North East Ambulance Service NHS
NHS Foundation Trust

Recruitment Policy

Document Control Sheet

Q Pulse Reference Number	POL-WOD-RE-2
Version Number	03
Document Author	N Gatenby, Recruitment Business Partner
Lead Executive Director Sponsor	Director of Strategy, Transformation and Workforce
Ratifying Committee	Workforce Committee
Date Ratified	10 March 2017
Date Policy Effective From	19 April 2017
Next Review Date	06 March 2020
Keywords	Advertising, Applications, Selection, Pre-Employment Checks, Shortlisting, Assessments.

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This policy supersedes all previous issues.

Version Control - Table of Revisions

All changes to the document must be recorded within the 'Table of Revisions'.

Version number	Document section/ page number	Description of change and reason (e.g. initial review by author/ requested at approval group	Author/ Reviewer	Date revised
02	Full document	Complete rewrite of current policy. To supersede the Recruitment and Selection Policy	N Gatenby	November 2015
03	Point 4.4 Point 6.3 Point 6.5 Point 6.6 Point 6.18	Addition of 'Live Disciplinary Sanction' / 'PDP and IDP as criteria. Amended trust advertising dates in line with ET. Additional clarity around qualifications now included. Added in that internal candidates, where possible, will receive an email if not successful at shortlisting. Wording changed and additional clarification 'added.	N Gatenby	November 2016

This page should not be longer than one single page.

Table of Contents

1. Introduction

This policy applies to all staff appointments within the Trust and is done so to ensure that best practice recruitment and selection principles are adhered to and to ensure that any discriminatory barriers to employment and advancement within the Trust are removed.

2. Purpose

The successful recruitment and selection of quality staff is a key objective of the Trust to support the delivery of patient care. The aim is to recruit high calibre staff possessing the skills and values consistent with the objectives and values of the Trust.

3. Scope

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, colour, nationality, ethnic or national origin, ethnicity, sex, gender reassignment, disability, age, religion and belief, sexual orientation, marriage and civil partnership, and pregnancy and maternity, as outlined within the Equality Act (2010).

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:

- Eliminate unlawful discrimination
- Promote equality of opportunity
- Provide for good relations between people of diverse groups

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.

The Trust is committed to the employment and career development of people with disabilities. To demonstrate this commitment, the Trust uses the Disability Confident symbol.

As an approved symbol user, we guarantee an invitation to the first stage of the selection process which may be an interview or online assessment, 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.

The Trust collects monitoring information from all job applications received and reports that information via NHS Jobs. This helps us to monitor compliance with the Public Sector Equality Duty.

The recruitment standards laid down in this policy comply with NHS Employment Check Standards and assist managers in the provision of a systematic, robust, effective framework for recruitment and selection in a non-discriminatory manner. Those involved in the recruitment process must comply with the NHS Employment Check Standards at all times.

The Trust believes that the selection for a particular position is based on relevant qualifications, 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.

4. Duties - Roles & Responsibilities

The following are the key individuals responsible for operating and monitoring the policy:

4.1 Appointing Managers

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 and the Recruitment Team to agree the relevant timescales of the recruitment process prior to any vacancy being advertised.

All managers and staff who are involved in the recruitment and selection 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 the Recruitment Team and the lead assessor must have had Recruitment Skills Training.

For non-volume roles (i.e. 5 WTE or under) it is the responsibility of the appointing manager to arrange for shortlisting and interview panel members, rooms and, where appropriate, Driving Instructors and vehicles or any other resource to be available for the recruitment and selection process.

Managers are encouraged to seek advice, guidance or assistance from the Recruitment Team at any stage during the recruitment and selection process. Recruitment / Human Resources representatives may participate in selection panels as appropriate.

It is the responsibility of all Managers, in partnership with the Recruitment Team, to ensure this policy is upheld at all times.

