Recruitment and Selection Policy

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## Introduction

Recruiting the right person to a role is crucial in maintaining an efficient and effective workforce with the right skills to deliver a high-quality service. The roles and responsibilities for each stage of the recruitment process are defined within the body of this policy. HR, Recruiting Managers and Occupational Health will work together to ensure the policy is complied with. The aim of this policy is to ensure the systems in place are:

* Efficient – cost effective in methods, resources, and time.
* Effective – candidates with the appropriate skills, qualifications and values apply to enable recruitment to the role.
* Fair and transparent – decisions are made on merit and in line with procedures.
* Legal – comply with internal policies, employment law and immigration rules.
* Safe – appropriate checks are made to reduce the risk of appointing people who are unsuitable to work with children and vulnerable adults and to protect all patients and clients, the public, staff, and the Integrated Care Board (ICB).
* Compliant – comply with the 6 NHS Employment Check Standards:
* Verification of Identity
* Right to Work
* Registration and Qualification
* Criminal Records Check/ Disclosure and Barring Service (DBS)
* Employment history and reference checks
* Occupational Health Checks

Additionally, this policy covers the requirement for Directors to comply with the Fit and Proper Persons Checks.

## Purpose / Policy Statement

This document outlines the Recruitment and Selection Policy for the ICB. The aim of the ICB is to achieve best practice within the recruitment and selection process which will eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular in relation to the Equality Act of 2010. Reference can also be made to the [Equality in Employment Policy](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies&page_no=1).

This policy sets out the steps in place to ensure the recruitment process is compliant with the 6 NHS Employment Check Standards. The policy satisfies the requirements of safer recruitment and the NIA standards.

## Scope

This policy applies to all staff directly employed by the ICB or falling under its remit as an employer, responsible for undertaking the recruitment and selection of staff.

## Definitions

Refer to policy for full definitions.

## Roles and Responsibilities

### Integrated Care Board

* + 1. The ICB is accountable and responsible for ensuring that the ICB has effective processes for the management of recruitment and selection in accordance with relevant legislation and best practice guidance.

### Chief Executive

* + 1. The Chief Executive is accountable for the policy and procedure being in place to ensure fair and equitable approach to recruitment and selection.

### Policy Authors

* + 1. Policy authors are responsible for ensuring that this document is updated when any changes are made to the NHS Employment Check Standards and/or recruitment legislation.

### Executive Chief People Officer

* + 1. The Executive Chief People Officer oversees the implementation of this policy and is responsible for ensuring that managers take action to meet the organisation’s obligations to ensure equity and consistency.

### Line Managers

* + 1. On receipt of a resignation from a member of staff the manager should review the role and whether a replacement is required. The Recruiting Manager should consider whether any changes need to be made to the role, working hours or job description and whether there is sufficient funding available before proceeding with the recruitment process.
    2. Where changes are required for the role (or the role is new to the ICB), Recruiting Managers are responsible for ensuring that the job description and person specification are evaluated for the purpose of Agenda for Change pay banding under the NHS Job Evaluation Scheme.
    3. Recruiting Managers are responsible for writing adverts which both explain and promote the role and organisation in order to maximise the number of potential candidates.
    4. Recruiting Managers are responsible for undertaking short listing and interviewing in line with processes and ensuring all relevant paperwork is completed in a timely manner.
    5. The Recruiting Manager’s New Starter Checklist will be sent by HR Transactional team, prior to the successful candidate starting with the ICB. It is the recruiting manager’s responsibility to ensure that all the necessary arrangements and equipment are in place for the successful induction of the new member of staff. Further information is available within the HR portal of the ICB’s intranet: [HR forms](https://nhs.sharepoint.com/sites/99F_Connect/SitePages/HR/HR-Policies-and-Procedures.aspx).
    6. Recruiting Managers should refer to the [Close Personal Relationships Policy](https://www.midandsouthessex.ics.nhs.uk/publications/060-close-personal-relationships-at-work-policy-v1-0/) and make declarations as appropriate including removing themself from process when applicable.

### All Staff

* + 1. Staff involved in the recruitment and selection process should ensure processes are followed and paperwork is completed in a timely manner.
    2. Staff involved in the interview process should ensure that they understand the role being recruited to so that can fully engage in the interview and decision-making process.

## Policy Detail

### Principles

* + 1. Recruitment services are provided by the HR Transactional team, their contact details and operational guidelines are available on the intranet: [HR Forms.](https://nhs.sharepoint.com/sites/99F_Connect/SitePages/HR/HR-Policies-and-Procedures.aspx)
    2. No employee should be involved in any appointment process where they are related or have a close personal relationship outside of work with the individual being considered for appointment. Any conflict of interest is to be disclosed prior to interview and during employment. The Close Personal Relationships at Work Policy should be referred to for full details of when and how to declare an interest.

