

# Recruitment and Selection Policy

**DOCUMENT CONTROL SHEET**

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**Change History:**

Version	Date	Reviewer(s)	Revision Description
V1.0	April 2017	Helen Haynes Louise Thomas	Adapted for use as the Shared Service Policy.
V1.1	January 2019	Stephanie Veerasamy	Updated to clarify standard process applies to people who retire and return and starting salary new national guidance.

**Implementation Plan:**

<b>Development and Consultation</b>	Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs.
<b>Dissemination</b>	This policy will communicate to staff representatives. It will be communicated electronically to all staff and managers and will be published on the CCG's intranet.
<b>Training</b>	HR Masterclasses will be made available to all managers on Recruitment and Selection. Managers will also be able to access advice from the HR and ODL Shared Service on the implementation and interpretation of this policy.
<b>Monitoring</b>	All recruitment & selection activity is monitored to ensure timely resolution of recruitment episodes and monitoring against protected characteristics in line with the Equality Act is undertaken at least annually. The data identified from monitoring will be used to update the policy and ensure best practice as necessary.
<b>Review</b>	Every 2 years

<b>Equality and Diversity</b>	17/05/2017 - Equality Impact Assessment
<b>Associated Documents</b>	<ul style="list-style-type: none"><li>▪</li><li>▪</li></ul>
<b>References</b>	<ul style="list-style-type: none"><li>▪</li><li>▪</li></ul>

**Document Status:**

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## **1.0 Introduction**

- 1.1** NHS Bedfordshire, NHS East and North Hertfordshire, NHS Herts Valleys, NHS West Essex and NHS Luton Clinical Commissioning Groups (respectively referred to as 'the CCG') aim to support managers in providing a fair, consistent and effective approach to the recruitment of all employees
- 1.2** Effective recruitment and selection is crucial to the successful functioning of the CCG. This will mean finding people with the necessary skills, expertise and qualifications, looking beyond a person's age,, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, and sexual orientation and appointing the best person to do the job.
- 1.3** The CCG complies fully with the NHS Employment Check Standards and undertakes to treat all applicants in the same way at each stage of the process.
- 1.4** This procedure applies to every post or within the CCG.
- 1.5** The purpose of this policy is to provide guidance, to promote best practice and compliance with statutory requirements

## **2.0 Scope**

- 2.1** This policy applies to all CCG staff members, including Governing Body Members and Clinical Leads, whether permanent, temporary or contracted-in (either as an individual or through a third party supplier).

## **3.0 Definitions**

For the purpose of applying the provisions contained in this document, the following definitions shall have the following meanings:

### **CQC: Care Quality Commission**

CQC is the independent regulator of health and adult social care in England.

### **NHS Employers**

NHS Employers is the organisation that represents individual NHS organisations to be the voice of workforce leaders, experts in HR, and negotiate fairly to get the best deal for patients.

### **Candidate**

A candidate is a person who has applied for a role with the CCG. They may be an existing CCG employee or external. The individual is known as a candidate until they commence employment with the CCG, when they become an employee.

### **Recruiting Manager**

The recruiting manager is the manager of the vacant role who has taken responsibility for recruiting to the role. It may be the line manager or another senior manager. The person leaving the role should not be the recruiting manager (e.g. if someone is retiring, they should not recruit their replacement.)

### **Interview Panel**

The interview panel is the group who assess the candidate's suitability against the Person Specification. All members of the panel should be trained in the CCG recruitment and selection policies and procedures through the face to face training provided by the HR and ODL service at the CCG, as good practise.

### **Subject Access Request**

As part of the Data Protection Act 1998 (as amended 2018), an individual can request access to their personal data held by the CCG, known as a subject access request. This includes information about the reasoning behind any decisions taken about them, including in this context, the recruitment and selection process that they have participated in.

**Equality Act 2010** – this act replaced the previous antidiscrimination laws (such as the Race Relations Act 1976 and the Disability Discrimination Act 1985) with a single Act. It simplifies the law, removed inconsistencies and made it easier for employers to understand and comply with. It also strengthens the law in important ways to help tackle discrimination and inequality.

### **Discrimination**

**Direct Discrimination** - is treating someone less favourably than another person because of a protected characteristic they have. E.g. not appointing a pregnant woman to a role because of financial concerns connected with covering the role during her absence due to maternity leave.

**Indirect Discrimination** – occurs where a policy applies to everyone, but has a disproportionate impact on people with a protected characteristic. Often it is not the intention of the employer to discriminate, but nevertheless the

outcome results in one group being disadvantaged in comparison to another, e.g. insisting on higher language standards than are necessary for safe and effective job performance, would tend to disqualify people for whom English is not their first language.

Associative Discrimination – treating someone less favourably because they associate with an individual who has a protected characteristic e.g. not appointing a candidate who has a disabled child.

