

Recruitment and Selection Policy

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Services	Applicable
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Mental Health and LD	
Community Health Services	

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1. POLICY STATEMENT

- 1.1. East London NHS Foundation Trust, (**the Trust**) is committed to ensuring the recruitment, selection and retention of appropriately qualified and experienced staff in the most efficient and effective way.
- 1.2. In order to provide the best possible care to patients, it is imperative that the Trust attracts and retains a highly skilled and productive workforce in a timely and safe manner. This will be achieved by recruiting staff from outside the organisation and developing existing staff to enable them to take on new roles. It is equally important that the workforce shares and embraces the Trust Values: We care, We respect, We are inclusive.
- 1.3. This policy covers all substantive and temporary recruitment. It excludes consultant, Non-Executive Directors, agency workers and students/volunteers appointments where separate processes apply.
- 1.4. The Trust Values are embedded within every stage of the recruitment process in order to help ensure that the Trust recruits staff who share and embody our values and, ultimately, to help ensure that the right person is appointed to the right post.
- 1.5. Effective recruitment and selection is crucial to the successful functioning of the Trust. This will mean finding people with the necessary skills, expertise and qualifications, looking beyond a person's race, colour, creed, ethnic or national origin, disability, religion, age, marital status, sex, sexual orientation, gender identity, gender expression, or gender reassignment and appointing the best person to do the job.
- 1.6. This policy sets out the key principles of the Trust's approach to recruitment, which are:-
 - Compliance with statutory requirements
 - Commitment to equal opportunities in all recruitment & selection practices and specifically, meeting the requirements of Jobcentre Plus ✓✓ symbol¹ and the Routes to Employment Charter;
 - Provision of a recruitment service which gets people of the highest possible calibre into post efficiently and effectively and which reflects and builds upon recognised best practice in this field;
 - Provision of greater opportunities for the employment of people with personal experience of mental health problems;
 - Achievement of a staff ethnic profile within the Trust that matches more closely that of the local population;
 - Implementation of flexible working policies which allow genuinely flexible ways of working which meet the needs of the service and individual;
 - Encouragement of managers to be creative in filling posts;
- 1.7. The Trust will ensure that in all its recruitment and selection practices:-

¹ Jobcentre disability symbol

- All staff are dealt with fairly and consistently in accordance with the Trust's agreed policies and procedures for recruitment, selection and reward;
 - Where possible, all members of the panel are trained in the Trust's recruitment and selection policies and procedures;
 - Applicants are selected on merit and will implement all pre-employment checks in compliance with anti-discrimination legislation.
- 1.8. This policy should be used in conjunction with, and is supported by, the following guidance and NHS legislation:
- [NHS Employment Check Standards \(NHS Employers\)](#)
 - Verification of identity checks
 - Right to work checks
 - Professional registration and qualification checks
 - Employment history and reference checks
 - Criminal record checks
 - Occupational health checks
 - Recruitment Process – Guidance Notes
 - Equality, Diversity and Human Rights Policy
 - Disclosure Barring Service (DBS) website
 - Policy and Procedure For Checking Professional Registration Of Staff
 - Data Protection Act 2018
 - General Data Protection (GDPR)
 - Freedom of Information Act 2000
 - Rehabilitation of Offenders Act 1974
 - The Asylum and Immigration Act 1996
 - Trust Equality Objectives
 - Equality Act 2010 & Amendment Order 2012
 - The Human Rights Act 1998
 - Health and Safety legislation
 - Civil Partnership Act 2004
 - Gender Recognition Act 2004
 - Flexible Working Regulations 2002
- 1.9. The Trust believes that recruitment and selection processes should be based solely on the individual's ability to do the job, to make a contribution to the Trust's effectiveness and on their potential for development.
- 1.10. The Trust is committed to recruiting the best possible candidates for its vacant posts and ensuring that no prospective or existing employee receives less favourable treatment on the grounds of sex/gender, marriage/civil partnership, age, race, religion/beliefs, gender reassignment, pregnancy and maternity, disability or sexual orientation.

- 1.11. This policy sets out guidelines to be followed to ensure equality of opportunity and best practice in recruitment and selection. Please refer to Appendix E for what you can do if you want to do more than equality law requires.

2. ROLES AND RESPONSIBILITIES

2.1. The Trust

- 2.1.1. The Trust is responsible for putting in place robust policies and procedures to ensure that all vacancies are filled with suitably qualified, safe and competent staff. The Trust will ensure that recruitment literature is non-discriminatory and that it includes information on the Trust's Equality, Diversity and Human Rights Policy and that employees should contact the Human Resources Department immediately if they identify any aspects of our recruitment process they feel could be discriminatory.