### Defining the vacancy

* + 1. A vacancy presents an opportunity to consider restructuring, to reassess the requirements of the job and whether you need to recruit. This assessment is valid whether it is to fill an existing job or a new one. Ask questions such as:
* Has the job or department changed?
* Are all previous job duties/roles still undertaken?
* Have work patterns or new technology required for the job changed?
* Are there any changes anticipated which would require different, more flexible skills from the jobholder?
* What are the consequences of not recruiting?
  + 1. Answers to these questions should help clarify the actual requirements of the job and how it fits into the rest of the organisation or department. Exit interviews, or consultation with the current jobholder and colleagues may well produce good ideas about useful changes.
    2. Writing a good job description and person specification helps in the process of analysing the needs of the job.
    3. In times of changing labour markets, organisations need to adapt their recruitment and retention policies to allow them to compete more effectively for staff, particularly those with skills that are in short supply. If recruitment is difficult in certain roles, consideration may need to be given to re-designing the role to make it a more attractive prospect - perhaps by offering a greater variety of tasks or increased self-management.
    4. Employers also need to encourage a good 'work-life balance' within the organisation by giving consideration to more flexible and agile ways of working, such as part time, term time, annualised hours and flexi time. Further advice and guidance can be found on this in the ICB’s Flexible and Hybrid Working Policies available on the intranet. [HR forms](https://nhs.sharepoint.com/sites/99F_Connect/SitePages/HR-Forms-&-Documents.aspx)

### Job Description

* + 1. A Job Description (JD) should detail the purpose, outcome, and competency requirements of the role. A standard template is available on the intranet, [HR Forms](https://nhs.sharepoint.com/sites/99F_Connect/SitePages/HR/HR-Policies-and-Procedures.aspx). Every job description should include:
* Role Purpose – details what directorate/ team the role sits within, the purpose and outcomes they are looking to achieve and the overarching remit of the role.
* Competency based key deliverables/outcome – describes the key activities, deliverables, and outcomes.
* A standard Core Competency Framework is included for each band.
* Standard Organisational duties are included within the standard JD template and contain statements on safeguarding, data protection, infection control and health & safety.
  + 1. A good job description is important for all roles. It provides the basis for drawing up a person specification. It also enables prospective applicants to assess themselves for the role and once in post it can help with induction and training and provides a benchmark for judging performance and achievements.

### Person Specification

* + 1. The person specification is a profile of the skills, aptitudes and values considered essential and desirable in the jobholder. Drawing up the person specification allows the organisation to profile the ideal person to fill the role. It is very important that the skills, aptitudes, and knowledge included in the specification are related precisely to the needs of the role as stated in the job description. If they are inflated beyond those necessary for effective job performance, the risk is that someone will be employed on the basis of false hopes and aspirations.
    2. Care must be taken not to discriminate against particular groups of potential applicants – for example does the post actually require someone to drive as essential? This may discriminate against candidates who, because of their disability, are unable to drive. Could the role be undertaken differently; the criteria changed from essential to desirable and/or the wording amended to ‘ability to travel’.
    3. The person specification is used as a basis for the advert, short listing process and interview questions. Factors to consider when drawing up the specification include:
* Skills, knowledge, aptitudes, and abilities directly related to the role.
* The type and length of experience necessary. However careful consideration should be given when stipulating the number of years of experience as this could give rise to a claim of age discrimination if justifiable reasons cannot be evidenced.
* The competencies and abilities necessary to do the role.
* Knowledge and understanding of the role.
* Education and training but only so far as necessary for satisfactory job performance, unless the person is being recruited on the basis of future potential (e.g. graduate trainees), when a higher level of education may be specified.
* Any criteria relating to personal qualities or circumstances must be essential and directly related to the role and must be applied equally to all groups irrespective of age, sexual orientation, race or belief, gender, gender re-assignment, religion, marital status, disability, or pregnancy. To do otherwise is potentially discriminatory.
* Whether it is essential or desirable. Essential is the minimum criteria to carry out the job. Desirable means it is not essential for the job and would be an added benefit.

### Job Evaluation

* + 1. If the vacancy relates to a new post or one that is substantially different to one that currently exists, it will need to be evaluated to the appropriate Agenda for Change band and in line with the ICB’s [Job Matching and Evaluation Policy](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies&page_no=1). The job description and person specification should be forwarded to the Human Resources central email account [mseicb-me.essexhr-inbox@nhs.net](mailto:mseicb-me.essexhr-inbox@nhs.net) for evaluation, together with an authorised Job Evaluation Authorisation Form.
    2. If the vacancy relates to a post, which is not on Agenda for Change Terms and Conditions or it is unclear as to how different it is from an existing role, which has been evaluated under Agenda for Change, advice should be sought from the Human Resources team.

