



Bradford City Clinical Commissioning Group  
Bradford Districts Clinical Commissioning Group

# RECRUITMENT & SELECTION POLICY

(Including Professional Registration, Recruitment & Retention Premia, Disclosure Barring Service, Disclosure of Criminal Background, References and Probationary Procedure)

## Policy reference –HR15

SUMMARY	This policy outlines the recruitment and selection policy including professional registration, recruitment and retention premia, disclosure barring service, disclosure of criminal background, references and probationary procedure.
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**THIS POLICY HAS BEEN SUBJECT TO A INITIAL  
EQUALITY IMPACT ASSESSMENT**

**VERSION CONTROL SHEET**

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Final	Sept 2014	Alison Ewart	HR Lead	SMT
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## **1. PURPOSE**

- 1.1 The Recruitment and Selection Policy is designed to support managers in providing a fair, consistent and effective approach to the recruitment of all employees, in accordance with employment law and best practice.
- 1.2 The organisation actively promotes equality of opportunity for all and welcomes applications from a wide range of candidates.
- 1.3 The organisation complies fully with the NHS Employment Check Standards and the Disclosure & Barring Service (DBS) code of practice and undertakes to treat all applicants fairly to ensure a fair process. This will help to ensure the organisation employs high quality staff who are not deemed a risk to patients or the public.

## **2. SCOPE**

- 2.1 This policy applies to prospective employees and employees.

## **3. EQUALITY STATEMENT**

- 3.1 In applying this policy, the organisation will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation. A single Equality Impact Assessment is used for all policies and procedures.

## **4. ACCOUNTABILITY**

- 4.1 The Chief Officer is accountable for this policy.

## **5. IMPLEMENTATION AND MONITORING**

- 5.1 The Senior Management Team is responsible for formal approval and monitoring compliance with this policy. Following ratification the policy will be disseminated to staff via the organisations intranet.
- 5.2 The policy and procedure will be reviewed periodically by Human Resources in conjunction with managers and Trade Union representatives where applicable. Where review is necessary due to legislative change, this will happen immediately.

## **6 RESPONSIBILITIES**

- 6.1 Good working relations are vital for the organisation to operate successfully and provide services. There is a joint responsibility for management, trade unions and employees to accept the responsibility of working together on issues in good faith and with the shared intention of facilitating good working relations.
- 6.2 **Employees and Prospective Employees**
  - 6.2.1 It is the responsibility of the above to:
    - Provide all relevant information and documentation required by the organisation to comply with recruitment processes.
    - Ensure that professional registration is maintained (where appropriate) in line with the organisations protocol and procedures.

- Advise their recruiting manager or line manager of any changes in their circumstances.
- Inform their line manager should they be charged with an offence or if their status changes with regard to checks during their employment.

### 6.3 Recruiting Manager

6.3.1 It is the responsibility of the recruiting Manager to:

- Comply with this policy and all related recruitment procedures.
- Ensure all necessary pre-employment checks are carried out on prospective appointments, including contractors, temporary, secondment and agency staff.
- Attend recruitment and selection training and be aware of and apply all of the organisations recruitment procedures.
- Ensure that the recruitment and selection policy is applied fairly to all.
- Seek advice from a HR representative if information comes to light at any stage of the process which may impact on the employment offer.

### 6.4 Human Resources

6.4.1 It is the responsibility of the service to:

- Devise a policy and procedure on recruitment & selection of employees and to ensure that the policy and procedure is maintained and updated accordingly in line with any organisation or legislative changes.
- Provide on-going support and training for all managers, in dealing with the recruitment and selection process, to ensure compliance with the relevant HR policies and procedures.
- Monitor all recruitment to ensure all required pre-employment checks have been completed. Ensure that completed documentation is place on file and meets all audit requirements.
- Collect and report equality monitoring data for recruitment and selection. Identify potential inequalities and propose actions to address these.