Perceptive Discrimination - is where an individual is treated less favourably based on a perception that the discriminator thinks the person possesses the characteristic, even if they do not. E.g. not appointing a candidate because they are married to an existing employee who has a religious belief (doesn't work a Sunday or takes religious holidays off).

Positive action - the Equality Act allows employers to take positive action if they think that their employees or job applicants who share a particular protected characteristic suffer a disadvantage connected to that characteristic, or if their participation in an activity is disproportionately low.

Positive discrimination – positive discrimination is illegal. It involves employing or promoting people because they are from a target group such as women or men, or a particular ethnic group.

3.1 The CCG will ensure that recruitment literature is non-discriminatory and that it includes information on the CCGs Equal Opportunities in Employment Policy and that employees should contact the HR and ODL service immediately if they identify any aspects of our recruitment process they feel could be discriminatory.

3.2 The CCG will select applicants on merit and will implement all pre-employment checks in compliance with anti-discrimination legislation including:

- Equality Act 2010
- Civil Partnership Act 2004
- Gender Recognition Act 2004
- Flexible Working Regulations 2002
- The Human Rights Act 1998
- Health and Safety legislation

#### **4.0 Policy Statement**

4.1. The CCG recognises the need for equality and diversity within the workforce and promotes equality and diversity issues and awareness.

- 4.2. The CCG endeavours to be an equal opportunities employer and has taken measures to ensure that any opportunity for discrimination during the recruitment process is minimised. Personal information is removed from application forms prior to short listing and is used for equality monitoring purposes only. We will also ensure that objective selection criteria are used, the decision-making process is recorded and it can be demonstrated that appointments are made on merit.
- 4.3. The CCG will ensure that all employees who are responsible for undertaking recruitment and selection are suitably trained and have the necessary knowledge and skills.
- 4.4. Recruitment and selection is carried out in accordance with all relevant legislation.
- 4.5. If applicable, the CCG uses the Disclosure service provided by the Disclosure & Barring Service to assess applicants' suitability for positions of trust. The CCG complies fully with the DBS Code of Practice and undertakes to treat all applicants fairly. The CCG also undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information received.
- 4.6. The CCG will be responsible for ensuring that all recruitment activities are carried out in line with the principles of equal opportunities and in conjunction with the HR and ODL Team as appropriate.
- 4.7. Data is held and destroyed in line with the Data Protection Act 1998 (as amended 2018). Only information essential to the recruitment decision will be obtained and will be kept in accordance with the Act.

## **5.0 Responsibilities**

### **5.1 Managers** are responsible for:

- a) Ensuring they are familiar with this policy and applying it fairly and consistently.
- b) Taking advice from HR as necessary.
- c) Ensuring they have attended the relevant Recruitment and Selection Training Course.

**5.2 Employees** are responsible for:

- a) Ensuring they are familiar with this policy and applying it fairly and consistently.
- b) Taking advice from HR as necessary.

**5.3 The HR and ODL Shared Service** are responsible for:

- a) Overseeing the implementation of this policy, ensuring legal and procedural updates are incorporated in a timely manner.
- b) Supporting employees and managers to understand this policy and provide training as required.
- c) Working with managers to advise on the fair and consistent implementation of this policy

**5.4 The Accountable Officer / Chief Executive** has ultimate responsibility for ensuring that mechanisms are in place for the overall implementation, monitoring and revision of policy.

**6. Procedure**

The recruitment process is often the first experience an individual has of an organisation. It is therefore important that the experience is as positive as possible to ensure that candidates are left with a positive image of the CCG whether they are successful or not.

The Human Resources Department also aims to reduce the risk of a poor selection decision by providing appropriate training and support – this can be more expensive and damaging than not recruiting at all.

It is the Human Resources Department's aim to provide an efficient and effective recruitment service. To do this we encourage constructive feedback on the service provided via questionnaires from managers and new starters.

The Human Resources Department also keeps abreast of developments in best practice in this field and to promote changes to practice.

## **6.1 Reviewing the Post**

When a vacancy occurs or is identified, the Manager should consult with their budget holder and decide where applicable, whether the post needs to be filled. The duties may have changed enough to be covered within existing workforce resources, or suggest a different role altogether. It is important to bear in mind future workforce needs and the need to retain staffing flexibility.

Where a job role has changed or been created or if the job description has been amended since its last review it will need to be passed to a matching panel for re-evaluation. If additional support is required to evaluate the job descriptions, the relevant HR Business Partner should be contacted.

The Manager, in consultation where necessary, with their HR Business Partner, must decide whether the post is exempt from the Rehabilitation of Offenders Act, and whether the post will involve working with children or vulnerable adults.

## **6.2 Financial Authorisation Process**

Once the post has been established the Manager must obtain authorisation to recruit to the post. The authorisation approval process should be completed on the CCG recruitment system, Trac systems, the process for the CCG can be found on the HR Pages of the Staff Intranet.

Details of any costs associated with external advertising in addition to NHS Jobs and the running costs of recruiting should be included as part of the workforce approval.