## Advertising Process

### Advert

* + 1. A draft advert will be produced by the Recruiting Manager as they are best placed to provide information about the role and the opportunities available. This will be reviewed by the HR Transactional Team and further support can be provided by the HR Business Partner where required.
    2. Adverts should be free from bias, well written to attract applicants and should be compiled using the job description and person specification. An advert template can be located on the intranet [HR forms](https://nhs.sharepoint.com/sites/99F_Connect/SitePages/HR/HR-Policies-and-Procedures.aspx). All adverts should include:
* Job Title
* Band and salary
* Hours of work
* Location of work
* Information on the service/department and why someone should work for the ICB
* Outline of the duties and responsibilities
* Any skills, qualifications and experience required and what you are looking for in a successful candidate
* Closing date
* Contact details for informal enquiries.
  + 1. Adverts should not include statements that:
* Cannot be measured for example ‘a sense of humour is required’
* Are discriminatory e.g. ‘mature outlook is needed’ or using the terms ‘he’ or ‘she’
* State Male or Female unless it is a Genuine Occupational Requirement

It is good practice for illustrated adverts to represent both sexes and to include a multi-cultural mix. For example, it could be discriminatory to advertise a job that illustrates a woman in a profession traditionally undertaken by women. To counteract the effect, either depict a man in equal prominence or add an obvious disclaimer that the job is open to men and women.

### Recruitment & Engagement Authorisation Form

* + 1. For all posts a ‘Recruitment & Engagement Authorisation Form’ must be submitted and approved. This form states the reason for the vacancy, the reasons for recruiting and the implications of not recruiting into the post. No vacancy will be advertised until this form has been received by the HR Transactional Team.

### Advertising

* + 1. The job description, person specification and advert should be e-mailed to the HR Transactional team. All vacancies will be advertised on NHS Jobs and will normally only be advertised in journals and newspapers if advertising on NHS jobs has been unsuccessful. However, in some circumstances, particularly if it is a specialist post or there have been previous difficulties in recruiting via NHS jobs, advertising in the press as well as on NHS jobs may provide a better response and quality of applications. Also, in some circumstances, for example for Specialist or Director positions, use of a recruitment agency may be a viable option. Any costs associated with advertising will be charged to the relevant recruiting manager’s budget.
    2. A standard NHS Jobs advert when viewed by prospective candidates online will include:
* Vacancy reference number
* Statements about Disclosure and Barring Service and professional registrations
* Job Description and Person Specification
* Information sheet providing information about the standard terms and conditions of employment and the various checks which will be required during the recruitment process as part of the NHS Employment Check Standards
* Privacy notice
* Details on staff benefits
* Other relevant links

## Shortlisting Process

### Shortlisting

* + 1. Applicants apply via NHS Jobs. If the vacancy is being managed by a recruitment agency the full application will be sent to the agency and they will contact the candidates directly.
    2. Managers will short list using NHS Jobs. Short listing will take place using the candidates’ reference numbers and no personal details will be available to the recruiting manager.
    3. If the candidate meets the minimum (essential) criteria, the ICB commits to shortlisting the candidate for an interview if they have a disability.
    4. Any internal candidates who are regarded as being ‘at risk’ through organisation change or require re-deployment on medical grounds will also be highlighted to the recruiting manager and they must be shortlisted providing they meet the essential criteria for the post.
    5. Short listing should be undertaken by at least two members of the interview panel. Each application should be assessed against the essential and desirable criteria specified in the person specification.
    6. At interview stage, HR Transactional Team will notify the recruiting manager if a candidate has stated that they have an unspent Criminal Conviction. The interview will provide an opportunity to explore details of the conviction further.
    7. Details of the interview date, time, venue, panel members and any presentation should be recorded on the interview details arrangement form. This form should be returned to HR Transactional Team to enable interview invites to be sent out. On receipt of the interview details form the HR Transactional Team will update NHS Jobs, reject and inform those not short listed via NHS Jobs and send out interview invites via NHS Jobs to those short listed.