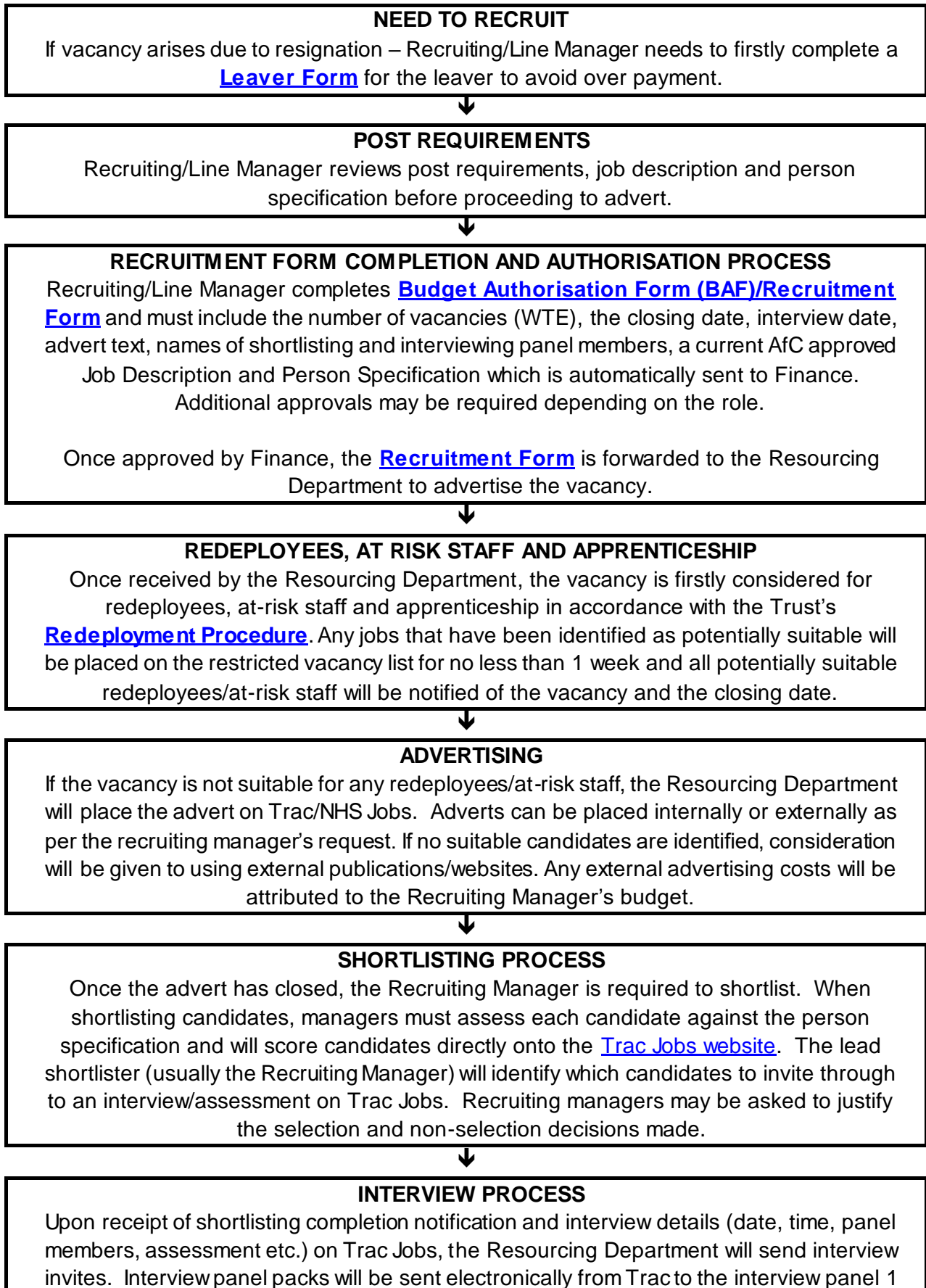
2.2. The Human Resources Department

- 2.2.1. Through the activities of The Resourcing Team, The Human Resources Department is responsible for the overall management of recruitment across the organisation. They are responsible for establishing a fair and effective recruitment and selection process for all applicants and ensure that local recruiting managers are following the Trust policy and procedure. They provide advice and assistance when required.
- 2.2.2. The Human Resources Directorate provide appropriate training in the recruitment and selection process in order that managers are competent to select new staff.
- 2.2.3. Managers who are recruiting into a specific vacancy are responsible for ensuring that they follow the process as outlined in this policy. They should work closely with the relevant Resourcing Officer (RO), to ensure the Trust policies are followed.

2.3. Recruiting Managers

- 2.3.1. Recruiting managers are required to follow the policy and procedures relating to safe and equitable recruitment, ensuring that anyone involved in the recruitment process is familiar with the Policy. All Recruiting Managers are required to attend the Trust Recruitment and Selection Training.
- 2.3.2. Recruiting Managers are required to take full responsibility for effective communication with candidates, particularly post-offer.

3. RECRUITMENT PROCESS FLOW CHART



working day before the interviews. Interview panel members can also access the interview packs on Trac Jobs.

When interviewing/assessing, the interviewers/assessors must assess each candidate against the Person Specification and Trust Values. Panel members may be required to provide written documentation to justify the selection and non-selection decisions made.

Recruiting Manager to return interview paperwork, including an Interview Record Form for all candidates, all interview notes and a Notification of Successful Candidate Form on Trac, for any successful candidates, to the Resourcing Department. It is also recommended that the Recruiting Manager contacts any successful candidates directly to offer them the post verbally on an unconditional basis.



UNCONDITIONAL OFFER

The Resourcing Department will send out an offer letter to any successful candidates upon receipt of the Notification of Successful Candidate Form via Trac. They will also send a regret email to any unsuccessful candidates.



PRE-EMPLOYMENT CHECKS

Offers are subject to a series of pre-employment checks which will be carried out by the Resourcing Department.

They will include:

- Satisfactory References received and approved by the Recruiting Manager
 - DBS Clearance
- Occupational Health Check Clearance
 - Proof of Right to Work
- Professional Registration (If required)

As part of the pre-employment checks process, all new starters are required to book a Pre-Employment Checks appointment with the Resourcing Department



STARTER LETTER

Once all pre-employment checks are complete, a Starter Letter will be sent to the successful candidate and the Recruiting Manager will be invited to agree a start date.