## **6.3**

## **6.4 Job Description and Person Specification**

A job description and person specification must then be completed for the post. If it is an existing post, then the current job description and person specification must be reviewed and any necessary changes made.

Where significant changes are made to the job description and/or person specification they should be sent to the HR and ODL Team so that a job evaluation can be carried out.

The job description must summarise the role and responsibilities of the post in a concise and accurate way.

The person specification defines the qualifications, skills, experience, and aptitudes etc. that are required by a person to fulfil the role. The criteria must be categorised as either essential (the minimum standards required to perform the job adequately) or desirable (the standards which will enable the person to perform the job more effectively). The criteria used should be competency based to enable candidates to demonstrate at interview how they have used particular skills previously.

Job Description and person specification templates are available from the HR business partners.

## **6.5 Advertising the Vacancy**

The advert must be aimed to attract the 'best fit' candidate and should be based on the job description and person specification.

In all cases jobs will be advertised on NHS jobs and the CCGs website. All applicants both internal or external will be required to apply on-line via NHS Jobs.

Where external advertising is appropriate, the recruiting manager should establish the most efficient and effective method of advertising e.g. newspapers and/or professional journals, social media ect in addition to NHS Jobs and the CCG website, where appropriate. If using a third party agency to recruit, the opportunity should also be advertised on NHS Jobs. Advice should be sought from the recruitment team prior to engaging with a third party agency.

Recruitment advertisements shall reflect the realistic requirements of the post with regards to skills, qualifications and experience and shall not include any unjustifiable requirements, e.g. age or disability restrictions

All vacancies will be advertised via our online recruitment tool NHS Jobs, candidates must apply on line and view the Job Description and Person Specification.

At the managers request external advertisements can use the wording: “We reserve the right to bring forward the closing date should we have an overwhelming response to this advert.” “Or previous applicants need not apply”

Where possible an interview date should be agreed and form part of the advert. By planning in advance and setting an interview date, this enhances the likelihood of candidates being able to attend an interview and speeding up the recruitment process.

## **6.6 Shortlisting**

After the advert has been published and closed (usually two weeks) the recruitment team will via Trac send an email notification to those individuals shortlisting that the advert has closed and the details of the number of applications which need to be shortlisted.

The short listing must be undertaken by a minimum of two representatives of the proposed interview panel to ensure consistency and collective agreement, ensuring any conflicts of interest are raised to the recruitment team. The Chair must review scores from the second shortlister and process applications to interview stage.

If any applicants have declared on their application form that they are a redeployee, then the CCG has a commitment to offer these applicants an interview without competition, providing they meet the essential criteria for the post as outlined in the person specification. The manager should speak to the HR Business Partner or HR Advisor about the position. Please also refer to the Organisational Change Policy.

The manager is responsible for ensuring the shortlisting is carried out within 3 working days where possible, using the selection criteria drawn up at the advertising stage. Managers are not able to access applicant’s personal details at the shortlisting stage to assist with objective and equal opportunity selection.

All shortlisting is completed online viaTrac. Guidance notes on shortlisting are available on the CCG intranet under the HR pages and advice can also be sought by contacting the recruitment team.

## 6.7 Commitment to Employing Disabled Workers

### Two Ticks Disability Symbol

Both Luton and East and North Herts CCGs are a 'Two Ticks' Disability Symbol User which means it is positive about employing disabled people. As a result, it demonstrates the following commitments:

- to interview all applicants with a disability who meet the minimum criteria for a job vacancy and to consider them on their abilities;
- to ensure there is a mechanism in place to discuss, at any time, but at least once a year, with disabled employees what can be done to make sure they can develop and use their abilities;
- to make every effort when employees become disabled to ensure they stay in employment;
- to take action to ensure that key employees develop the appropriate level of disability awareness needed to make these commitments work;
- each year, to review those commitments and what has been achieved, to plan ways to improve on them and to let employees and Job Centre Plus know about progress and future plans.

### Disability Confident Accreditation

Both Bedfordshire and Herts Valleys CCGs have Disability Confident Accreditation, which replaced the Positive About Disabled People (Two Ticks) accreditation. As a result, it demonstrates that as an employer we:

- Actively look to attract and recruit disabled people;
- Provide a fully inclusive and accessible recruitment process;
- Offer an interview to disabled people who meet the minimum criteria for the job;
- Are flexible when assessing people so disabled job applicants have the best opportunity to demonstrate that they can do the job;
- Proactively offer and make reasonable adjustments as required;
- Encourage our suppliers and partner firms to be Disability Confident; and
- Ensure employees have appropriate disability equality awareness.

The recruitment team will notify the recruiting managers of any candidates who declare a disability and will offer appropriate guidance

such as adjustments and offering extra time where suitable. They will also be responsible for auditing compliance. The recruiting manager is responsible for assessing the applicant against the person specification and offering an interview providing essential criteria is met.

## **6.8 Interview Assessment**

Managers will arrange the interview for the post through Trac system based on the date provided at advertisement stage.