## 7. Identifying a Vacant Post

7.1 When a vacancy arises, managers will want to consider the most appropriate way to cover the work. Before a new or revised job description and job specification is drawn up, managers should review the staffing levels, skill mix and working patterns in their team to identify any potential redeployment.

7.2 The following question should be considered:

- Can the work itself be eliminated?
- Can the work be absorbed by re-organising existing resources?
- Is it the same job as was done previously?
- Do the hours need to be the same?
- Can skill mix be considered as an alternative?
- Will the job be permanent or temporary?
- What future service developments or changes might affect the post?

## 8. Appointing to a vacant post without advertising

8.1 If a post becomes available on a temporary basis due to such reasons as maternity or long-term sickness cover, the recruitment and selection process must be followed when selecting an employee to cover the vacancy. In such circumstances, it may be appropriate to recruit to the vacancy from a specific group of staff, for example where the post is of a specialist nature or as acting up position.

- 8.2 Should the post become available on a permanent basis, it may be possible to waive the standard recruitment process. Please refer to your local HR representative for further advice and guidance. This will only be the case where it can be demonstrated that the initial selection for the post was made on a fair and equitable basis where others were given the same opportunity i.e. acting up. Any temporary appointments will be reviewed between 3 to 6 months in order to establish whether the temporary promotion can be ended.
- 8.3 For any agency appointments made, these need to be reviewed every two months to establish whether the temporary position is required.
- 8.4 The ring fencing of vacancies would normally only apply where certain jobs are at risk. Where managers are considering ring fencing vacancies for any other reasons it is recommended they discuss this with the Human Resources.
- 8.5 Prior to any post being advertised the organisation should give consideration to any employees who are currently 'At Risk'. At risk employees need only meet the essential criteria in order to have a ring fenced interview and the Recruiting Manager will need to provide evidence of why they are not appointable.
- 8.6 The organisation will also ensure that any national or regional clearing house initiatives are followed prior to advertising any vacancies externally.

## **9. Job Evaluation**

- 9.1 Having established that a vacancy exists a job description and person specification should be completed for the post. If it is an existing post then the current job description and person specification must be reviewed and any necessary changes made. Where there are significant changes to the job description then these will need to go through a job evaluation panel. See the HR lead for further guidance on this.
- 9.2 The job description should summarise the role and responsibilities of the post in a concise and accurate way on the newly agreed CCG job descriptions templates.
- 9.3 The person specification defines the qualifications, skills, experience, and aptitudes etc. that are required by a person to fulfil the role. The criteria must be categorised as either essential (the minimum standard to perform the role adequately) or desirable (the standards which will enable the person to perform the job more effectively). The criteria used should be competency based to enable candidates to demonstrate how they have used particular skills previously.
- 9.4 The job description and person specification should be prepared in a standard format agreed by the organisation. Template will be provided by the Human Resources.
- 9.5 All job descriptions and person specifications should be matched in line with the Agenda for Change job evaluation process. Any amendments to a previously banded job should be submitted to the Human Resources who will evaluate whether the changes are sufficient to require the post to be re-banded. For positions that are not covered under the Agenda for Change terms and conditions advice on job evaluation should be sort from the HR department. Posts may be advertised subject to evaluation if necessary. For further guidance, refer to the guidance on Job Evaluation Matching Process

## **10. Financial / Establishment Control**

- 10.1 The organisations establishment control procedures should be completed prior to any post being advertised.

## **11. Advertising a Vacancy**

- 11.1. Adverts will be placed by the Human Resources Team, usually between one to a two week period. Where there is a large volume of applications, the recruiting manager has the discretion to close the vacancy earlier. This is subject to having a disclaimer on the NHS Jobs website or a disclaimer of advertised internally.

### **11.2 External Recruitment**

- 11.2.1 External vacancies will normally be advertised on the NHS jobs website and applications are requested online. Under our responsibility to the Equality Act 2010 all applicants will be offered an application form in an appropriate format. Consideration should be given to employees on the redeployment register or who may have been placed at risk within the organisation or associated organisation.