4.2 Recruitment Team

The Recruitment Team will provide advice and support to the appointing manager throughout the recruitment and selection process.

It is the responsibility of the Recruitment Team to transfer the required information and documentation onto the ESR System and create a personal file for every new employee.

The Recruitment Team will provide administrative and advisory support throughout the recruitment process including during volume assessment centres.

It is the responsibility of the Recruitment Team, in partnership with Managers, to ensure this policy is upheld at all times.

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

4.3 Workforce Planning Group

It is the responsibility of the Workforce Planning Group to approve the recruitment where the number of vacancies to be advertised exceeds 5 whole time equivalent or head count and is outside of the Recruitment Plan. This is to ensure that the Workforce Planning Group can understand the financial and resource implications of this level of recruitment.

4.4 The Applicant

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.

Should an applicant be found to have made a false declaration at any point during the recruitment process the Trust reserves the right to withdraw them from the process (or if an applicant has been appointed, to terminate employment).

Internal applicants will only be permitted to apply providing:

- they are not subject to a live disciplinary sanction.

- they have achieved a minimum of a C or above in their most recent PDP

or

- if they only possess an IDP, the support of their Manager to apply.

5. Glossary of Terms

This policy uses the following terms:

Term	Description
Acting up	Acting up refers to a short period of time where an individual is covering work of a more highly paid post. Internal advertisements will promote these opportunities. Staff will normally be paid the full salary applicable to the post that they are Acting Up into unless the full range of duties are not being carried out, at which time the increase will be negotiated individually. Acting up periods will not normally last for any more than six months and will be subject to quarterly reviews, in accordance with Agenda for Change Terms and Conditions of Service Handbook. 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 and the post must be advertised.
Conditional offer	A conditional offer is an offer of employment that is made to a successful candidate prior to and conditional upon the receipt of satisfactory employment checks. Conditional offers will not become firm offers until such time as we notify the candidate that they have satisfied our conditions. Candidates must not resign from their current role until they receive such confirmation from us.

HR01	The HR01 is the form by which vacancy requests are raised and approved internally. Roles within the Annual Recruitment Plan do not require an HR01.
Prior Consideration	Refers to the Trust's Prior Consideration process (please contact the HR team for information).
Secondments	A secondment is the temporary transfer of an employee from one organisation, role or department to another for a period, usually to carry out a particular project. Refer to the Trust Secondment Policy.

6. Recruitment, Advertising, Selection

6.1 The Vacancy

When a vacancy arises managers should take time to review the duties and responsibilities of the post and consider whether there is a business need for the post. The following matters should be considered:

- Is it a new post or is it a replacement for an outgoing employee?
- What is the job description?
- The duties and the skills needed for now and the future
- The grade
- The hours or working pattern and whether the position can be worked flexibly
- Should the vacancy be made available on a permanent or fixed-term basis? (Guidance on fixed-term contracts is available from the HR Department)
- Does the manager have any candidates eligible for prior consideration as a reasonable adjustment or by reason of redundancy or by reason of the outcome of a grievance or appeal?

6.2 Flexible Working

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 or whether adjustments can be made to the role to accommodate those who have an

Equality Act Protected Characteristic (for further details, see the Trust's Equal Opportunities Policy), worked on a reduced number of hours, or worked in a more agile or flexible working pattern.

If the appointing manager feels that such flexible arrangements are not possible, there must be a genuine business case and the manager must have clear and justifiable reasons for the fixed work pattern. The recruitment team should refer the manager to the HR team for advice on this before advertising the vacancy.

6.3 HR01

An online Vacancy Requisition Form (HR01) must be completed and authorised to the appropriate level and forwarded, with an evaluated job description and advert by no later than noon every Wednesday in order to ensure that the vacancy is submitted to the Executive Team and, if agreed, advertised the following Monday.

The job description and person specification should be supplied in electronic format and must have been through Job Evaluation prior to being submitted to the Recruitment Team. Copies of job descriptions and advert templates can be provided by the Recruitment Team.