The panel will all be trained in recruitment and selection as a mandatory requirement for all panel members by the CCGs Hr and ODL service. The Panel Chair, will need to determine the methods of testing appropriate for the post. In order to reduce the potential for unconscious bias, recruitment episodes should avoid relying solely on an interview. It is advisable that recruitment episodes should also incorporate competency testing, which can be in the form of literacy, numeracy & IT tests, group exercises, presentations or specifically tailored exercises for the vacancy.

The Chair should decide what methods of selection would be most appropriate by considering how each element on the person specification can be assessed and the use of non-discriminatory practice when designing and applying these tests. The recruitment team are available for advice or guidance on this.

The manager is responsible for ensuring all panel members are available and for arranging a suitable venue for the interview assessments. The manager should confirm the details to the recruitment team through Trac so that they can ensure all candidates are sent the interview schedule in a timely manner.

## **6.9 Interview Structure**

The panel should discuss prior to the interview date the arrangements of the interview/selection process. The structure of the interview will be professional and demonstrate an organised planned approach to the entire recruitment campaign. The panel members will be aware of their roles and what questions they are to ask. The panel should normally consist of a minimum of 2, all of whom should have attended recruitment and selection training prior to interviewing.. The room should be suitable for private conversation with a relaxed, friendly and professional atmosphere. A drink of water should be made available for the candidates and panel members.

All criteria outlined in the person specification should be tested through the appropriate selection method and each candidate should be asked the same framework of questions. Through disclosure, Applicants are entitled request access to their interview notes if they request it, so please ensure notes are accurate, clearly documented and contain no inappropriate language or “doodles”.

In order to ensure that both parties gain as much information as possible it is important to establish a rapport with the candidate and conduct the interview in a manner that is comfortable for everyone, whilst maintaining professionalism. The interview should not be an interrogation, but a structured conversation that deals with key issues. It is suggested that the interviewee should do approximately 70% of the talking. Depending on the role, competency based, strength based and scenario based recruitment questions and methods should be used.

During the interview the Chair should introduce all panel members and explain the structure of the interview. They will also confirm that notes will be taken throughout the interview, and finally inform the candidate that they will have an opportunity to ask questions at the end.

The Chair needs to keep control of the interview to ensure the candidate provides relevant information in order to assess how well they meet the requirements of the person specification. They will need to ask questions that gauge the candidates’ abilities and listen to the response (interview notes are an invaluable supplement to this process). Follow up supplementary questions should be limited; they should not inadvertently supply the answer to the candidate, but can be used to clarify the question and remind the candidate of the question or clarify points in the candidates answer. If supplementary questions are used, it should be noted on the scoring sheet.

The candidate should feel that they have been given a good opportunity to demonstrate their suitability for the post and told when the decision will be made. The panel should avoid discussing specific salary points as this may imply a verbal contract, instead they should refer the candidate to the recruitment team. Employment history gaps should be checked at the interview to ensure that all previous employers and activities have been accurately disclosed.

Those involved in the recruitment interview should ensure they focus on the needs of the job and skills needed to perform it effectively and complete the interview assessment forms.

## 6.10 Interview Documentation

Each panel member must record the interview questions and scores on the Interview Assessment Form. The questions must be clearly referenced to the job description and person specification. A minimum appointable mark must be agreed prior to the interviews and used across all applicants to promote fairness and consistency.

Qualifications set out in the person specification must be verified at the interview stage. This includes taking a photocopy and signing it to confirm that the originals were seen and validated. It is the responsibility of the Chair to validate such qualifications and where relevant, obtain the accurate PIN/Registration Number. For non-health professional, i.e. posts where registration is not required, key qualifications for the position must be verified using original certificates. An identity check must be taken at interview thus panel members are required to take a copy of a person's passport, or other relevant ID document, to verify the candidates identity.

For all registered professionals, the HR Department will be making a check with the relevant registering body so it will not be necessary to verify those qualifications separately.

The lead interviewer must update the recruitment team through Trac systems and the interview paperwork must be uploaded to the Trac system or emailed to the recruitment team. Following receipt a conditional offer letter will be sent.

The Panel Chair is responsible for contacting the successful candidate to make the provisional offer and must confirm a verbal acceptance or decline with the candidate. This can be delegated to another panel member should the Chair require.

## 6.11 Post interview procedures

### Conditional Offer

A conditional offer letter will be issued to the successful candidate advising them of the outcome. The Manager will contact all the unsuccessful candidates and offer feedback where necessary once the offer has been accepted. If the first candidate declines you can offer to the next highest scoring candidate or, if there are no appointable candidates, you should re-advertise the post/review the post. Please

seek advice from the Recruitment Team or your HR Business Partner before proceeding.

The Recruiting Manager should not agree or discuss the salary at the interview stage. Please contact recruitment should queries around salaries be required.

The Chair of the Recruitment Panel must make a note against all unsuccessful candidates detailing why the post was not offered to the candidate.