- 11.2.2 Where external advertising is appropriate local or national publications may be used or key community associations. Any advertising costs need to have prior approval from the organisations budget holder.

- 11.2.3 Where NHS jobs is not suitable, bespoke services should be discussed with a HR representative.

### **11.3 Internal Recruitment**

- 11.3.1 Vacancies can be advertised internally within the organisation, with only current employees eligible to apply. Posts may also be advertised internally across NHS Bradford City and Bradford Districts CCGs as appropriate.

- 11.3.2 Internal vacancies may be advertised via NHS jobs, the organisations newsletter, email system or intranet.

- 11.3.3 Applications will normally be requested online via NHS jobs. Alternative application processes may be available and should be discussed with a HR representative.

## **12. Shortlisting**

- 12.1 Shortlisting should be completed through the NHS Jobs site. A minimum of two shortlisting reviewers will be sent an email link once the vacancy closes. Where applications have not been via NHS Jobs the shortlisting matrix will be used.

- 12.2 Shortlisting must be carried out by examination of applications against the person specification and these must be applied consistently to all candidates on the basis of the information supplied in their applications. Where a large number of applicants satisfy the essential criteria other desirable criteria will be systematically applied to reduce the number of candidates. Under our commitment of the 'Positive about disability symbol' (Two Ticks), all candidates who meet the essential criteria and indicated that they have a disability, will be automatically shortlisted. Consideration will also be given to any live agreements regarding "at risk" staff and the impact on shortlisting. Please see the Organisational Change Policy.

- 12.3 Recruiting managers will not have access to any person information until after the short listing process has been concluded. The reasons for decisions not to shortlist should be clearly recorded on the short-listing section of NHS jobs and the shortlisting matrix. This information will be required as evidence if allegations of unfair treatment are made.

### **13. Interview Assessment**

- 13.1 Interview panels will consist of a minimum of two people at least one of whom must have undertaken the organisations Recruitment and Selection Training For clinical posts, at least one panel member should be a clinician from the speciality to which the position relates. Any external assessors involved in the selection process will abide by the organisations recruitment and selection processes.
- 13.2 Shortlisted applicants will be invited to interview with reasonable notice before the interview date (this should be at least 5 days working notice). Where possible the interview date should be included in the advert. The panel will take into consideration the timing of the dates of interview for any faith based dates.
- 13.3 The recruiting manager will ensure that all panel members follow procedures and sound recruitment practices. Advice should be sought by a HR representative if reasonable adjustments are requested for a disabled candidate.
- 13.4 Where previously advised by the Human Resources Team, recruiting managers are required to make reasonable adjustments that are required by candidates to take part in an interview, so that they are not at a substantial disadvantage. The recruiting manager will be responsible for co-ordinating arrangements for the day, including room bookings, refreshments and facilitating any requests made by applicants with a disability.
- 13.5 The Human Resources Team will supply the interview panel with an interview schedule along with contact details for the shortlisted candidates. They will also provide an interview score sheet and a candidate appointment form.
- 13.6 Each interview panel member is responsible for recording their own assessment of each candidate by completing the interview assessment form. Any additional papers should be attached. Applicants are legally entitled to view these documents and they can be used in Employment Tribunals.
- 13.7 All panel members will ask the same core questions of each candidate, using the interview evaluation form. These questions will be based on the criteria in the person specification and can be weighted if appropriate.

### **14. Additional Assessment Methods**

- 14.1 Selection tests are an excellent method of assessing a candidate's ability to perform the duties of the post, providing they are relevant, reliable, fair and unbiased and are recommended for all recruitment exercises. Examples include, typing tests, in tray tests, writing a document, tests in the use of applicable software, case studies or scenario exercises and group exercises. It may be necessary to make reasonable adjustments to a test to accommodate a candidate with a disability.

