

## **Recruitment and Selection Policy**

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Date Issued:	18/10/2019
Date to be reviewed:	Periodically or if legislation changes

<b>Policy Title:</b>	<b>Recruitment and Selection Policy</b>	
<b>Supersedes:</b>	All previous Recruitment and Selection Policies	
<b>Description of Amendment(s):</b>	New Policy for CSU employees	
<b>This policy will impact on:</b>	All staff.	
<b>Financial Implications:</b>	No change.	
<b>Policy Area:</b>	HR	
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<b>Issued By:</b>	CSU Transition Team	
<b>Author:</b>	CSU Transition HR Policy Lead	
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<b>APPROVAL RECORD</b>		
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	National CSU Sub-committee <i>(approved on behalf of the BSA and CB)</i>	

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## **HR POLICIES RECRUITMENT & SELECTION**

### **1. POLICY STATEMENT**

- 1.1 The CSU recognises the importance of effective recruitment and selection decisions and their contribution to the successful functioning of the CSU.
- 1.4 This policy aims to support all managers and staff involved in recruitment by promoting high professional standards of recruitment. These should be fair, credible, consistent, transparent, and effective. The CSU will ensure that recruitment processes comply with employment legislation, mandatory NHS Employment Check Standards and best practice.
- 1.3 The CSU recognises that to attract, develop and retain high calibre staff, the diversity of the workforce must be respected and valued. Selection in all cases, will be objective and based on merit and the candidate's ability to perform the job at the required standard, as measured against criteria stated in the person specification. Appropriate procedures will be followed to ensure that unfair discrimination does not occur.
- 1.4 This policy will apply to all employees and the recruitment to all substantive, temporary (including temporary promotion), fixed term, volunteer, student and trainee appointments, both full time and part time.

### **2. PRINCIPLES**

- 2.1 The CSU 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 monitoring purposes only. The CSU will ensure that objective selection criteria are used, the decision-making process is recorded and it can be demonstrated that appointments are made on merit.
- 2.2 The CSU will ensure that all employees who are responsible for undertaking recruitment and selection receive appropriate training in:
  - Recruitment and selection techniques
  - Application of the recruitment and selection policy and procedure
  - Equality, Diversity and Inclusion
- 2.3 Recruitment and selection will be carried out in accordance with all relevant legislation.
- 2.4 Information on candidates will be treated in confidence and restricted to those involved in the recruitment process in accordance with the General Data Protection Regulation 2018.
- 2.5 If applicable, the CSU uses the Disclosure service provided by the Disclosure & Barring Service to assess applicants' suitability for positions of trust. The CSU complies fully with the DBS Code of Practice and undertakes to treat all applicants fairly. The CSU also undertakes not to discriminate unfairly against any subject of a Disclosure based on convictions or other information received.
- 2.6 Recruitment within the individual CSU will be dealt with on a local basis, but in line with this policy and other relevant policies including the Recruiting Ex-Offenders Policy,

Temporary Promotion Policy, Redeployment Policy, Change Management Policy and Equality, Diversity and Inclusion Policy.

### **3. PROCEDURE**

- 3.1 This Policy must be read in conjunction with local CSU Recruitment Procedures. These may include Values Based Recruitment which is an approach to help attract and select prospective employees whose personal values and behaviours align with the NHS values outlined in the NHS Constitution and the CSU values.

#### **Identifying a Vacant Post**

- 3.2 Before deciding to fill a vacancy and progressing to the next stage of the recruitment process the following questions should be asked:

- Can the work itself be eliminated?
- Can the duties be delivered more effectively by redesigning roles?
- Is there still a job to be done?
- Is it the same job as was done previously?
- Can skill mix be considered as an alternative?
- Will the job be permanent or temporary?
- Can the vacancy be covered with a temporary secondment?
- Will the job be full time or part time?
- Is this one vacancy or can a single process be used to fill this and subsequent vacancies?
- Are you recruiting solely to fill this particular post or are you looking for somebody with promotion potential?

#### **Organisational Change and Redeployment**

- 3.3 In circumstances where due to reorganisation/restructuring of CSU services, staff are deemed 'at risk' the CSU will follow guidelines as detailed in the Change Management Policy.
- 3.4 Where it is necessary to redeploy employees who are at risk of losing their job due to ill health capability or performance, the guidelines detailed in the Redeployment Policy will be followed.
- 3.5 At the end of a fixed term contract employees will be supported and informed of any available vacancies.

#### **Compiling a Person Specification**

- 3.6 Having established that a vacancy exists a person specification must then be completed for the post. For existing posts, the current specification must be reassessed, and any necessary changes made.
- 3.7 The person specification defines the qualifications, skills, experience, aptitudes, etc. that are required to do the job. 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 previously used specific skills.