### **Making Reasonable Adjustments**

If a disabled candidate is selected for appointment, the need for reasonable adjustments to the role will need to be discussed with the individual concerned. Where it is agreed that reasonable adjustments need to be made this should be discussed with Occupational Health and the HR Business Partner.

### **Reserve Candidates**

Where more than one candidate meets the selection criteria the panel may decide to list second and third choice candidates. Where the first choice candidate is unable to take up employment, for any reason, the second candidate may be offered the position and so on. Reserves may be held for a period of 6 months and if there is the requirement to fill the same post during that period the reserve candidate may be offered the position without having to repeat the recruitment process.

### **Feedback**

It is the Recruiting Managers responsibility, whether at shortlisting or interview stage, to provide feedback should an unsuccessful candidate request it. Feedback to internal candidates should be given face to face where possible.

If an applicant is unhappy with the outcome of their feedback, or any stage of the recruitment and selection process they can address their concerns, in writing, to the HR Business Partner. Where a member of the HR and ODL Team is involved in the recruitment and selection process, concerns should be addressed to the Director of Workforce or his deputy.

### **Expenses**

The CCG does not cover expenses for any interviews to any candidate or employee.

## **Employment Checks**

Pre-employment checks are either required by law or considered mandatory in line with the Department of Health's Standards for Better Health. Failure to carry out these checks could put the safety, and even the lives, of patients at risk and cause reputational damage. It is essential that everyone working in the CCG is trustworthy and reliable. Failure by an employee to provide accurate and truthful information in their application or at interview should be considered a disciplinary matter and should be referred to the CCG's Local Counter Fraud Specialist (LCFS). If an employee has intentionally provided inaccurate information, or withheld information that is relevant to their appointment, it can be cause for dismissal and prosecution.

Misrepresentations as part of the recruitment process can constitute a criminal offence under the Fraud Act 2006.

In accordance with NHS Employment Check Standards the CCG will undertake document checks on every prospective employee and staff in ongoing NHS employment. This includes permanent staff, staff on fixed term contracts, volunteers, students, trainees, work experience staff, bank workers and contractors

All pre-employment checks will be undertaken in accordance with NHS Employment Check Standards as follows:

### **Verification of Identity:**

- It is vitally important that the identity of a prospective employee is reliably verified before he/she is appointed. Identity checks are designed to;
- Determine that the identity is genuine and relates to a real person.
- Establish that the individual owns and is rightfully using that identity  
As well as verifying an individual's identity, it is also important to make sure that the individual is legally entitled to work in the UK in line with Home Office guidance.
- medical clearance for all candidates

- receipt of satisfactory references (2 for external candidates and 1 for internal candidates unless employed by the organisation for less than 3 years then 2 will be required). One reference must be the line manager.
- All appointments covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 are subject to a DBS check. Proof of relevant qualifications where appropriate

### **References**

All posts are subject to receipt of satisfactory written references as stated in the conditional offer letter. For candidates external to the NHS, the recruitment team will take up as many references as is required to cover the candidates previous three years' employment history. For internal candidates and those coming from another NHS organisation the recruitment team will take up one reference from their employing organisation which follows NHS employers guidance, however the manager may request additional references.

Formal employment contracts will not be issued prior to the receipt of satisfactory written references and the above pre-employment checks. . If unsatisfactory references are obtained, the recruitment team will be available for advice and guidance. Please note that all information supplied by the referees must remain confidential at all times.

The Manager should check with the candidate that the referees are appropriate. References are required from a person with line management responsibility. The appointing Manager should check the referees given by the candidate, meet the criteria and if not ask for new referees. For more information on referencing, please speak to your Recruitment Advisor.

References should be obtained from people who have actually managed the candidate or supervised them in an educational capacity and must come from a professional email address. Most organisations have a policy to only provide a basic factual reference which will confirm the candidate worked for them, the dates, the job title, salary and hours of work. This does not mean this is an unsatisfactory reference.

If there are any concerns in relation to the authenticity of documents provided during the recruitment process, the matter will be immediately referred to the Local Counter Fraud Service (LCFS) and may result in an internal and/or criminal investigation. Any internal investigation would be in accordance with the CCG's Disciplinary Policy.

### **Occupational Health Clearance**

All staff must have a pre-appointment health assessment which complies with equality legislation and good occupational health practice. Health assessments will be done when a member of staff:

- Takes up their first post within the CCG (permanent or temporary), whether this is preceded by a period of training or not
- Changes job, where this involves a significant change of duties
- No applicant should be refused employment on health grounds unless:
  - Expert occupational medical advice has been sought
  - The applicant has had the opportunity to discuss issues raised with an occupational health professional
  - The employing manager has fully considered all the facts (advice should be sought from Human Resources)

### **Confirmation of Start Date & Booking of Induction**

Once we have all pre-employment checks in place an unconditional offer letter will be sent by the recruitment team via Trac. The start date will need to be agreed between the candidate and Recruiting Manager.