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.

6.4 Job Descriptions

It is the responsibility of the Recruiting Manager to ensure that Job Descriptions are up to date, professionally formatted and non-discriminatory. Advice should be sought from the HR / Recruitment Teams and consideration given as to whether there are any genuine occupational requirements (GORs) 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.

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.

All vacancies will be advertised weekly, on a Monday, except in extenuating circumstances and when agreed by the Recruitment Business Partner.

Where it may be felt that Agency staff are required this must be discussed with a member of the Recruitment Team in the first instance. Please refer to Appendix A.

6.5 Shortlisting

The individual(s) responsible for shortlisting will be identified on the HR01 form. This will either be the Recruiting 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.

The basis for short-listing applicants for assessment 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 number 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.

Applicants qualifying for Prior Consideration will be shortlisted above any other internal or external candidate. Normally vacancies will have been ring fenced for such candidates and not advertised, but in the event that a vacancy has been advertised and a prior consideration situation arises, the progression of other candidates will be placed on hold until those eligible for prior consideration have been considered for the vacancy.

For ‘non-volume’ roles i.e. roles where there are 4 or less vacancies, a shortlisting matrix must be used. This will be supplied by the Recruitment Team.

Where a candidate does not meet all of the essential criteria they must 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.

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 will not be progressed past shortlisting stage.

Where a candidate is able to demonstrate that they hold a qualification higher than those specified in the job description this will be taken into consideration if it is relevant to the role. However, the candidate must specify any lower qualifications and grades that they possess if the role requires these qualifications or their application will not be progressed.

Please note: It is the responsibility of the Applicant to check with relevant awarding bodies and framework providers to ensure that their qualifications are equivalent to those required for the role.

Interview questions should also be agreed at this stage with the Recruitment Team and standardised interview guides must be used.

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. Ideally 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.

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 two weeks of receipt of the request wherever possible. However, this may be extended due to operational demand or absence.

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

6.6 Disability Confident

The Trust is committed to accreditation of the Disability Confident Symbol. 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 online assessment, dependent upon the role.

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.

Wherever possible, internal candidates will receive an email confirming that they have not been successful at shortlisting stage. Should they wish to receive feedback as to the reason for this, they must request this from the Recruiting Manager.

6.7 Short Term Funding

It is recognised that from time to time the Trust may receive time limited, short term funding for specialist roles which benefit patient care or operational delivery. In these instances a shortened recruitment process may apply and recruitment may be limited to internal candidates only. This must be agreed by the Executive Team and, wherever possible will be advertised.

6.8 Advertising

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 Business Partner 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 will be considered in line with the Organisational Change Procedure. Those eligible for prior consideration will be notified of the roles. The roles will not be advertised in the usual way under this policy until those eligible for prior consideration have had the opportunity to be considered for the posts.

6.9 Expressions of Interest

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. Where there is more than one applicant the Expression of Interest process must include an assessment process under the guidance of the Recruitment Team.

6.10 Exceptions

The Trust reserves the right not to advertise certain vacancies in the following circumstances:

- Where there are only employees on the at risk register are identified as 'at risk'
- Where there are only employees on the redeployment register due to health reasons and a suitable vacancy arises for the employee to be redeployment.
- Where redeployment or re-instatement have been recommended as the outcome of a grievance or appeal and the post can be filled by the affected employee.

6.11 Adverts

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. The advert must be in keeping with the essential and desirable criteria for the role. Advice on the development on job adverts can be provided by the Recruitment Team.

6.12 Pre-screening Questions

In circumstances where it is envisaged that there will be a high number of applicants consideration should be given to including pre-application questions attached to the vacancy on NHS jobs. Pre-application 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. Job adverts should specify whether there are any genuine occupational requirements (GORs).