## **15. Selection Decisions**

- 15.1 Selection decisions must be objective and should only be made on the basis of how closely the candidates meet the person specification and interview assessment criteria.
- 15.2 Once a decision has been made the recruitment pack with all related documentation should be returned to the Human Resources Team. The recruiting manager will be responsible for contacting candidates with the outcome and providing feedback.

## **16. Pre-employment Checks**

- 16.1 Following the recruitment process pre-employment checks will be obtained. These must satisfy the requirements of the NHS Employers pre-employment check standards as follows:
- Verification of identity checks
  - Right to work checks
  - Registration and qualification checks
  - Employment history and reference checks
  - Criminal record checks
  - Occupational health checks
- 16.2 All pre-employment checks should meet these requirements prior to the candidate receiving an official offer letter confirming appointment. The organisation will withdraw any offer of employment to anyone who fails to meet these requirements.
- 16.3 Any concerns around the legitimacy of a candidate's application form or references; if it is suspected that false information has been provided the matter must be referred to the Local Counter Fraud Specialist for further investigation.
- 16.4 Evidence of all pre-employment checks conducted will be stored on individual HR files with a record of the outcome entered and maintained by the Human Resources Team on ESR.
- 16.5 Temporary workers should only be obtained through recruitment agencies approved by the CCG where rates have been negotiated and there is a service level agreement in place. These agencies are responsible for obtaining pre-employment checks on all workers in line with all the NHS Employment check standards.
- 16.6 Recruiting managers should not agree a start date prior to all pre-employment checks being completed. The organisation will withdraw any offer of employment to anyone who fails to meet these requirements.
- 16.7 Further information on the specific process for obtaining these checks and the process for the follow-up for those who fail to satisfy the checking arrangements is available in Appendix 1.

### **Changes to DVLA issued driving licences and impact on identity check requirements:**

The paper counterpart of the photo-card driving licence will no longer be issued by the DVLA when individuals apply for/ or renew their UK photo-card driving licence from 8 June 2015 (this does not affect photo-card licences issued by the DVLA in

Northern Ireland). From this date, the paper counterpart of the photo-card will no longer have any legal status.

Employers can continue to accept photo-card licences that have been issued before June 2015 but are no longer required to ask to see the paper counter-part, when these are presented as proof of an individual's identity. Similarly, they can also continue to accept paper driving licences that were issued before the photo-card was introduced in 1998 which remain current and in-date.

Where employers have a legitimate right to obtain information about entitlements and/or penalty points (endorsements) i.e. because the nature of the job being recruited to, they should undertake a free check through the DVLA's on-line 'Share Driving Licence Service'. The licence holders permission must always be sought before requesting any such information via the DVLA.

The identity check standard was amended on 8 June 2015 to reflect this change.

For more information about the changes to UK photo-card licences and to access the digital enquiry line, see the DVLA website.

## **17. Alert Notice Letters**

17.1 Alert notice letters are issued by NHS England to notify NHS organisations and others about health professionals whose performance or conduct could place patients, public or staff at serious risk. NHS Bodies are required to implement and manage an alert scheme in accordance with the Healthcare Professionals Alert Notices Directions 2006.

17.2 Employees regulated by one of the following bodies are covered by this procedure and maybe subject to alert letters:

- General Medical Council
- General Dental Council
- Nursing & Midwifery Council.
- General Chiropractic Council
- General Osteopathic Council
- Health Professions Council

17.3 When Alert letters are received they are forwarded to Human Resources to ensure that they can be checked against records of candidates going through the recruitment process and existing staff. Their names will be entered on a local alert list database against which any potential new employees or workers will be checked before an offer of employment is made. Further guidance on this can be found on the NHS Employers website at

<http://www.nhsemployers.org/your-workforce/recruit/employment-checks/nhs-employment-check-standards/alert-notice-system>

17.4 If an applicant is identified as being on the alert letter database recruitment will be halted, relevant parties informed and appropriate action taken.

