaths
- Councillor (local or county)
- Civil servant (permanent)
- Dentist
- Director/manager of a VAT-registered charity
- Director/manager/personnel officer of a VAT-registered company
- Engineer (with professional qualifications)
- Financial services intermediary (e.g. a stockbroker or insurance broker)
- Fire service official
- Funeral director
- Insurance agent (full time) of a recognised company
- Journalist
- Justice of the Peace
- Legal secretary (fellow or associate member of the Institute of Legal Secretaries and PAs)
- Licensee of public house
- Local government officer
- Manager/personnel officer (of a limited company)

• Member, associate or fellow of a professional body
• Member of Parliament
• Merchant Navy officer
• Minister of a recognised religion (including Christian Science)
• nurse (RGN and RMN)
• Officer of the armed services (active or retired)
• Optician
• Paralegal (certified paralegal, qualified paralegal or associate member of the Institute of Paralegals)
• Person with honours (an OBE or MBE, for example)
• Pharmacist
• Photographer (professional)
• Police officer
• Post Office official
• President/secretary of a recognised organisation
• Salvation Army officer
• Social worker
• Solicitor
• Surveyor
• Teacher, lecturer
• Trade union officer
• Travel agent (qualified)
• Valuer or auctioneer (fellows and associate members of the incorporated society)
• Warrant Officers and Chief Petty Officers

Appendix C
Recruitment Flow Chart



Version Control Sheet

Version	Date	Author	Status	Comment
6	26.02.13	N Gatenby	Agreed	

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