- 3.8 The person specification should be prepared and evaluated in line with CSU procedures and the Equality, Diversity and Inclusion Policy
- 3.9 The inclusion of criteria in the person specification must be completely justifiable to demonstrate that decisions are made solely on merit.

### **Compiling a Job Description**

- 3.10 Having established that a vacancy exists a job description must then be completed for the post. If it is an existing post, then the current job description must be reviewed and any necessary changes made.
- 3.11 The job description must summarise the role and responsibilities of the post in a concise and accurate way.
- 3.12 The job description should be prepared and evaluated in line with CSU procedures

### **Advertising a Vacancy**

- 3.13 All jobs will be placed on the NHS jobs website and applicants are required to apply on-line
- 3.14 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, etc.
- 3.15 Where a vacancy is to be advertised internally only, this will be done in line with local CSU procedures.
- 3.16 All vacancy adverts will be relevant, non-discriminatory and inclusive.

### **Interview Assessment**

- 3.17 Those involved in the recruitment interview should ensure they focus on the needs of the job and skills needed to perform it effectively through the use of consistent, and non-discriminatory questions.
- 3.18 Panel members will be responsible for making written notes of interviewee's answers, and must be able to provide an objective rationale based on these notes as to how the successful candidate was identified.

### **Assessment Centres**

- 3.19 Where CSUs choose to incorporate Assessment Centres as part of the recruitment process, they will ensure that they are developed and conducted in accordance with the Equality, Diversity and Inclusion Policy.

### **External Recruiters**

- 3.20 The CSU will ensure that this policy is circulated to any external organisations involved

in recruitment to CSU posts and a copy of the policy made known to all applicants introduced to the CSU via such organisations.

### **Appointment Procedure**

3.21 This Policy must be read in conjunction with local CSU Recruitment Procedures

### **Pre – Employment Checks**

3.22 The following checks will be undertaken in accordance with the six NHS Employment Check Standards before recruiting staff into positions within the CSU:

- Identity checks
- employment history and reference checks
- right to work checks
- criminal record checks
- work health assessment
- professional registration and qualification checks

3.23 When recruiting for a vacancy, the Recruiting Manager will need to assess the type of activities the candidate in that role will be undertaking and the level of access this will allow them to have with vulnerable people or patients. The DBS Check Eligibility Tool ([www.nhsemployers.org/case-studies-and-resouces/2017/04/dbs-eligibility-tool](http://www.nhsemployers.org/case-studies-and-resouces/2017/04/dbs-eligibility-tool)) should be used to assist in determining the level of check that applies to a particular position. If the answers to those questions result in a requirement for a DBS check, the Recruiting Manager needs to contact their Human Resources representative.

### **Additional Checks for Director/Non Executive Director Roles (or those in equivalent Roles)**

3.24 The CSU will conduct the necessary pre-employment checks in line with the Care Quality Commission's (CQC) Fit and proper person requirements (FPPR) for all director level positions ([www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-5-fit-proper-persons-directors#guidance](http://www.cqc.org.uk/guidance-providers/regulations-enforcement/regulation-5-fit-proper-persons-directors#guidance)). Alongside the six NHS Employment Checks, this will include carrying out a free online check against the Companies House Disqualified Directors Register and the Bankruptcy and Insolvency Register ([www.gov.uk/government/organisations/companies-house](http://www.gov.uk/government/organisations/companies-house)).

3.25 This check will be used to provide assurances that candidates have not been disqualified and/or are not subject to restrictions which would prevent them from being considered for a director level position. (See checklist at Appendix 1.)

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

3.26 When an internal candidate is appointed, pay on promotion should be set either at the minimum of the new pay band or, if this would result in no pay increase, the first pay point in the band which would deliver an increase in pay (by reference to basic pay plus any recruitment and retention premium, if applicable).

- 3.27 When an internal candidate is offered a job that is at the same pay band as their current role, they would normally move across on the same pay point. Where an employee has been in receipt of an additional payment in their current role, this may be consolidated and a higher pay point offered. However, this will be no higher than the top point of the relevant pay band and no protection will be payable.
- 3.28 For newly appointed or promoted staff their incremental (pay step) date will be the date they take up their post.

### **Withdrawing an offer of employment**

- 3.29 If, after careful consideration, it is decided to withdraw the provisional offer of employment the grounds for withdrawal must be very clear e.g. due to unsatisfactory references or other pre-employment checks and the offer of employment rescinded in writing. This decision must be made in conjunction with a Human Resources representative.
- 3.30 If an applicant gives inaccurate or misleading information, or withholds relevant information during the recruitment process, this will be considered grounds for withdrawing an offer of appointment. If the applicant has already been appointed the CSU may take disciplinary action, up to and including dismissal on the grounds of gross misconduct.