6.13 Closing Dates

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 reserves the right to close a vacancy prior to the initially identified closing date should a high volume (in excess of 300) applications be received. Where a candidate has not been shortlisted they will not normally be informed of this.

6.14 Recruitment and Retention Premia

From time to time it may be necessary for the Trust to explore the use of Recruitment and Retention Premia for 'hard to fill' or 'skills shortage roles' roles.

Where this is the case this will be carried out in line with Agenda for Change guidance and must be agreed by the Head of HR and the Executive Team.

6.15 NHS Jobs

For all vacancies advertised by the Trust applications must be completed and submitted online on the NHS Jobs website. This standardised process endeavours to assess candidates' suitability objectively and enables applicants to compete on equal terms. 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 an application in an accessible format such as e-mail, braille, Easy Read, large print, audio format or other data formats as a reasonable adjustment by contacting the Recruitment Team. CVs will not normally be accepted.

Late applications will be accepted only at the Recruiting Manager's discretion and will only be accepted via NHS Jobs. There is no automatic right to have an application accepted after the vacancy has closed.

6.16 False Declarations

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, length of service, then the Trust will view this as a Breach of Trust and disciplinary action may be taken which may result in dismissal.

6.17 Equality Monitoring

Equality monitoring information is collated from all job applications (as outlined in section 3) and this is published annually in the Trust's Annual Equality report. We always separate equality monitoring information from the recruitment form prior to submitting to a panel for consideration for the vacancy.

6.18 Unsuccessful Candidates

Where a candidate is unsuccessful but is deemed as appointable their assessment results will be honoured for a maximum period of six months from date of application. After which point they would be expected to re-apply for the role. Pre-employment checks may need to be re-issued.

During this period should the vacancy become available it will need to be reviewed in line with those members of staff on the Redeployment Register first but may not need to be re-advertised depending on number of roles and business need.

Where an applicant has been deemed not appointable at any stage of the recruitment process (including short listing) they cannot apply for the same or similar for a minimum of six months from the date of application. This is to allow time for the candidate to receive feedback and undergo the appropriate development.

The Trust reserves the right to reject applications from former employees, workers, Agency staff or Contractors staff who have previously worked within the Trust and have been dismissed / had their agreement terminated on the grounds of Gross Misconduct, Misconduct or poor performance.

Note: Where an employee is being considered under redeployment, for whatever reason, the redeployment process will take precedence

6.19 Selection Criteria

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 and who exhibits the values of the Trust.

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 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. This is done under the guidance of the Recruitment Team.

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

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.

6.20 Assessment Methods

The Trust may use assessment methods such as situational judgement tests, literacy, numeracy or technical / clinical assessments as part of a first stage to filter candidates.

All candidates must be asked the same questions during their interviews which will have been defined by the Recruitment Team in conjunction with the Recruiting Manager in advance. This is to ensure an objective method of measuring capability / behaviours / values and will produce an unbiased outcome. Guidance can be obtained from the Recruitment Team.

Additional ‘behavioral /competency / values’ 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 Business Partner.

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 by the Recruiting Manager, preferably 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.

Requests for feedback will only be considered within 8 weeks of the assessment date.

6.21 Psychometrics and Other Tests

Psychometric assessments may also be used as part of the selection process. Assessments must be administered by appropriately trained and experienced staff.

6.22 Driving

Where driving a Trust vehicle forms a significant part of the role a driving assessment will be required under test conditions.

6.23 Band 7 (and above) Recruitment

For all posts Band 7 and above a full assessment centre approach should be applied.

As a minimum Band 7 roles and above should include a panel member either external to the organisation or to the area of work where the role sits.

6.24 Interview Panel

The Chair of the panel (the Recruiting Manager) should always be of a higher band to the post to which they are recruiting. However, in some instances it may be appropriate for additional panel members of the same band to support where specialist technical skills are required to be assessed.