Once this has been agreed, the date should be confirmed to recruitment via Trac, following this the contract will be sent and the candidate will be booked on the CCG induction via Trac.

Managers should start making the necessary arrangements for the new starter and prepare their local induction.

### **Permission to Work Form**

Under the 'Immigration, Asylum and Nationality Act, 2006' employers are expected to ensure that they do not employ people who do not have permission to work in the UK. Employers are required to check documentation before they commence work and have proof their employees are eligible to work in the UK. Checking such documents at interview stage is considered to create the least inconvenience.

Recruiting managers must ensure they see appropriate documentation that provides proof that an applicant has permission to work in the UK.

All successful candidates who are not EU or EEA nationals and do not have leave to remain and work in the EU should be offered posts subject to obtaining a work permit. It is only possible to recruit a person who requires a work permit if:

- The post requires a recognised professional qualification,
- The vacancy has been advertised nationally,
- It has not been possible to recruit a suitably qualified person who is a permanent resident of the EU or EEA.

Please be advised that work permit issues should be left to the later stages of the selection process in order to avoid unlawful race discrimination. Work permits are not transferable between employers. Candidates who hold a work permit for another employer will require a new work permit for our organisation.

### **6.12 Starting Salary and Incremental Dates**

Salary points should not be agreed between the panel and the candidate. All Candidates will be assessed based on relevant experience in the NHS in line with agenda for change. Recruitment will confirm eligible salaries.

In line with the NHS pay deal, NHS Improvement will be monitoring compliance with the new pay deal through the framework agreement thus any deviation from eligible salaries will not be allowed.

The Recruitment Team will lead on salary discussions and provide guidance to recruiting managers and candidates regarding this.

#### **6.14 Temporary Promotion (Acting Up)**

An opportunity for a temporary promotion to a higher pay band would occur, usually (but not exclusively) in the following circumstances

- a vacancy has arisen that has not yet been filled but there is a requirement for the post to be covered;
- a member of staff has gone on long term sick leave and the post needs to be covered;
- a member of staff has gone on maternity leave/adoption leave;
- a member of staff has taken a career break;
- a short term increase in demand of work

Temporary promotions are not intended to be used to cover annual leave or short term sickness.

The post should be advertised internally across the CCG and a selection process should take place in order to select the appropriate candidate to move temporarily into the position. An exception to this would be where it is a specialised position requiring specific qualifications or areas of expertise and where there is only one post-holder whose Job Description sets out that they are a deputy to the vacant role. In any case where the line manager believes the post should be ring-fenced or restricted in any way, they should discuss this with their HR Business Partner in the first instance before a decision is made.

Temporary movement into a new pay band should not normally last more than six months or less than one month except in instances of maternity or long-term sick leave where a longer period may be known at the outset. Acting up opportunities should be recruited in accordance with this policy however internal expressions of interest to those eligible can replace the advertisement stage.

#### **6.15 Employment of related person**

The term “closely related” for the purposes of this policy are people of are close friends or relatives. Relatives are people who are related by

blood, marriage or civil partnership or who co-habit or dependants of such people.

It is the responsibility of all employees to declare, if known, to their line manager or an appropriate recruiting manager, if they are related to an individual who has applied for a position within the CCG (whether as a potential new employee or as a promotion or secondment opportunity) or where they are related to any person who undergoes a formal process or procedure i.e. disciplinary or grievance, in which they are likely to be involved.

If a manager is involved in the recruitment process of a related person they must inform the recruitment team and those involved in the process and they must immediately be removed from having any involvement in the recruitment campaign.

All managers must be aware of, and ensure, they do not line manage, supervise, are a team leader or have any other similar role, to a related person.

Written consent from the Chief Executive/Accountable Officer, HR and the appropriate Director is required to allow related persons to be involved in any process of employment, appointment, promotion, secondment or any formal process, such as recruitment, disciplinary and grievance.

Failure of the part of any candidate to declare a relationship with an existing member of staff may lead to disciplinary/probationary action or withdrawal of an offer of employment.

If the applicant for a vacancy is related to the Chief Executive/Accountable Officer the recommendation to recruit will be made by the Chair of the CCG.

## **6.16 Criminal Convictions**

Included as part of the Advert Information Form the recruiting manager will be asked to confirm if the post requires a Disclosure and Barring Service (DBS) check. If the role does require a check, the advert will indicate to prospective candidates that successful candidates will be required to complete a DBS form as part of their pre-employment checks.

The panel chair will need to ensure that all candidates are aware of the post's exemption from the provisions of Section 4(2) of the Rehabilitation of Offenders Act by an Exceptions Order and ask them to disclose any convictions, cautions or bind-overs whether they are spent or not. The manager will indicate that failure to disclose at this point could in the future, result in the withdrawal of an offer, dismissal or probationary/disciplinary action. Where applicants declare their convictions, the manager must make a note of the declaration and consult HR after the interview is completed.