CONTRACT OF EMPLOYMENT

Once the Recruiting Manager confirms the start date, the Resourcing Department will send out the Contract of Employment at which stage the successful candidate will be booked onto Corporate Induction and New Starter Day where they can collect their ID badge and smartcard.

4. NEED TO RECRUIT, POST REQUIREMENTS AND AUTHORISATION PROCESS

4.1. The Recruiting (line) Manager should review current departmental requirements before making a decision to recruit to a post.

4.2. Once a decision has been made to recruit, the Recruiting/Line Manager must complete [Budget Authorisation Form \(BAF\)/Recruitment Form](#) on the intranet. The form should include advert text, details of how many positions are being recruited to, confirmation of whether the post is permanent or fixed term, names of shortlisting and interviewing panel members, a current AfC approved Job Description and Person Specification and key dates. Note that secondment and acting up opportunities are covered under the [Secondment](#) and [Acting Up](#) policies.

4.3. If the post is to be advertised as a fixed term post, the reason for the fixed term length must be clearly justified (e.g. funding for a specific period of time, or specific project work). Fixed term roles must be determined at the start of the recruitment process, and should apply to the role rather than the individual.

4.4. Job Descriptions and Person Specifications

4.4.1. All Job Descriptions and Person Specifications should follow the ELFT JD and PS template available on the intranet to maintain the corporate image in line with quality standards.

Job descriptions should:

- Include the job title and band
- Include the main terms and conditions of the post.
- Define the role and reporting relationships.
- Define the overall purpose of the job.
- Describe the range of duties.
- Include key organisation policies.
- Link to the Trust Values

4.4.2. All Person Specifications should concisely define the qualifications, skills, experience and general attributes needed by the candidate to successfully undertake the post. Person Specifications should also define the level of English language competence required to carry out the role safely and effectively, and this should be tested through the recruitment process.

4.4.3. The main purposes of the Person Specification are:

- To provide equality of opportunity
- To allow candidates to assess their suitability to a post.
- To provide the criteria for shortlisting candidates.
- To facilitate objective and consistent selection of the most suitable candidate for the post.

- To ensure proof of objective, non-discriminatory recruitment practice at an Employment Tribunal, if necessary.

5. REDEPLOYMENT AND APPRENTICESHIP

- 5.1. Any applicants at risk of redundancy should be considered first, providing they meet the minimum criteria for the role as outlined in the Person Specification. If any Trust at risk staff or redeployees are deemed suitable for any vacant role, they should be given the opportunity to be considered before the vacancy is advertised more widely.
- 5.2. Any jobs that have been identified as potentially suitable will be placed on the restricted vacancy list for no less than 1 week and all potentially suitable redeployees/at-risk staff will be notified of the vacancy and the closing date.

6. ADVERTISING

- 6.1. The job advertisement, the text for which should be included on the [Budget Authorisation Form \(BAF\)/Recruitment Form](#), should include a closing date and interview date. The advert must give an honest overview of the role and should attract suitable candidates to apply for the role. Adverts should be concise, and highlight the key aspects of the Job Description and Person Specification, as well as highlighting any unusual shift patterns, working hours etc.
- 6.2. All advertisements should project a professional image and reflect the organisation's commitment to Equal Opportunities and Flexible Working Practices. Positive Action statements, encouraging applications from groups who are under-represented in the workforce, can be placed on advertisements but must be agreed by the Human Resources Department to ensure that they comply with legal requirements. The Resourcing Department can provide assistance and advice on constructing advertisements.
- 6.3. Recruiting Managers can advise the Resourcing Department of whether they want to advertise internally only, or go straight out to external candidates, ensuring they give prospective applicants a reasonable opportunity to become aware of vacancies. It is recommended to advertise for at least 3 working days if advertising internally, and 5 working days if advertising externally.
- 6.4. Once the [Budget Authorisation Form \(BAF\)/Recruitment Form](#) from Finance, the Resourcing Department places all advertisements on the Trac Jobs website, ensuring that advertisements do not discriminate directly or indirectly on any grounds.
- 6.5. **Methods of Recruitment/Advertisements**
 - 6.5.1. Recruitment advertisements shall reflect the realistic requirements of the post with regards to skills, qualifications and experience and shall not include any unjustifiable requirements, e.g. age or disability restrictions

- 6.5.2. Recruiting Managers are encouraged to use screening and filtering questions in the application form, particularly for roles where a large number of applications are anticipated. At least one filtering question should link to the Trust Values. The Resourcing Department can advise on this.
- 6.5.3. All vacancies will be advertised via our online recruitment tool Trac Jobs, candidates must apply on line and view the Job Description and Person Specification.
- 6.5.4. Adverts placed via Trac Jobs are also automatically posted on NHS Jobs. Whilst an advert is live, Recruiting managers are able to track the number of applications received on Trac only. Recruiting manager should therefore contact the Resourcing Department if they wish to be informed of the number applicant received on NHS jobs before the closing date if the advert was also placed on NHS Jobs.