The Recruiting Manager will normally chair the panel which must consist of at least one other panel member. Where a candidate is known to to a panel member, the panel member / applicant must declare this at the 'invite to interview' stage and consideration should be given to the use of alternative panel members. For internal recruitment, this may be unavoidable in certain circumstances but an impartial second panel member should be sought.

Where a candidate is related to a panel member, another panel member must be used for that specific assessment.

Subject always to availability, it is best practice for a member of the recruitment or HR team to be part of the panel in order to ensure proper compliance, fairness and objectivity.

6.25 Adjustments

Prior to attendance at any assessment, applicants will be asked to inform the Trust if they have a disability or other condition which requires any reasonable adjustments to be made to support them through the assessment process (including adjustments to the Assessment Method).

Wherever possible, adjustments must be made to the process. Where an adjustment would be deemed to be unreasonable, advice must be sought from HR. For job applicants with dyslexia, further information can be found in the Trust's Managing Dyslexia in Employment Policy.

Candidates will be asked to let us know whether they have any special requirements that we may need to accommodate at assessment stage. Wherever possible, adjustments to the assessment arrangements will be made. These may include:

- change to date or time of the assessment
- ensuring wheelchair access
- arranging for any equipment the candidate may need to have an equal opportunity to participate in the assessment
- assessment methods

6.26 Identification Documents

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

6.27 Director Positions

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.

6.28 Probationary Period

All employment is subject to a 12 month probationary period and continuation of employment is subject to the successful completion of the appropriate training / induction course.

6.29 Assessment Paperwork

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

Candidate photographs may be taken at assessment stage but only the successful candidate's picture will be retained. This is to assist with the production of the new employees smartcard and security pass. Unsuccessful candidates details will be retained in line with the Trust Records Retention Schedule.

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

Notes and outcomes of the recruitment and selection process must be returned to the Recruitment Team within 3 working days of the assessment and must be handed to the relevant member of the Recruitment Team in person.

Recruitment paperwork will be retained in line with the Records Retention Schedule.

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

The relevant panel member is responsible for arranging and providing feedback to any candidates who request this within 10 working days wherever reasonably possible.

Interviewers should remember that candidates may request sight of interview notes made by the panel in line with the Data Protection Act 1998 and so notes should be legible.

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

6.30 Conditional Offers of Employment

Following the completion of the interview process for non-volume roles all candidates, both successful and unsuccessful, will be contacted by phone, wherever possible, within 3 working days by the Recruiting Manager and will be informed on the outcome of the interviews.

For volume recruitment activity assessment outcomes may be made in an email via NHS Jobs due to volume of applicants.

6.31 Salary Justification

If the Appointing Manager wishes to make an appointment at a salary that is anything other than the bottom spine point of the band advertised a salary justification form must be completed prior to any offer of employment. This is to ensure the fair application of Agenda for Change salary levels with particular reference to equality of pay and benefits.

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).

6.32 NHS Employment Check Standards

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.

The set of six pre-employment checks below make up the NHS Employment Check Standards covering:

- Verification and identity checks
- Right to work checks
- Professional registration and qualification checks

- Employment History and reference checks
- Disclosure and Barring Service Checks
- Occupational Health checks

In addition Healthcare Professional Alert Notices will be checked. Driving checks will also be carried out where appropriate.

Once all employment checks are successfully complete and the Recruitment Team is satisfied that the conditions have been met, they will issue a contract of employment (no later than 8 weeks after commencement in the post).

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 and any other condition satisfied.

The contract of employment must be signed and returned by the successful candidate no later than 7 days after issue. Failure to do so may result in offer of employment being revoked.

6.33 Reasonable Adjustments

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.

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.

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.

6.34 Criminal Record Checks

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. The applicant will be subject to the Trust's DBS risk assessment process, which will determine the outcome.

6.35 Unsatisfactory Pre-Employment Checks

The Trust reserves 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.

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

6.36 Ex-Employees

For ex-employees an internal standard form reference (start date, end date and reasons for leaving) 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 Business Partner and appointing manager.