Where a DBS check is required due to the nature of the role and/or where a candidate has disclosed as part of the selection process that they have a conviction a blank DBS form will be sent to the applicant for completion.

#### **6.17 Honorary attachments**

There may be occasions where the CCG arranges honorary attachments to enable students or other practitioners to gain experience in certain settings. A separate process to that described in this policy applies to honorary attachments. This form of attachment does not constitute an employment contract.

#### **6.18 Conflict of Interest**

All those involved in the recruitment must ensure that they consider conflicts of interest throughout the recruitment process.

Should any panel member feel there could be a potential conflict of interest with their involvement in the process this should be highlighted to the recruitment team at the earliest opportunity.

Reference to declarations of interest should be discussed as part of the selection process at invite to interview stage.

As part of the recruitment process all successful candidates will be sent a Conflict or Declaration of Interest Form to complete as part of the pre-employment check process. The completed forms are returned to the recruitment team along with the other pre-employment forms and then sent to the relevant CCG for logging and processing, by the individuals responsible for coordinating the declarations of interests registers.

The Line Manager / Recruiting Manager must, where an interest is declared, agree any mitigating actions which need to be put in place to reduce any risk. Whereby an interest is found to be profound or acute the Line Manager should liaise with the relevant Director and the Director of Corporate Services to ascertain whether the conflict is manageable and whether the appropriate course of action is to refuse to allow the circumstances which gave risk to the conflict to persist.

### **Fixed Term Contracts**

All fixed term contracts irrespective of their duration should be advertised at least via the internal vacancy feature and should be managed under the CCG's Recruitment and Selection Policy. Fixed term contracts cannot be used in the place of a probation period.

For Posts being recruited to for a period of less than 6 months, where the other alternative would be agency use age, a fast-tracked recruitment process may be followed, still keeping in line with agenda for change and NHS codes of practise. In this case, managers will still need to get approval via Trac jobs however there can be an amendment to the selection process whereby candidates known to the employer can bypass the advertisement and interview. Extensions that take the post above 6 months must be in line with the normal recruitment process outlined in this policy, thus interviews must be completed and the post advertised internally.

### **Bank/Agency/Locum**

Any transfer or conversion from Agency/Bank/Locum to either a fixed term contract or a permanent post should be advertised internally via NHS jobs. All applicants must complete an online application form and will be subject to the CCG's recruitment and selection methods.

Bank staff are eligible to apply for internal posts. Bank/Agency employment does not form part of reckonable service and all pre-employment checks will be conducted for the successful candidate as an external candidate.

Bank recruitment will follow the CCG recruitment and selection process.

**Appendix 3: Equality Analysis – Full Equality Impact Assessment**

<b>Title of policy, service, proposal etc being assessed:</b>
Recruitment and Selection Policy

<p><b>What are the intended outcomes of this work?</b> Include outline of objectives and function aims</p> <p>NHS Bedfordshire, NHS East and North Hertfordshire, NHS Herts Valleys, NHS West Essex and NHS Luton Clinical Commissioning Groups (respectively referred to as ‘the CCG’) aim to support managers in providing a fair, consistent and effective approach to the recruitment of all employees and to help managers deal with recruitment and selection effectively and consistently.</p> <p>The CCG actively promotes equality of opportunity for all and welcomes applications from a wide range of candidates.</p> <p>The CCG complies fully with the NHS Employment Check Standards and the Disclosure &amp; Barring Service (DBS) Code of practice and undertakes to treat all applicants in the same way at each stage of the process.</p> <p>The purpose of this policy is to provide guidance and to promote best practice.</p>
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<p><b>How will these outcomes be achieved?</b> What is it that will actually be done?</p> <p>This procedure applies to every vacancy within the CCG.</p>
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<p><b>Who will be affected by this work?</b> e.g. staff, patients, service users, partner organisations etc. If you believe that there is no likely impact on people explain how you’ve reached that decision and send the form to the equality and diversity manager for agreement and sign off</p> <p>Potential Staff</p>
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<p><b>Evidence</b></p> <p><b>What evidence have you considered?</b> Against each of the protected characteristics categories below list the main sources of data, research and other sources of evidence (including full references) reviewed to determine impact on each equality group (protected characteristic).</p> <p>This can include national research, surveys, reports, research interviews, focus groups, pilot activity evaluations or other Equality Analyses. If there are gaps in evidence, state what you will do to mitigate them in the Evidence based decision making section on page 9 of this template.</p>
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If you are submitting no evidence against a protected characteristic, please explain why.

**Age** Consider and detail age related evidence. This can include safeguarding, consent and welfare issues.

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

**Disability** Detail and consider disability related evidence. This can include attitudinal, physical and social barriers as well as mental health/ learning disabilities.

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

**Gender reassignment (including transgender)** Detail and consider evidence on transgender people. This can include issues such as privacy of data and harassment.

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

**Marriage and civil partnership** Detail and consider evidence on marriage and civil partnership. This can include working arrangements, part-time working, caring responsibilities.