6.6. Use of alternative Media

- 6.6.1. The Trust recognises that there are great difficulties in recruiting certain staff groups. Managers are encouraged to be creative in deciding how to fill posts, particularly where a post has been vacant for a long period of time. In particular, managers are encouraged to work with the Human Resources Department in reviewing the skill-mix within their service and thinking of innovative ways to recruit staff. This may include the use of alternative media, partnerships with other agencies, advertising posts as secondment opportunities, acting staff up etc.
- 6.6.2. Managers are encouraged where appropriate, to use alternative forms of media for the advertisement of all vacancies, this could include placing adverts in newspapers, social media and other external publications that target specific communities, sending details of vacancies to local job centres, specific groups or interviews with local community radio stations. Advice on this can be obtained from the Resourcing Department.
- 6.6.3. Placing adverts in external publications can be considered for hard to recruit positions and if Trac Jobs and NHS Jobs have failed to attract suitable candidates. Any external advertising costs will be attributed to the Recruiting Manager's budget.

6.7. Provision of greater opportunities for the employment of people with personal experience of mental illness

- 6.7.1. As a provider of mental health services, the Trust recognises both the discrimination and stigma faced by people with experience of mental illness in the employment market and also the potential value of their experiences when working with people who are mentally ill. The Trust has adopted this Charter and is actively promoting its implementation throughout the organisation. The Trust has also signed Mindful Employer: Charter for Employers which includes

demonstration of a positive and enabling attitude to potential employees with mental health issues and the Mindful Employer logo.

6.8. Secondments

6.8.1. All Secondments irrespective of their duration should be advertised at least via the internal vacancy feature and should be managed via the Resourcing Department in accordance with the Trusts' Recruitment and Selection Policy unless agreed otherwise by the Human Resources Department.

6.9. Acting Up Contracts

6.9.1. All acting up contracts irrespective of their duration should be advertised via the Resourcing Department in accordance with the Trusts' Recruitment and Selection Policy unless agreed otherwise by the Human Resources Department.

6.10. Fixed Term Contracts

6.10.1. All fixed term contracts irrespective of their duration should be advertised via the Resourcing Department in accordance with the Trusts' Recruitment and Selection Policy. Fixed term contracts cannot be used in the place of a probation period and should not exceed 23 months, unless agreed otherwise by the Human Resources Department.

6.11. Agency, Bank and Locum Transfers

6.11.1. Any appointment of Agency, Bank or Locum workers to either a fixed term contract or a permanent post should be advertised at least internally via Trac Jobs in accordance with the Trusts' Recruitment and Selection Policy. Bank staff are eligible to apply for internal posts.

6.11.2. When appointing an Agency or locum staff it is very important that the recruiting manager liaise with the Agency and explore any payable fees and commissions. Any costs will be attributed to the Recruiting Manager's budget.

6.11.3. Bank/Agency employment does not form part of reckonable service and all pre-employment checks will be conducted for the successful candidate as an external candidate.

6.12. Off Line Applications

6.12.1. The Trust does not ordinarily accept off line applications or CV's (except VSMS). All applications must be submitted on line via Trac Jobs or NHS Jobs. If a Recruiting Manager has a need to accept an off line application they must agree this with the Resourcing Department prior to accepting the form.

6.13. Informal Visits

6.13.1. Informal visits to the workplace can be arranged for candidates who wish to be acquainted with the work environment. Visits will be advertised on adverts and can be arranged to take place either before or after the interview. Where a visit is undertaken prior to the interview, it will be a fact-finding exercise and should not be used as an opportunity to assess candidates. This opportunity should be offered to all candidates who request it and not a selected few. In order to avoid potential bias, a manager who is not connected to the interview panel should conduct the informal visit.

7. SHORTLISTING PROCESS

7.1. Once a vacancy is closed, the Recruiting Manager (and other shortlisters identified by the Recruiting Manager) will receive an email from Trac Jobs advising them that they are now able to shortlist.

7.2. The shortlisting panel should consist of a minimum of two people (usually the line manager and/or departmental manager), one of whom must have attended the Recruitment and Selection Course and have full understanding of the Trust's Equality Diversity and Human Rights Policy.

7.3. The Recruiting Manager and other shortlisters are required to view and score each application form against the criteria in the Person Specification, including Trust Values. Comments can be added for each application and are encouraged in case a candidate asks for feedback.

7.4. When shortlisting the panel should ensure the following:

- The selection criteria used are those specified on the person specification. Personal knowledge of the candidate should not be taken into consideration.
- Shortlisting should be conducted on the basis of the qualifications and experience specified on the person specification and not on the basis of the highest qualifications or experience available.
- The criteria used must be applied consistently to all candidates.
- Application forms should not be used as a test for literacy. However, if an application is poorly presented and written communication skills are an essential requirement of the job this could justify not shortlisting the applicant.
- Where there is a potential conflict of interest (e.g. if one of the applicants is related to or is well known to a member of the panel) the matter must be declared and advice sought from the Resourcing Department. Ideally all interview panel members should be involved in shortlisting.

7.5. Once all shortlisters have scored each candidate, the Recruiting Manager will be able to select the candidates to invite to interview. These should be highlighted on Trac Jobs. The Recruiting Manager can also identify any reserves at this stage. The Recruiting Manager may be asked to give feedback to unsuccessful candidates when requested.

- 7.6. Managers should shortlist within 2 working days of the closing date to avoid losing suitable candidates.
- 7.7. Having identified the shortlisted candidates through Trac Jobs, the Recruiting Manager should also complete the interview details on the system. This includes details of when the interview will take place, where the interview will take place, any other selection tools (e.g. tests) to be used, and details of how long each interview will last. Once this has been created and submitted, it will generate an email to the Resourcing Department to send out invites to interview.
- 7.8. Usually, at least 5 working days notice should be given to candidates to help ensure high attendance, however where the interview date has been published on the advert, the interviews may take place sooner.
- 7.9. The Resourcing Department can give advice on selection tools, such as presentations, tests, written exercises and psychometrics which can be used alongside the interview. Any selection tools must be relevant to the specific role.
- 7.10. It is the Recruiting Manager's responsibility to book the interview venue, equipment and ensure that panel members are available.
- 7.11. It is the Recruiting Manager's responsibility to provide feedback should an unsuccessful candidate requests it.
- 7.12. The Resourcing/HR Department reserve the right to represent HR and attend any shortlisting panel to ensure compliance.