6.37 Exclusion from the process

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 high standards of conduct. 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.

7. Training Required for Compliance with this Policy

As a rule, all persons chairing the interview panel must be trained in interviewing and Equality and Diversity principles to Trust standard. From time to time, it may not be possible for an individual to demonstrate that the Trust's training requirements have been satisfied (for example if they are new to the organisation and have yet to undertake training). The Recruitment team's HRBP, acting under the ultimate supervision of the Head of HR, is the only person who can authorise an individual to act as a Lead Panel Member if they have not undertaken training.

An exemption will only be made where the Recruitment Team's HRBP is satisfied that the individual has significant previous experience in interviewing and understands best practice and the principles of the Equality Act 2010.

Individuals who are not trained in interviewing and Equality and Diversity principles to Trust Standard may be asked to attend an interviewing panel to observe and take notes for the purposes of training and development.

If an individual would like to be able to chair an interview panel, s/he must register their interest via both the Training Team and the Recruitment Team's HRBP, who will work in partnership to ensure that training is delivered to a cohort. One to one training is expensive to deliver and so interest will be registered until such time as there is group demand for the training, at which point, it will be delivered.

Members of the Recruitment Team will sit in on interviews from time to time to perform spot checks with a view to monitoring compliance with the Trust's internal procedure and to identify training and development needs.

The Recruitment Team attends weekly team meetings to discuss best practice and to receive updates. HR team meetings (attended by the Recruitment Team) are designed to ensure a consistent approach and an opportunity for further training/ legislative updates.

8. Equality & Diversity

The Trust is committed to ensuring that, as far as is reasonably practicable, the way we provide services to the public and the way we treat our staff reflects their individual needs and does not discriminate against individuals or groups on the grounds of any protected characteristic (Equality Act 2010). An equality analysis has been undertaken for this policy, in accordance with the Equality Act (2010).

Details of this assessment are stored within the central register for Equality Analysis Assessments maintained within the Equality and Diversity team within the Communications and Engagement department.

9. Monitoring and Compliance

All Recruiting Managers are responsible for compliance with this policy and for ensuring that others involved in the recruitment process with them comply with this policy.

This policy is overseen by the HRBPs and the Recruitment Team.

The Trust monitors candidate feedback about its recruitment process.

All assessment packs are vetted by the Recruitment Team on return from the panel and the Recruitment Team may intervene in a selection process if there are any concerns about the objectivity of the selection.

The Recruitment Team and the Recruitment Co-ordinator will report as inappropriate any incidents of non-compliance with this policy, directly to the Head of HR and as appropriate, Executive Team.

The Recruitment Team will monitor external changes in guidance, best practice and employment law, particularly the NHS recruitment standards, and will implement them accordingly.

The Trust reserves the right to carry out spot checks of the recruitment process and pre-employment documentation obtained by agencies in respect of any agency worker in order to monitor compliance.

9.1 Compliance and Effectiveness Monitoring Table for this policy

Process in the policy	Monitoring and audit					
	Key Performance Indicators (KPI)/ Criteria	**Method**	**Who By**	**Committee**	**Frequency**	**Learning/ Action Plan**
Candidate Feedback		NHS Jobs Questionnaire	HR Business Partner (Recruitment)	Workforce Committee via HR Strategy Group	Quarterly	Feedback to Head of HR
Quality of Recruitment Packs reviewed	• Consistency of approach • Identify inappropriate practice	Review/vetting of individual files on return from interview panel	Recruitment Team	Workforce Committee via HR Strategy Group	On-going	Feedback to Head of HR Individual feedback to Managers Response to identified training needs
Change to external guidance/employment law		Ongoing review of websites, law updates, NHS Employers bulletins	Recruitment Team	Workforce Committee via HR Strategy Group	On-going	Dissemination to Recruitment Team/Managers Revision of Policy/Procedure notes Identification of Training Needs
Documentation received via Recruitment Agencies	• Quality of information/document checks	Spot Checks	Periodic	Workforce Committee via HR Strategy Group	On-going	Feedback to external Agencies as appropriate Feedback issues to Recruitment Team
End to End Process	• Audit of performance against timescales/processes in the recruitment process	Annual audit of a sample of job files	Recruitment Team	Workforce Committee via HR Strategy Group	Annually	Formal report o HR Strategy Group Training needs identified Action Plan if sufficient issues to address