## Interviews

### Arranging Interviews

* + 1. When arranging interviews consideration should be given to the following:
* **Date** – as a minimum, candidates should be given at least one week notice. More notice may be appropriate if a presentation is required.
* **Time** – each interview should last for at least 30 minutes. Time should also be scheduled between each interview to enable completion of paperwork. When scheduling interviews consideration will need to be given to any presentations to be undertaken.
* **Venue** – if using MS Teams, the recruiting manager will need to send out the interview calendar invites. Whether interviewing in person or via MS Teams the panel should ensure that they will be free from interruptions.
* **Panel members** – the number of panel members should be kept to a reasonable amount but as a minimum there should be two, with the manager of the role being one of them. Panel members ideally should have received recruitment training before undertaking interviews including values-based recruitment. If interviews are to be held before the panel member has had an opportunity to attend training, this should be discussed with Human Resources before arranging any interviews. If the interviews are held over different days, the same panel members must be present.
* **Safeguarding** – should the interview be for a role that would involve working with vulnerable adults and/or children, at least one member of the recruitment panel ideally must have completed Safeguarding recruitment training.
* **External panel members** – in certain circumstances, particularly for clinical or senior posts, it may be appropriate to have an external panel member and in some circumstances a patient representative. However, on these occasions the Chair of the panel should be an employee of the ICB.
* **Presentation & Tests** – in addition to an interview, the selection process may also include additional testing. This may be in the form of a presentation, minute taking, admin or IT tests.
* **Equipment** – if a presentation is required, equipment may need to be arranged for candidates to use during their interview/presentation if holding interviews face to face.
* **Reasonable Adjustments** – can be accommodated for candidates who have a disability.
* **Religious Holidays** – managers should take into account religious holidays and not organise interviews on these days.

### Interview Letters

* + 1. Candidates shortlisted for the interview will be notified of this and invited to an interview via NHS Jobs. The interview invite will include:
* Details of the interview – date, venue and panel members
* If a presentation is required, the title of the presentation and equipment available
* Details of any additional tests (if applicable)
* An invitation to discuss any adjustments that may be required for the interview for candidates who may have a disability.
  + 1. Candidates will need to confirm their attendance via NHS Jobs, advising if they need any adjustments for interview and selecting a time slot. They are also asked to bring the following to interview, which they will need to hold up to the screen if attending via MS Teams:
* Identification which includes a photograph such as a passport or driving licence
* Documentation showing their residency status in the UK such as a passport or birth certificate
* Current professional membership certificate
  + 1. Prior to the interview an e-mail will be sent to the panel members from the HR Transactional Team, providing all the documentation required to carry out the interviews. This includes the interview schedule, information sheet, candidate information and interview recording form. Basic details of any convictions that have been declared will also be shared to the panel members at this stage to enable a discussion to be held at interview.

## Attendance at Interviews

### Planning Interviews

* + 1. Thorough planning before the interview is essential to ensure the interview is kept well-structured and the panel obtain enough information to make an informed decision. Interview questions should be agreed before the interview and should be based on the job description, person specification and ICB values. Care should be taken to ensure questions are not discriminatory and comply with Equal Opportunities. The format of the interview, i.e. who will be the Chair, who will ask what questions and in what order, should also be agreed prior to the interview.
    2. The same standard questions should be asked to all candidates; however greater/different-probing questions may be needed, depending on the initial answers given by the candidates. The panel should feel they have obtained enough information to make an informed decision about their suitability for the role, and the candidate should feel that they have been given the opportunity to demonstrate their knowledge, skills, and values.
    3. As well as assessing whether the candidate can undertake the duties of the role the interview process should also be used to assess their suitability to work with children and/or adults (if applicable for the role). This can be done by asking questions that explore their attitude towards these groups or by having a patient representative on the interview panel and assessing how they react to their questioning.
    4. For all roles the panel members must also ensure that all gaps in employment are explored and if the candidate has moved jobs on a regular basis, the reasons behind these job changes.
    5. If the candidate has stated that they have a criminal conviction, there should be further questioning around this, including the nature of the conviction, how long ago it took place and the sentence imposed.
    6. During the interview, the interview recording form must be completed by all panel members for all candidates. This will ensure all questions and answers have been documented and will be used as the basis to evaluate and score the candidate.
    7. It is important that the ICB verifies the legitimacy of all candidates. If interviews are held face to face arrangements should be made, either on arrival or after the interview, for the candidate’s original photographic ID, Right to Work in the UK and professional registration documentation (if applicable) to be checked and photocopied. Each photocopy should be signed and dated by the person checking the documentation, recording on the photocopy that ‘originals have been seen’. Photocopies should then be emailed to HR Transactional Team.
    8. If interviews are held via MS Teams the candidate will need to hold these documents up to the screen and original documents will need to be seen at a future stage of the recruitment process.
    9. After all the interviews have taken place, the panel need to make a decision on appointment / non-appointment, based on the interview scoring and any additional testing undertaken.
    10. All panel members need to be mindful of the fact that the decisions they reach may be subject to challenge and therefore they need to be prepared to demonstrate that their assessments of each candidate have been fair and scoring consistently applied.
    11. Where a person’s disability may affect their ability to carry out some or all of the duties of the job, reasonable adjustments should be considered. In certain circumstances support can be obtained from external sources such as Access to Work.
    12. All forms completed during the interview process should be returned to HR Transactional Team where they will be retained for 12 months. No pre-employment checks will commence until all these forms have been received by HR Transactional Team.