7.13. Applicants with Disabilities

- 7.13.1. Candidates who have identified that they have a disability on their application should be shortlisted for interview if they meet all the minimum criteria set out in the Person Specification. These candidates can be identified by "two ticks" next to their application form.
- 7.13.2. Under the Equality Act 2010, employers have a duty to make 'reasonable adjustments' for disabled job applicants or employees, when a policy, practice or a physical feature of their premises places the disabled person at a substantial disadvantage.

Some examples of reasonable adjustments are:

- Making adjustments to premises
- Altering the person's working hours
- Allowing absences during working hours for medical treatment
- Giving additional training
- Providing special equipment or modifying existing equipment
- Changing instructions or reference manuals

- Providing additional supervision and/or support.

7.13.3. Employers should consider broader issues when deciding whether it would be reasonable to make a particular adjustment, including:

- How effective the adjustment is in preventing the disadvantage
- How practical it is
- Financial and other costs and the extent of any disruption
- The extent of the employer's financial or other resources
- Availability to the employer of financial or other help to make the adjustment
- The size and type of organisation.

8. INTERVIEW PROCESS

8.1. Recruiting Manager and any interview panel members can download the 'Interview Pack', including all application forms and an interview schedule from Trac Jobs as soon as the invites are sent out. An updated schedule will be sent to the panel 24 hours before the interview/assessment.

8.2. Objectivity in the recruitment and selection process is paramount. Appointing officers, where possible, should ensure that the interview panel includes their own line manager or a peer and external assessor where appropriate. Interview panels should consist of three (or more, if appropriate) people, it is also advisable wherever practical, to ensure that the panel is diverse, for example in terms of gender and race. If an interview arrangement form is submitted and 3 panel members are not listed, the invites will not be sent. It is the responsibility of the Recruiting Manager to ensure 3 panel members are represented. If you are having difficulty then a service user can be the 3rd panel member.

8.3. As a minimum, the chair of the interviewing panel should have received training in the application of the Trust's Recruitment & Selection Policy or equivalent training e.g. from another NHS Trust. Any 'equivalent training' should be agreed as relevant by the Human Resources Department.

8.4. The chair and panel members must use the interview questions template to prepare the questions and score at the interview. All panel members should score using the Trust scoring of 0, 1, 2 and 3. Halves may be given if the panel decide this on the day.

8.5. When interviewing/assessing, the interviewers/assessors must ensure that the questions used for assessing candidate/s in the interview are directly linked to one or more of the items in the Person Specifications. The scoring of interviewees should solely be based on how well they meet individual requirements in the person specification. Panel members may be required to provide written documentation to justify the selection and non-selection decisions made.

- 8.6. The Trust is committed to involving Service Users or Carers on all interview panels but priority will be given to band 5 and above. The recruiting manager is responsible to arrange this by emailing elft.people-participation@nhs.net. For further information please see [Service Users in Recruitment Guidelines](#) on the intranet.
- 8.7. All interview panels for Director level (including Clinical and Associate Director posts) and Head of Service posts will also be subject to psychometric testing undertaken by an appropriately qualified person. The selection process for these posts will also include, as a minimum, a presentation to the panel and/or team members.
- 8.8. Appointment panels for medical and dental and some other professional posts, will be subject to the appropriate national guidance and should also concur with the principles set out in this document.
- 8.9. At the end of the selection process the chair of the panel must: -
- Check that the applicant has right to work in the UK (passport, visa, birth certificate).
 - Check that the applicant has the relevant professional registration and qualifications (if applicable).
 - Check that the application form states email addresses for references that cover a period of three years.
 - Ensure that any employment gaps have been explored and discussed.
 - Ensure that the candidate has been asked about any DBS convictions
 - Ensure that the successful candidate/s information, all interview notes, for successful and non-successful candidates, along with the interview questions template & scoring, any test results along with photocopy of ID, certificates are scanned and uploaded on Trac Jobs within 48 hours. An unconditional offer will not be sent until all the above have been received.
 - Not agree salary point with candidates at interview stage and the starting salary policy should be referred to when making a decision.
 - Contact interviewed candidates to inform them of the panel's decision and provide feedback if requested.
- 8.10. Comments supporting the decision to appoint or not to appoint must be specific and should relate to the criteria set out in the Person Specification. Interview notes should be available to support the decision, and they should also be returned to the Recruitment Department. Interview notes for unsuccessful candidates will be stored for 12 months.
- 8.11. Some candidates may request feedback, and it is Recruiting Manager's responsibility to provide the feedback to unsuccessful candidates. The Recruiting Manager must be prepared to explain the decision and should remember that all such explanations should relate to the Person Specification. Selection decisions may be challenged up to 3 months after the interview, either through internal complaints procedures or an Employment Tribunal.

8.12. Under the GDPR and Data Protection Act 2018, applicants may ask to see any notes written about them.

8.13. The Resourcing/HR Department reserve the right to represent HR and attend any interview panel to ensure compliance.