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

**Pregnancy and maternity** Detail and consider evidence on pregnancy and maternity. This can include working arrangements, part-time working, caring responsibilities.

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

**Race** Detail and consider race related evidence. This can include information on difference ethnic groups, Roma gypsies, Irish travellers, nationalities, cultures, and language barriers.

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

**Religion or belief** Detail and consider evidence on people with different religions, beliefs or no belief. This can include consent and end of life issues.

No local assessment. Developed in conjunction with the joint forum, and ratified by,

the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

**Sex** Detail and consider evidence on men and women. This could include access to services and employment.

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

**Sexual orientation** Detail and consider evidence on heterosexual people as well as lesbian, gay and bisexual people. This could include access to services and employment, attitudinal and social barriers.

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

**Carers** Detail and consider evidence on part-time working, shift-patterns, general caring responsibilities.

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

**Other identified groups** Detail and consider evidence on groups experiencing disadvantage and barriers to access and outcomes. This can include different socio-economic groups, geographical area inequality, income, resident status (migrants, asylum seekers).

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

## Engagement and involvement

How have you engaged stakeholders with an interest in protected characteristics in gathering evidence or testing the evidence available?

Policy Forum established. Members include representatives of CCGs and Trade Unions

How have you engaged stakeholders in testing the policy or programme proposals?

Policy Forum established. Members include representatives of CCGs and Trade Unions

For each engagement activity, please state who was involved, how and when they were engaged, and the key outputs:

Policy Forum established. Members include representatives of CCGs and Trade Unions

### Summary of Analysis

Considering the evidence and engagement activity you listed above, please summarise the impact of your work. Consider whether the evidence shows potential for differential impacts, if so state whether adverse or positive and for which groups and/or individuals. How you will mitigate any negative impacts? How you will include certain protected groups in services or expand their participation in public life?  
No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

Now consider and detail below how the proposals could support the elimination of discrimination, harassment and victimisation, advance the equality of opportunity and promote good relations between groups (the General Duty of the Public Sector Equality Duty).

### Eliminate discrimination, harassment and victimisation

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

### Advance equality of opportunity

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

### Promote good relations between groups

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

### Next Steps

Please give an outline of what you are going to do, based on the gaps, challenges and opportunities you have identified in the summary of analysis section. This might include action(s) to eliminate discrimination issues, partnership working with stakeholders and data gaps that need to be addressed through further consultation or research. This is your action plan and should be SMART.

New HR monitoring system being developed

How will you share the findings of the Equality analysis? This can include sharing through corporate governance or sharing with, for example, other directorates, partner organisations or the public.

Publication alongside the policy



## Health Inequalities Analysis

### Evidence

**1. What evidence have you considered to determine what health inequalities exist in relation to your work?** List the main sources of data, research and other sources of evidence (including full references) reviewed to determine impact on each equality group (protected characteristic). This can include national research, surveys, reports, research interviews, focus groups, pilot activity evaluations or other Equality Analyses. If there are gaps in evidence, state what you will do to mitigate them in the Evidence based decision making section on the last page of this template.

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

### Impact

**2. What is the potential impact of your work on health inequalities?** Can you demonstrate through evidenced based consideration how the health outcomes, experience and access to health care services differ across the population group and in different geographical locations that your work applies to?

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

**3. How can you make sure that your work has the best chance of reducing health inequalities?**

No local assessment. Developed in conjunction with the joint forum, and ratified by, the relevant committees of the Hertfordshire, Bedfordshire, West Essex and Luton CCGs. Also considered the Camden and Islington NHS Foundation Trust policy.

### Monitor and Evaluation

**4. How will you monitor and evaluate the effect of your work on health inequalities?**

New HR monitoring system being developed

## Quality Impact Initial Assessment.

Quality can be defined as embracing three key components:

- Patient Safety – there will be no avoidable harm to patients from the healthcare they receive. This means ensuring that the environment is clean and safe at all times and that harmful events never happen.
- Effectiveness of care – the most appropriate treatments, interventions, support and services will be provided at the right time to those patients who will benefit.
- Patient Experience – the patient’s experience will be at the centre of the organisation’s approach to quality.

What is the impact on:

<b>Patient Safety?</b>	Positive <input type="checkbox"/>	Negative <input type="checkbox"/>	Neutral <input checked="" type="checkbox"/>
<b>Patient Experience?</b>	Positive <input type="checkbox"/>	Negative <input type="checkbox"/>	Neutral <input checked="" type="checkbox"/>
<b>Clinical Effectiveness?</b>	Positive <input type="checkbox"/>	Negative <input type="checkbox"/>	Neutral <input checked="" type="checkbox"/>

If any there is any negative impact please complete seek advice from the Nursing and Quality Team and a full Quality impact assessment will need to be completed.

<b>Name of person(s) who carried out these analyses: Paul Curry</b>
<b>Date analyses were completed: 17 May 2017</b>