## Unsuccessful Candidates

### At Shortlisting Stage

* + 1. Due to the volume of applications received, it is not always possible for Recruiting Managers to give feedback on applications which have not been shortlisted for interview. Where a specific request for feedback is made by an applicant, Recruiting Managers should respond to this.
    2. Internal candidates are to be provided with feedback if they have not been selected for interview. The feedback should assist the employee to improve the standard of their application in the future and to give guidance on any gaps in skills or experience and how these might be obtained within the ICB.

### Informing Unsuccessful Candidates after Interview

* + 1. Unsuccessful candidates are to be contacted by telephone by the Recruiting Manager and initial feedback can be provided at this point.
    2. The HR Transactional Team will inform candidates that they have not been successful via email and update the status of the candidate on NHS Jobs.

### Appointable Candidates

* + 1. Where more than one candidate meets the selection criteria the Interview 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.
    2. Information about second and third choice candidates may be held for a period of 3 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.

### Providing Feedback

* + 1. Internal candidates must always be offered the opportunity to receive feedback on their interview performance either in person (or via Microsoft Teams). They should receive a full explanation of why their application was not successful and be provided with information on how they can improve their performance or close any skill/experience gaps.

### Not Appointable Applicants

* + 1. In some circumstances vacancies may be advertised again i.e., where no candidate has been appointed. Where applicable the advert will be labelled stating that ‘previous applicants need not apply’.

## Pre-employment Checks

### Appointment

* + 1. Once a decision has been made the chair of the panel can contact the candidate to offer the post, subject to satisfying the NHS Employment Check Standards. The chair of the panel should also notify those applicants who have been unsuccessful. Notification will also be sent out via NHS Jobs.
    2. If the preferred candidate has declared a criminal conviction the recruiting manager must discuss this with the relevant Director/Head of Service before offering the post. The Director must then undertake a risk assessment, before making a final decision.
    3. On receipt of the interview paperwork, HR Transactional Team will update NHS Jobs and ESR (Electronic Staff Records). A conditional offer letter will be sent out and pre-employment checks will commence as per the requirements on the joiners checklist.

### References

* + 1. For candidates outside of the NHS, at least two satisfactory references must be obtained covering the last three years of employment. These references must be from the two most recent employers, or for a school leaver – from their school or college. If the candidate has had more than 2 employers within this 3-year period, then references will need to be obtained from all previous employers within the last three years.
    2. For candidates already working within the NHS, one reference is requested from their current or last employer.
    3. References will not be accepted from friends or family members. References will be requested via NHS Jobs, ESR or e-mail. Referees will be asked to complete a standard reference form focusing on the candidate’s employment dates, previous sickness absence, reasons for leaving and suitability to work with children and/or adults (if applicable).
    4. Where references cannot be obtained as a result of an organisation closure or after repeated attempts it will be at the discretion of the recruiting manager as to whether to accept the information that has been received or obtain a further reference from an employer that may exceed the standard 3-year period as outlined above. For further guidance please contact the HR Team.

### Occupational Health

* + 1. The candidate will need to complete a health questionnaire via an on-line portal. The Occupational Health Department will assess whether they are fit to undertake the role.

### Right to work

* + 1. Candidate’s right to work in the UK will be checked as part of the NHS Standards for pre-employment checks. The candidate will be required to complete a form to declare any conflicts of interest which will be reviewed by the manager and held on a corporate register.

### Directors – Fit and Proper Person Test

* + 1. Directors will undergo fit and proper persons tests which as well as reference and health checks will also include checks around qualifications, bankruptcy, disqualifications, insolvency, social media, and court orders.

### On Going Requirements

* + 1. An employee may be subject to continued employment periodic checks during their employment with the ICB, for example, professional registration, DBS, declaration of interest and continued Right to Work in the UK. Monitoring of these periodic checks will be undertaken by the HR Transactional Team via the production of reporting from ESR.
    2. Failure to comply with or satisfactorily meet the requirements of these checks is likely to result in formal action being taken, which may lead to termination of employment.

## Disclosure and Barring Service (DBS)

If the post being recruited to is classified as Regulated Activity and is exempt from the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013), the candidate being offered the post will be subject to a satisfactory Disclosure and Barring Service (DBS) check as part of their conditional offer.

Once the post has been offered to a candidate, the HR Transactional Team will set the candidate up on the DBS portal to enable them to complete their personal details online. The candidate will need to make an appointment with their manager or the HR Transactional Team to bring in their identity documents to enable completion of this application.