10. Consultation and Review of this Policy

This policy has been reviewed in consultation with the Recruitment Team and the recognised Trade Unions.

11. Implementation of this Policy

This policy has been implemented in consultation with the recognised Trade Unions.

12. References

This document refers to the following guidance, including national and international standards:

- Equality Act 2010

https://www.gov.uk/guidance/equality-act-2010-guidance

- Freedom of Information Act 2000

http://www.legislation.gov.uk/ukpga/2000/36/contents

- Agency Workers Regulations 2010

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/32121/11-949-agency-workers-regulations-guidance.pdf

- NHS Terms and Conditions of Service

http://www.nhsemployers.org/your-workforce/pay-and-reward/nhs-terms-and-conditions/nhs-terms-and-conditions-of-service-handbook

- NHS Employment Check Standards

http://www.nhsemployers.org/your-workforce/recruit/employment-checks

- Public Sector Equality Duty

https://www.gov.uk/government/publications/public-sector-equality-duty

13. Associated Documentation

The following documentation may be useful when considering the content of this policy:

- Employment Risk Policy (POL-WOD-RE-4)
- Sickness Absence Policy (POL-WOD-HR-3)
- Secondment Policy (POL-WOD-RE-3)
- Equal Opportunities Code of Practice (available from the Equality and Diversity Advisor)

14. Appendices

Appendix A - Protocol for Recruitment of Agency Staffing

Appendix B - Procedure to request Agency Staff

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 Recruitment & Finance.

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.

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 online.

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.

3.3 If Agency spend is likely to be above £50,000 then the Head of Contracts and Procurement and the Recruitment Business Partner must be notified before any action is taken.

4) Agencies to be Used and Pre-Employment Checks

4.1 Agency staff must be sought from a Crown Commercial Service (CCS) approved supplier unless agreed by HR.

4.2 Agencies on the CCS 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 CCS framework the HR Team will carry out and evidence all appropriate employment checks prior to commencement of placement.

4.4 The Trust reserves the right to carry out spot checks of the recruitment process and pre-employment documentation obtained by an agency for any agency worker in order to monitor compliance.

5) Monitoring of Agency Staff Use

5.1 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.

5.2 Agency spend must be agreed and reviewed in line with guidance from Monitor.

6) Agency Worker Rights and the 12 Week Qualifying Period

6.1 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.

6.2 As highlighted in 5.1 after a period of twelve weeks Agency staff are entitled to certain rights. The twelve week period can be defined by the below:

6.3 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.

6.4 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 week's accrued service.
- This can be through two different TWA's.
- Absence related to maternity, pregnancy or childbirth – clock starts again on return
- Statutory 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

Appendix B

Procedure to Request Agency Staff

Manager considers alternatives to using agency staff and makes attempts to recruit

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If no alternative identified or if after recruitment attempts are unsuccessful then following procedure would apply

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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

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Recruitment Team checks whether there are any eligible candidates on the prior consideration and progresses recruitment to the role with any such candidate

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Recruitment Team contacts CCS approved agency(s)

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

↓

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

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Recruitment Team undertakes all necessary pre-employment checks in line with agreed CCS/ NEAS practice and managers is asked to ensure agency worker has appropriate IT access

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

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Flexible Resourcing Manager reviews agency staff expenditure on a regular basis and provides Recruitment Team with updates on agency staff usage