8.14. **Testing**

8.14.1. Tests may be carried out as part of the Recruitment & Selection process for all bands, your recruitment officer has various levels of numeracy & literacy tests that can be done online and on paper.

8.14.2. Departments may develop their own assessments but should check with the Human Resources Department to ensure that the test is free of inherent bias.

8.14.3. Suitable adjustments will be made to any tests for candidates who have declared a disability.

9. **UNCONDITIONAL OFFER**

9.1. All correspondence will be via Trac Jobs. The unconditional offer and relevant forms are sent via Trac Jobs instructing the candidate what to do next. The recruiting manager will also be copied into the emails.

9.2. All offers are sent on first point of the banding. If the candidate brings in an NHS payslip, the offer will be matched at the appropriate point in accordance with the Starting Salary Policy and Agenda for Change terms and conditions at pre-employment checks stage.

9.3. For non-NHS applicants, the Recruiting Manager may wish to offer higher point on the Agenda for Change scale than the bottom point of the band for successful candidates. Recruitment advice would be that one year's worth of relevant experience at a similar level is worth one additional pay point, although other factors may also be taken into consideration in accordance with the Starting Salary Policy. Human Resources advice should be sought in this situation, but the final decision is made at the Head of Service's discretion.

10. **PRE-EMPLOYMENT CHECKS**

10.1. Before a starter letter can be sent to the candidate, a series of recruitment checks must be completed. They can be broadly summarised as:

- References
- Disclosure Barring Service (DBS)
- Occupational Health Check
- Identity and Proof of Right to Work
- Professional Registration and Qualifications (If required)

- 10.2. In order to complete some of the above checks, the successful candidate is required to attend a Sign-On Appointment with the Resourcing Department.
- 10.3. The Trust is committed to following NHS Employers guidance and the London Streamlining Project guidance wherever possible, intended to make the pre-employment process as quick and efficient as possible.
- 10.4. If an employee does not have the relevant qualifications / registration details or the right to work legally the offer of employment will be withdrawn/terminated as appropriate.
- 10.5. In situations where a potential employee has provided false details or documentation cases will be referred to the Resourcing Manager/Medical Workforce Manager and reported to the Trust's Local Counter Fraud Specialist.
- 10.6. Failure by an applicant to provide accurate and truthful information in their application will result in their offer being withdrawn and should be referred to the Trust's Local Counter Fraud Specialist (LCFS) by the Resourcing Department. If an employee has intentionally provided inaccurate information, or withheld information that is relevant to their appointment, it can be cause for dismissal in accordance with the Trust's Disciplinary Policy and also prosecution. Misrepresentations as part of the recruitment process can constitute a criminal offence under the Fraud Act 2006.
- 10.7. Note that it is not always necessary for all pre-employment checks to be redone for internal movers. The Resourcing Department will be able to advise further in this regard depending on the individual circumstances.

10.8. **References**

- 10.8.1. References will be requested once an offer letter has been sent. The purpose of references is to check facts such as the applicant's qualifications and previous job history.
- 10.8.2. The number of references required varies depending on the current employment status of the candidate:

For External, Bank and Agency Candidates

For external candidates, references are required to cover the previous 3 year period. One reference must be from the candidate's most recent employer

For External NHS to NHS Candidates

For candidates currently working in another NHS organisation, one factual reference from the HR department of the current employer is required.

For Internal Candidates Working at the East London NHS Foundation Trust

For candidates already working within the Trust, no references will be requested unless no previous references are available in the candidate's file. It is therefore recommended that the recruiting manager contacts the current line manager to discuss the candidate's most recent appraisal and/or supervision. The Resourcing Department is able to provide further advice where requested.

- 10.8.3. References should be obtained from people who have actually managed the candidate or supervised them in an educational capacity.
- 10.8.4. If an applicant has worked only as a volunteer, references should be obtained from a person in a position of responsibility in relation to the applicant, for example a person with management responsibility.
- 10.8.5. If necessary, character references may be undertaken if the applicant has not worked recently. This reference should come from someone in a position of responsibility (police, lawyer, doctor etc.) that has known the applicant for at least 2 years.
- 10.8.6. Most organisations have a policy to only provide a basic factual reference which will confirm that the candidate worked for them, the dates, the job title, salary and hours of work. This does not mean this is an unsatisfactory reference.
- 10.8.7. All references are obtained by the Resourcing Department either via email or via Trac Jobs.
- 10.8.8. References will be forwarded to the recruiting manager to approve. Any concerns should be raised with the Resourcing Department.

10.9. **Disclosure & Barring Service (DBS)**

- 10.9.1. The Trust is part of the DBS Update Service and requires all successful applicants offered a position covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 register for the DBS Update Service prior to appointment with the Trust. Failure to register will result in offers being withdrawn.
- 10.9.2. If a candidate is already registered with the DBS Update Service and they have the certificate, the Trust will accept that DBS as long as it is at the right level for the post they are being offered.
- 10.9.3. The Resourcing Department will send the successful candidate a DBS declaration form with the unconditional offer letter.
- 10.9.4. The Trust's Disclosure and Barring Service (DBS) Policy outlines the procedure for:

- obtaining DBS disclosures (including agency, volunteers, students and contractors)
- information declared by the applicant on DBS Declaration Form
- information revealed through a DBS disclosure
- the process for re-checking
- the portability of DBS checks
- registering and claiming the subscription fee for the DBS Update Service
- Protection of Children Act (PoCA)
- Protection of Vulnerable Adults (PoVA)

10.9.5. Recruiting managers should pay particular attention to what level of DBS check the post in question should attract. Guidance for this can be found in the Trust's Disclosure and Barring Service (DBS) Policy.