### **Making Reasonable Adjustments**

- 3.31 If a disabled candidate is selected for appointment, the need for reasonable adjustments to the role will need to be discussed with the candidate concerned. Where it is agreed that reasonable adjustments need to be made, the Recruiting Manager should seek advice from Occupational Health in relation to adjustments required. The Occupational Health report should be discussed with the HR Representative involved in the recruitment process and the candidate.

### **Reserve Candidates**

- 3.32 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 with the agreement of the members of the original interview panel. 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**

- 3.33 Verbal feedback should be made available to all applicants at all stages of the recruitment process. Feedback would normally be provided by one of the shortlisting officers (at the shortlisting stage) and one of the interview panel (at the interview stage).

### **Complaints**

- 3.34 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 Human Resources Manager. Where the Human Resources Manager is involved in the



recruitment and selection process, concerns should be addressed to the Director of Human Resources.

#### **4. EQUALITY**

- 4.1 In applying this policy, the CSU will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

#### **5. MONITORING & REVIEW**

- 5.1 This policy and procedure will be reviewed periodically by Human Resources in conjunction with operational managers and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.
- 5.2. Implementation and operation of this policy will be monitored on an annual basis by the CSU Leadership Team. It will also be assessed on an ongoing basis as part of the monthly review of performance of CSUs and the annual governance review of CSUs undertaken by the NHSE CSU Transition Team.

## **PART 2**

### **1. PROCEDURE**

The procedure to be followed will be determined by local CSUs to reflect their recruitment approval and administration arrangements.

## Fit and Proper Person Check – Pre-Employment Checklist

### Procedural Checks 1 and 4: Good Character, and Misconduct or Mismanagement

No	Check & Evidence Required	Date Obtained	HR Initials
1	Signed Declaration of Fitness from candidate (Form A or B, according to whether DBS checks required)		
2	DBS checks - as appropriate to the post - in line with NHS Employment Check Standards		
3	Undertake police check/certificate of good character – only needed if candidate has spent 6 months or more outside the UK in the last 5 years before application		
4	Where post requires the candidate to be a registered health professional – check professional body’s register for: <ul style="list-style-type: none"> <li>• Confirmation that candidate is registered to carry out the proposed role</li> <li>• Details of any limitation on their registration that might affect the duties proposed</li> <li>• Details of any current or previous fitness to practice proceedings/professional disciplinary proceedings</li> </ul>		
5	Search of CQC records: <a href="http://www.cqc.org.uk">http://www.cqc.org.uk</a> <ul style="list-style-type: none"> <li>• Check if any provider for whom the candidate has worked has had registration suspended/cancelled due to failings in care in the last 5 years (or longer if available)</li> <li>• Check the involvement of the candidate or any providers in previous inspections (Investigate further if inspection rating is ‘requires improvement’, or ‘inadequate’)</li> </ul>		
6	Search for involvement of candidate or providers in serious care issues/investigations. Check the following websites: <ul style="list-style-type: none"> <li>• Public Inquiry Reports - <a href="http://www.nationalarchives.gov.uk/webarchive/inquiries-inquests-royalcommissions.htm">http://www.nationalarchives.gov.uk/webarchive/inquiries-inquests-royalcommissions.htm</a></li> <li>• Serious Case Reviews - <a href="http://www.nspcc.org.uk/preventing-abuse/child-protectionsystem/england/serious-case-reviews">http://www.nspcc.org.uk/preventing-abuse/child-protectionsystem/england/serious-case-reviews</a></li> <li>• Homicide investigations for mental health trusts (if employed previously by mental health trust) - <a href="http://www.england.nhs.uk/publications/invest-reports">http://www.england.nhs.uk/publications/invest-reports</a></li> </ul>		
7	Review Parliamentary and Health Service Ombudsman reports relating to providers to identify whether these give rise to further lines of enquiry regarding the candidate: <a href="http://www.ombudsman.org.uk">http://www.ombudsman.org.uk</a>		

## Procedural Check 2: Qualifications, Competence, Skills and Experience

No	Check & Evidence Required	Date Obtained	HR Initials
8	A full employment history, together with a satisfactory written explanation of any gaps in employment in line with NHS Employment Check Standards For new appointees coming to the NHS for the first time, validate a minimum of 3 years' continuous employment and training)		
9	Two references - one of which must be most recent employer, in line with NHS Employment Check Standards		
10	Academic and professional qualifications check - checked against job description/person specification - in line with NHS Employment Check Standards		

## Procedural Check 3: Health

No	Check & Evidence Required	Date Obtained	HR Initials
11	Occupational health clearance in line with NHS Employment Check Standards		

## Procedural Checks 4: Misconduct or Mismanagement

See Procedural Check 1 above.