Once a DBS request has been processed, the disclosure certificate will be sent directly to the candidate. The manager or HR will need to see the original DBS certificate to enable the appointment to be confirmed. If the candidate is unable or unwilling to supply the original certificate the offer of employment will be withdrawn or if they have already commenced employment, they may have their employment terminated under the [Probation Policy](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies&page_no=1).

The candidate will need to register with the Disclosure and Barring Service (DBS) update service and renew this on a yearly basis.

If already registered with the DBS Update Service, then they will need to provide their original certificate and give the HR Transactional Team permission to carry out a status check using this service.

For further information and guidance, in relation to DBS checks, please speak with a member of HR or HR Transactional Team and refer to the DBS policy.

## Inter Authority Transfer

For candidates with NHS service and if permission is given, an Inter Authority Transfer will be requested via ESR. This is a transfer of electronic records providing details of service dates, training, and sickness absence.

## The Selection Decision

### Unconditional Offer

* + 1. Once references and notification from Occupational Health have been received HR Transactional Team will place these on the candidates file and record the checks in ESR. The recruiting manager will then be contacted. Based on the information provided as part of the NHS employment checks, the manager will decide as to whether they wish to proceed with appointment.
    2. If the manager does not wish to appoint on the basis of unsatisfactory references or the candidate fails to meet the requirements of any of the NHS checks under Section 1, a standard withdrawal of offer letter will be sent to the candidate. If the manager is considering withdrawing an offer due to medical information received, then they must seek advice from HR in the first instance.
    3. Where there are inconsistencies between information that the candidate has provided to that of information received through the NHS checks, e.g. sickness record, it is advisable to discuss the inconsistencies with the candidate. If it is felt the candidate has not given a reasonable explanation, then the recruiting manager should discuss their concerns with the HR Team before the withdrawal of offer is communicated to the candidate.
    4. If the manager wishes to proceed, they will contact the candidate and arrange a start date. The manager will then contact HR Transactional Team to inform them of the start date. The manager will need to arrange any IT equipment and access to buildings.
    5. On notification of the start date, an appointment letter and pack will be sent to the candidate by HR Transactional Team.

### Starting Salaries

* + 1. Candidates new to the NHS and the ICB will normally start on the bottom of the pay scale within the band. The incremental date will be the date they take up the post. In exceptional circumstances, if candidates have been undertaking a similar role at the same level outside the NHS, appointment could be made higher up the salary range. In these circumstances’ advice should always be sought from Human Resources to ensure consistency.
    2. Staff currently employed in the NHS on the same grade and in a broadly similar role as the post they are being appointed to within the ICB, will start on the same salary point and retain their incremental date. In general, the rules under Agenda for Change will be followed with regards to pay and starting salaries.
    3. Staff currently employed in the NHS on a lower grade to the post they are being appointed to within the ICB, will start on the bottom of the new pay band. The incremental date will be the date they take up this new post.

### First Day of Employment

* + 1. On an employee’s first day of employment, their line manager is responsible for conducting a local induction with them and completing the required appointment forms, as well as verifying any necessary identity and professional registration documents. Guidance will be provided by the HR Transactional Team regarding the verification of any documents required. Copies of documentation and the completed appointment forms will need to be emailed to HR Transactional Team.

### NHS Pension Scheme

* + 1. NHS Pension Scheme legislation provides a legal obligation that all NHS employers must enrol all eligible employees into the NHS Pension Scheme from their first day of employment – this is known as contractual enrolment. Auto Enrolment is required under Pensions Act 2008 (and associated legislation) requires all eligible workers to have access to a pension. The NHS Pension Scheme is the default pension scheme for all eligible NHS workers under this initiative.
    2. Where an employee is not eligible, they will be provided with details of an alternative pension scheme.
    3. Information is sent to new starters on their commencement with the ICB.

### Probation Period

* + 1. The probationary period is a trial phase for a new employee to the ICB. It allows both the line manager and the employee to assess objectively whether or not the new recruit is suitable for the role, taking into account the individual's overall capability, skills, performance and general conduct in relation to the job in question. The length of the probationary period is dependent on the length of an individuals’ contract if fixed term or if a permanent contract. Please refer to the ICB’s [Probation Policy](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies&page_no=1) for further information.