10.9.6. In exceptional circumstances a waiver may be accepted pending receipt of DBS clearance. A waiver will only be accepted if a satisfactory Criminal Conviction and Professional Practice Declaration form is received from the candidate, approval received by the Service Director and Human Resources and a risk assessment is completed by the Recruiting Manager committing to ensuring the successful candidate does not work unsupervised until the DBS clearance is received.

10.10. **Occupational Health**

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

10.10.2. Takes up their first post within the Trust (permanent or temporary), whether this is preceded by a period of training or not

10.10.3. Changes job, where this involves a significant change of duties

10.10.4. No applicant should be refused employment on health grounds unless:

10.10.5. Expert occupational medical advice has been sought.

10.10.6. The applicant has had the opportunity to discuss issues raised with an occupational health professional.

10.10.7. The employing manager has fully considered all the facts (advice should be sought from Human Resources).

10.10.8. In exceptional circumstances a waiver may be accepted pending receipt of OH clearance. A waiver will only be accepted if a satisfactory Occupational Health Declaration form is received from the candidate and approval received by the Service Director and Human Resources.

10.11. Identity and Right to Work

10.11.1. It is vitally important that the identity and right to work status of a prospective employee is reliably verified before he/she is appointed in accordance with the NHS Employment Check Standards (NHS Employers) and Home Office Guidelines.

10.11.2. These checks are designed to:

- Determine that the identity is genuine and relates to a real person.
- Establish that the individual owns and is rightfully using that identity.
- Establish that the individual has the right to work in the UK.

10.11.3. A document authentication scanning device is used to scan all passports, identity cards and driving licenses to ensure they are genuine; a copy of the identity document and the images is saved in each successful candidates EFS file.

10.11.4. If the document authentication scanning device is not available to scan identity documents or where documents can't be scanned, such as a birth certificate, a colour photocopy (where available) should be taken and the person who copied the document should date and sign it to certify it is a copy of an original document.

10.11.5. In the event the scanning device highlights an issue with a document it should be immediately sent to the scanning device company to check the document. The candidate should not be alerted to the concern. If the scanning device company are unable to confirm the authenticity of a document or where they confirm that a document is not genuine, a referral must be made to the Trust's Local Counter Fraud Specialist (LCFS), who will provide advice on the next steps.

10.11.6. Where an employee is unable to provide a passport and instead provides a full birth certificate, a copy of the birth certificate, the relevant council should be contacted to check whether they have a record of the birth.

10.11.7. When carrying out the right to work checks there are certain circumstances where the employer must receive positive confirmation of a person's right to work from the Home Office Employer Checking Service with their permission before they are employed. The Employer Checking Service must verify a person's right to work where an individual has:

- An outstanding application or appeal with the Home office which was made at the correct time;
- Presented an Application Registration Card (ARC) which states that the holder is allowed to work

- Presented a Certificate of Application issued to or for a family member of an EEA or Swiss national which states that the holder is allowed to work

10.11.8. There are exceptional situations where the Trust may apply for a Certificate of Sponsorship for a successful candidate who does not possess the right to work. This will be judged on a case by case basis, with support from the Recruitment Department, and will be driven by the nature of the role and the difficulty to fill the role.

10.11.9. If a vacancy does not appear on the Home Office shortage occupation list, employers will need to demonstrate that they were unable to recruit a resident worker before recruiting an individual from overseas. They will be required to provide details of the recruitment method used and give credible reasons why they did not appoint a suitably qualified resident worker. This is called the “resident labour market test”.

10.11.10. The NHS Employers website and the NHS Workforce Bulletin provide further information on right to work. Employers must also regularly check the UKBA website for the latest information

10.12. **Professional Registration and Qualifications**

10.12.1. The purpose of registration and qualification checks is to ensure that a prospective employee is recognised by the appropriate regulatory body and that they have the right qualifications to do the job.

10.12.2. This section should be read in conjunction with the Trust’s [Checking Professional Registration and Revalidation Policy](#).

10.12.3. The Resourcing Department will take copies of original certificates for all qualifications, if they are mentioned in the PS and essential for the post and saved in the EFS file.

10.12.4. For all posts that require professional body registration (NMC, GMC, HCPC) the Resourcing Department will take a copy of the PIN and carry out an online check

10.12.5. Where a certificate is in a different name from the candidate, the candidate must be asked to provide original evidence to explain the different names, for example a marriage certificate. Such evidence must be copied and signed and dated as a copy of an original document.

10.12.6. Any concerns regarding the authenticity of certificates should be referred to the Trust’s Local Counter Fraud Specialist who will contact the awarding body.

11. **STARTER LETTER**

11.1. Once all pre-employment checks have been successfully completed, the Resourcing Department will issue a Starter Letter to the successful candidate. The

Recruiting Manager will be asked to agree a start date with the successful candidate and advise the Recruitment Department.

12. CONTRACT OF EMPLOYMENT

12.1. Copies of the Main Terms and Conditions of Employment are issued by e-mail as soon as possible once pre-employment checks have been successfully completed and a start date has been agreed. If the employee is an existing member of staff then an amendment to the Terms and Conditions of Employment is issued within 4 weeks of taking up the new post.

12.2. Induction, New Starter Day, Trust ID Badge, IT Access and Smartcards

12.2.1. The Resourcing Department will also send out a confirmation letter confirming the Induction and New Starter Day dates and what to do on the first day.