## Procedural Check 5: Grounds of Unfitness

No	Check & Evidence Required	Date Obtained	HR Initials
12	Check Register of Insolvent Companies for any company for whom the candidate had a previous/current director role, that have become insolvent: <a href="http://wck2.companieshouse.gov.uk/wcframe?name=accessCompanyInfo">http://wck2.companieshouse.gov.uk/wcframe?name=accessCompanyInfo</a>		

13	Check Disqualified Directors Register to identify whether candidate has been disqualified through a court order/by an undertaking of the Insolvency Service from being a director of a company or a member of an LLP: <a href="http://wck2.companieshouse.gov.uk/wcframe?name=accessCompanyInfo">http://wck2.companieshouse.gov.uk/wcframe?name=accessCompanyInfo</a> and; <a href="https://www.insolvencydirect.bis.gov.uk/IESdatabase/viewdirectorsummary-new.asp">https://www.insolvencydirect.bis.gov.uk/IESdatabase/viewdirectorsummary-new.asp</a> (lists directors the Insolvency Service got disqualified in the last 3 months), and; Contact The Insolvency Service for details of directors who got disqualified more than 3 months ago: <a href="mailto:Defendant.Liaison.Team@insolvency.gsi.gov.uk">Defendant.Liaison.Team@insolvency.gsi.gov.uk</a>		
14	Check the candidate Insolvency Register to identify whether the candidate is insolvent: <a href="https://www.insolvencydirect.bis.gov.uk/eiir/">https://www.insolvencydirect.bis.gov.uk/eiir/</a>		
15	Check Register of Judgments to review details of County Court judgments, and credit refusals: <a href="http://www.trustonline.org.uk/">http://www.trustonline.org.uk/</a> (Small fee charged for doing so.)		
16	Check Bankruptcy or Debt Relief Restrictions Register: <a href="https://www.insolvencydirect.bis.gov.uk/IESdatabase/viewbrobrusummary-new.asp">https://www.insolvencydirect.bis.gov.uk/IESdatabase/viewbrobrusummary-new.asp</a>		
17	If candidate has worked for an organisation regulated by the Financial Conduct Authority (FCA), check Financial Service Register: <a href="https://register.fca.org.uk/">https://register.fca.org.uk/</a>		
18	If candidate has worked in a consumer credit business check the business name on the Consumer Credit Register: <a href="http://fca-consumer-credit-interim.force.com/CS_RegisterSearchPageNew">http://fca-consumer-credit-interim.force.com/CS_RegisterSearchPageNew</a>		

**Additional Checks:**

No	Check & Evidence Required	Date Obtained	HR Initials
19	Proof of identity (including recent photograph) in line with NHS Employment Check Standards		
20	Confirmation of right to work in the UK in line with NHS Employment Check Standards		

Equality Impact Assessment

**Step 1: Aims and purpose of the proposal / policy being assessed**

(This should reflect what the policy is intending to achieve and how it seeks to achieve, it is this intention that the assessment seeks to measure, consider who benefits and how and who doesn't and why, also consider the impact of associated aims).

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**Step 2: Screening process for relevance to equality & diversity issues**

Does this proposal / policy have any equality & diversity relevance in the following areas? (This should be considered in relation to the formulation and application of the policy. As far as possible engagement with the relevant staff network groups should take place to identify any potential areas of relevance).

**A** Age

**B** Disability

**C** Gender reassignment

**D** Marriage and Civil Partnership

**E** Pregnancy and maternity

**F** Race

**G** Religion or belief

**H** Sex

**I** Sexual orientation


<b>J Other issues</b>		
<b>Step 3: If you have answered, “Yes”, to any of the protected characteristic boxes in Step 2, a full impact assessment is required</b>		
<b>Are any of the protected characteristic boxes in Step 2 marked “Yes”?</b>	•	

**Step 4: Examination of available information (sources can include but are not restricted to – ESR data; MI relating to Recruitment /Employee Relations/Attrition; Industry best practice; legal overview; research articles; matters arising from judgements tested during consultation; consider four-fifths rule to assess difference).**

<b>Step 5: Full Impact Assessment Process</b>			
<b>Step 5a: Consultation Log</b>			
<b>Where are the consultation records stored?</b>			
<b>Step 5a: Consultation Log</b>	Step 5a: Consultation Log	Step 5a: Consultation Log	Step 5a: Consultation Log

<b>Step 5b: EIA Action Plan: Workforce Impacts (internal)</b>				
<b>Potential issues or impacts (positive and negative)</b>				

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<b>Step 5c: EIA Action Plan: Service Delivery Impacts (external)</b>				
<b>Potential issues or impacts (positive and negative)</b>				

<b>Step 6: Monitoring and review arrangements</b>
<b>How will the implementation of the proposal / policy be monitored, and by whom?</b>
<b>What is the timetable for monitoring, with dates?</b>

<b>Step 7: Public availability of reports / result</b>



Each CSU representative should complete and return a copy of the completed form to their CSU's Equality & Diversity Manager