### Internal Appointments

* + 1. Staff currently employed by the ICB will need to apply and be interviewed for roles as per the recruitment process detailed above. If successful, the following will need to be obtained:
* References – at least one reference must be obtained from their current line manager unless the vacancy is within their current team. In this circumstance, no reference would be required.
* Occupational Health – satisfactory clearance may be required if the nature of the role is different to the candidate’s current position. For example, moving into a clinical role from an admin post.
* DBS – if the post requires a DBS check and they have not already had one whilst employed by the ICB, or they are now working with a different client group to the original check this will have to be obtained. The [Disclosure and Barring Service Policy](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies&page_no=1) should be referred to for guidance regarding the level of check required.
  + 1. For staff leaving one post to start another post an employment change form will need to be completed by the new manager and if applicable, a manager allocation form.

## Determining the Contract type

### Fixed Terms Contracts

* + 1. There must be a clearly defined reason for employing someone on a fixed-term contract, for example: funding limitations or to cover a member of staff on maternity or parental leave. The advert should clearly state it is a fixed term contract and the length of the contract.
    2. Fixed term contracts may not be used as a trial period for a new employee. The [Probation Policy](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies&page_no=1) will apply to all new recruits.
    3. When advertising a fixed term contract, Recruiting Managers do need to take into account that the termination of a fixed term contract is a dismissal and there may be implications from this. Therefore, the reason for the fixed term contract must be clearly establish before advertising and guidance sought from the HR Business Partner.

### Secondments

* + 1. Staff seconded to the ICB from another employer will normally continue to be paid by their substantive employer and retain their current terms and conditions of employment. A secondment agreement will be drawn up.
    2. Staff currently employed by the ICB and seconded to another post within the ICB will have the right to return to their substantive post. However, in certain circumstances, particularly if the secondment is for a long period of time or there is organisational change, it may not be possible to return to the substantive post. In these situations, there will be formal discussions with the employee when it becomes apparent that they are unable to return to their substantive post.

## Monitoring Compliance

The HR Team will be responsible for monitoring that this procedure is followed and may be consulted at any stage through the process to offer advice to those involved.

Monitoring information will be published and reported as appropriate.

Should the monitoring uncover any shortfalls in the implementation of the policy, the HR team will work with the relevant management team to draw up an action plan for improvement. This action plan may include, for example:

• training for line managers

• a risk assessment.

## Staff Training

Managers ideally are required to have attended Safer Recruitment and Valued Based Recruitment training in order to fulfil the requirements set out in this policy as a Recruiting Manager.

No essential (including mandatory) learning and development requirements have been identified for any other staff groups, in order to fulfil the requirements stated within this policy.

Guidance can be sought from Human Resources team.

## Arrangements For Review

This policy will be reviewed no less frequently than every two years. An earlier review will be carried out in the event of any relevant changes in legislation, national or local policy/guidance, organisational change or other circumstances which mean the policy needs to be reviewed.

If only minor changes are required, the sponsoring Committee has authority to make these changes without referral to the Integrated Care Board. If more significant or substantial changes are required, the policy will need to be ratified by the relevant committee before final approval by the Integrated Care Board.

## Associated Policies, Guidance and Documents

#### [Associated Policies](https://www.midandsouthessex.ics.nhs.uk/publications/?publications_category=icb-policies&page_no=1)

* Job Matching and Evaluation Policy
* Probation Policy
* Disclosure and Barring Service Policy
* Close Personal Relationships at Work Policy
* Equality in Employment Policy

## References

* Agenda for Change Terms and Conditions
* NHS Employment Check Standards.

## Equality Impact Assessment

The EIA at Appendix A has identified no equality issues with this policy.

## Appendix A - Equality Impact Assessment

**INITIAL INFORMATION**

|  |  |
| --- | --- |
| **Name of policy:** Recruitment and Selection Policy  **Version number (if relevant):** 2.0 | **Directorate/Service**: People Services |
| **Assessor’s Name and Job Title:**  Julia Atigla, HR Business Partner | **Date:** 16th January 2024 |

|  |
| --- |
| **OUTCOMES** |
| *Briefly describe the aim of the policy and state the intended outcomes for staff* |
| The policy aims to achieve best practice within the recruitment and selection process which will eliminate unlawful discrimination, promote equality of opportunity and provide for good relations between people of diverse groups, in particular in relation to the Equality Act of 2010 |
| **EVIDENCE** |
| *What data / information have you used to assess how this policy might impact on protected groups?* |
| The ICB monitors the composition of its workforce under the nine protected equality characteristics and reports on this annually. This information helps the ICB to assess the potential impact of its policies upon staff. |
| *Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?* |
| Relevant Trade Unions were previously consulted on the current policy and minor amendments made during review. |

**ANALYSIS OF IMPACT ON EQUALITY**

The Public Sector Equality Duty requires us to **eliminate** discrimination, **advance** equality of opportunity and **foster** good relations with protected groups. Consider how this policy / service will achieve these aims.

N.B. In some cases it is legal to treat people differently (objective justification).