12.2.2. All new starters are booked on a New Starter Day where they are issued with a Smartcard and ID Badge.

12.2.3. The line manager is responsible for instigating the process for IT account creation and access.

13. VERY SENIOR MANAGERS (VSM)

13.1. Recruitment for Very Senior Manager positions, such as Director-level positions, may follow a slightly different process than for all other posts, in order to help ensure the Trust is able to attract the most suitable candidates. This may include requesting CVs rather than application forms, and shortlisting outside of the usual recruitment process.

14. MEDICAL WORKFORCE

14.1. The recruitment process for Medical Workforce mirrors that of the above. However separate forms are used for specific aspects of the process.

14.2. Doctors in training are excluded from this process and are subject to pre/post-employment checks only.

14.3. Consultants and speciality Doctors recruited to permanent positions will be required to attend Corporate Induction. However, Junior Doctors recruited to fixed term contracts and rotational placements will be required to attend the one day training provided by Medical Education.

15. STAFF BANK

15.1. Substantive employees will be registered for work on the Trust's internal Staff Bank when they join the Trust, unless they opt out. This will not have any impact on the employee unless they choose to work additional shifts.

15.2. New Staff Bank only workers will be subject to the same recruitment processes and pre-employment checks as substantive appointments.

15.3. It is also possible for managers to refer individuals to the Staff Bank. The Staff Bank team may accept referrals, providing the manager making the referral has discussed the referral with the Human Resources department and interviewed the individual.

15.4. For staff working for the Trust through an agency, the agency is required to confirm that all pre-employment checks have been completed. Refer to the Bank and Agency Authorisation Protocol.

16. IR35 CONTRACTORS AND SELF-EMPLOYED WORKERS

16.1. All self-employed persons who work for the Trust and who invoice the Finance Department for payment should as a minimum be required to provide documentary evidence of their identity, right to work, qualifications/professional registration (if applicable) prior to them undertaking work at the Trust.

16.2. IR35 contractors will also be added on ESR in order to monitor compliance data such as statutory and mandatory training.

17. HONORARY CONTRACTS

17.1. Honorary contracts apply to those employed by another NHS organisation or students from recognised educational establishments who are coming to do a period of work or training within East London NHS Foundation Trust but will not be on the Trust payroll. Applicants must identify a supervisor or placement lead before prior to applying.

17.2. The Resourcing Department is responsible for ensuring the appropriate checks are in place for anyone coming in on an honorary contract, and issuing the honorary contracts.

17.3. If the applicant's current NHS Organisation or Educational Establishment can confirm the right level of checks has been conducted no further pre-employment checks will be undertaken.

17.4. If for any reason inadequate confirmation of checks is received then the relevant checks will be conducted prior to commencing the contract.

17.5. If an honorary contract is for less than 6 months, the candidate will not be booked on to induction.

17.6. More information can be found in the Honorary Contract and Placement Guidelines on the intranet.

18. WORK PLACEMENTS

- 18.1. Work Placements apply to individuals who are looking to gain experience in healthcare either as part of a programme of studying or to consider healthcare careers.
- 18.2. Applicants should be over the age of 16 for non-clinical settings and over 18 for clinical settings. Any work experience, including admin and clerical, in clinical settings should not be offered to anyone under the age of 18.
- 18.3. More information can be found in the Honorary Contract and Placement Guidelines on the intranet.

19. VOLUNTEERS

- 19.1. All volunteers must contact the Trust Volunteer Co-ordinator.

20. APPRENTICESHIPS

- 20.1. Apprenticeships offer the opportunity to gain formal recognition, through a qualification, for the competence and skills demonstrated in day-to-day work. The Trust actively recruits from our local communities into a range of clinical and non-clinical entry level posts, which are paid at a specific apprenticeship rate.
- 20.2. The programmes take approximately 12-18 months to complete for entry level. Recruiting Managers can indicate on the [Budget Authorisation Form \(BAF\)/Recruitment Form](#) that they would consider an Apprentice for a particular role and Apprentices are sourced by the Learning and Development Department, who liaise with the Recruiting Manager. Any newly appointed Apprentices will be subject to the same pre-employment check process as any other new recruit, which will be administered by the Resourcing Department upon receipt of a Successful Candidate Form (via Trac or electronic form).

21. PAYROLL

- 21.1. Payroll Forms are sent via email with the unconditional offer letter; candidates complete the documents and bring them to the pre-employment check appointment.
- 21.2. RO's will then enter the details onto ESR (HR Database) and send the paperwork to Payroll on or as close as possible to the start date.
- 21.3. Substantive staff are paid on a monthly basis, on the last Wednesday of the month. Bank staff are paid weekly. Any Bank staff transferring to a monthly payroll are required to complete all payroll paperwork again. Details cannot be copied over from their weekly records.

22. WITHDRAWAL OF EMPLOYMENT

- 22.1. Should an offer of employment need to be withdrawn, the Recruiting Manager must contact the Resourcing Department to inform them of the reasons.
- 22.2. The Recruiting Manager should then liaise with their locality HR team to seek guidance and assistance to draft the withdrawal letter.
- 22.3. This letter should confirm the reasons for the withdrawal and is to be approved by either the locality HR or the Resourcing Manager. A copy should also be sent to the Resourcing Department for the HR file.

23. POLICY REVIEW

- 23.1. This policy will be reviewed in two years time. Earlier review may be required in response to relevant changes in legislation or guidance.

Recruitment Process KPI