* ***Positive outcome*** *– the policy/service eliminates discrimination, advances equality of opportunity and fosters good relations with protected groups*
* ***Negative outcome*** *–**protected group(s) could be disadvantaged or discriminated against*
* ***Neutral outcome***  *–**there is no effect currently on protected groups*

Please tick to show if outcome is likely to be positive, negative or neutral. Consider direct and indirect discrimination, harassment and victimisation.

| Protected  Group | Positive  outcome | Negative  outcome | Neutral  outcome | Reason(s) for outcome |
| --- | --- | --- | --- | --- |
| Age |  |  | x |  |
| Disability  (Physical and Mental/Learning) | x |  |  | The ICB will abide by the principles set out in the standard Disability Confident and will apply for this as a new organisation when able to. |
| Religion or belief | x |  |  | Managers are instructed not to organise interviews on religious holidays. |
| Sex (Gender) | x |  |  | Adverts should not implicitly display images of one gender. |
| Sexual  Orientation |  |  | x |  |
| Transgender / Gender Reassignment |  |  | x |  |
| Race and ethnicity | x |  |  | Adverts should display multi-cultural images. |
| Pregnancy and maternity (including breastfeeding mothers) | x |  |  | See guidance in Appendix C on discrimination regarding pregnant women. |
| Marriage or Civil Partnership |  |  | x |  |

|  |
| --- |
| **MONITORING OUTCOMES** |
| Monitoring is an ongoing process to check outcomes. It is different from a formal review which takes place at pre-agreed intervals. |
| *What methods will you use to monitor outcomes on protected groups?* |
| It is anticipated that any issues in respect of the implementation of the policy will be identified as a result of staff exercising their right of appeal or via the ICB’s  Grievance Procedure. |

|  |
| --- |
| **REVIEW** |
| *How often will you review this policy / service?* |
| The policy will be reviewed in 2 years or earlier if there are any significant changes in legislation, policy or good practice. |
| *If a review process is not in place, what plans do you have to establish one?* |
| N/A |

## Appendix B - Equality Statement

The ICB seeks to ensure that no job applicant receives less favourable treatment throughout the recruitment process because of a protected characteristic which under the Equality Act 2010 are defined as:

• race/ethnicity

• gender,

• religion/belief,

• disability,

• marriage or civil partnership,

• age,

• sexual orientation,

• gender reassignment,

• pregnancy or maternity.

The recruitment process should allow everyone the same opportunity for employment and promotion based on their ability, qualifications, and suitability for the work. Steps will be taken to ensure that no applicant is discriminated against by conditions or requirements, which are not relevant to the duties of the role. The ICB supports the principles of the Disability Confident status and therefore welcomes applications from people with a disability or long-term health condition.

To ensure everyone is provided with the same opportunities all vacancies including secondments will be advertised on NHS Jobs for at least one week.

For all vacancies full short-listing and interview notes will be completed by the recruiting manager and submitted to HR Transactional team via their email address [mseicb-me.essexhr-recruitment@nhs.net](mailto:mseicb-me.essexhr-recruitment@nhs.net), where they will be reviewed and kept on file for 12 months.

NHS Jobs will be updated to reflect those short listed/not short listed and those appointed/not appointed. This data will be used to analyse our commitment to Equal Opportunities.

## Appendix C - 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.

## Appendix D – ‘Reasonable Adjustments’

All employers must consider making ‘reasonable adjustments’ to the recruitment process if requested. Adjustments are about ‘levelling out the playing field’ and not about putting any candidate at an advantage. It is about ensuring candidates are given the chance to confidently perform to the best of their ability throughout the recruitment process.

Candidates should be able to describe the barriers to the recruitment process in relation to their disability/condition and explain what adjustments/support they require to be able to showcase their skills, experience and potential.

Examples of reasonable adjustments may include:

* Video application instead of a written application
* Alternative formats to the job advertisement/application form
* Extra time at the interview
* Changes to the interview to be online or face to face
* An accessible car parking space near the office entrance.
* An accessible interview room e.g. ground floor
* Changes to lighting e.g. dim down the lights for someone with epilepsy
* Changes to noise levels
* Interview questions in advance
* Interview to be scheduled at a certain time of the day
* Alternative application and testing formats e.g. asking to present their answers using an alternative method, such as verbally rather than in writing
* Assistance if the test is on a computer, such as a larger screen, software or a person to read for you
* Asking for a support worker or British Sign Language interpreter
* For a typing test, being permitted to use an appropriate keyboard for arthritis

What's 'reasonable' will depend on each situation. The Recruiting Manager needs to consider carefully if the adjustment:

* will remove or reduce the disadvantage for the person with the disability
* is practical to make
* is affordable by the employer or business
* could harm the health and safety of others