## **18. Starting Salary and Incremental Dates**

18.1 New employees from outside of the NHS should be appointed on the bottom salary point in the relevant band.

18.2 In exceptional circumstances the recruiting manager may wish to make an offer higher than the bottom of a particular salary band (through the CCG business case process and/or an email approval from the Chief Financial Officer of the CCG.), taking into account previous equivalent service outside of the NHS. Recruiting managers will need to consider to what extent the previous service will be of relevance to their new post and make a clear rationale why a higher offer is appropriate. In considering the case for counting previous equivalent service outside of the NHS, account should be taken of other terms and conditions of service applicable to the post, for example:

- Any additional allowances attached to the post e.g. working outside normal hours; on-call; Recruitment and Retention Premia etc.
- The final salary Occupational Pension Scheme
- Annual leave and sick leave entitlements

18.3 Salaries agreed must exist as a point on the pay scale for the pay band and should never be more than the maximum of the scale.

18.4 When a candidate already working for the NHS is offered a job that is at the same pay band as their current role, they would move across on the same pay point. When a candidate already working for the NHS is offered a job that is at a higher band pay should be set at the minimum of the new pay band. However, if this would result in no increase either because the individual is receiving a bonus or recruitment or retention premium or because they are at the top of the band, the individual would go to the first pay point in the band which would result in an increase in pay. The increment date will be maintained.

18.5 For newly appointed or promoted staff the incremental date will be the date they take up their post.

## **19. Recruitment & Retention Premia**

The aim of a Recruitment and Retention premia is to ensure that the organisation remunerates all of its employees at a level at which recruitment and retention difficulties will not be encountered. Principles and Definitions can be found in appendix 2.

## **20. Reserve Candidates**

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

## **21. Interview Feedback**

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

## **22. Complaints**

If an applicant is unhappy with the outcome of their feedback, or any stage of the recruitment and selection process they can address their concerns, in writing, to the Human Resources representative acting for the CCG.

## **23. Expenses**

Agreement to pay candidates interview expenses is discretionary and in agreement with HR and must be approved with the Recruiting Manager prior to interview. The Recruiting Manager is responsible for informing candidates of the process and handling the associated internal finance administration. Candidates must complete a Travel and Expenses Claim Form in order to facilitate payment. Payments will be made by BACS through the payroll system. Reimbursement of expenses shall not be made to employees who withdraw their application or refuse an offer of appointment.

## **24. Relocation Expenses**

Please see the CCG Relocation Policy with respect to expenses.

## **25. Induction**

All new employees must be fully inducted into the organisation following the Induction policy. (Please refer to the Education, Training and Development Policy)

## **26. Starter Documentation**

All the starter documentation will be sent to the new starter prior to the commencement of their post into the new organisation. The recruiting manager or line manager (if different) is responsible for ensuring that all induction paperwork is completed on the employee's first day.

## **27. Managing Personal Relationships**

Applicants will be required to declare on their application any personal/work relationship issue as this may cause a conflict of interest. Further information is included in Appendix 5.

## **28. Secondary Employment**

Employees may not engage in secondary employment (paid or voluntary) which conflicts with their work with the organisation, or which is detrimental to employees work with the organisation. Employees wishing to engage in secondary employment/voluntary work in addition to their primary post must refer to the working time regulations policy and declare their secondary employment to their line manager.

## 1. Pre-Employment Checks

### 1.1 Six NHS Employment Check Standard

NHS Employers have published a series of standards that detail the legal and mandated employment checks that NHS organisations must carry out to meet the Department of Health's core standards outlined within the Standards for Better Health. These checks will be carried out on all prospective employees including temporary, fixed term and voluntary workers.

### 1.2 Verification of Identity

The identity of all prospective employees must be reliably verified and recorded before any appointment can be made. Verification of identity checks are designed to determine that the identity is genuine and relates to a real person and to establish that the individual is rightfully using that identity.

All applicants are required to provide at interview, evidence of identity. This must then be photocopied by the Recruiting Manager (or nominated deputy) certified and retained with all the recruitment documentation. They must provide original identity documents in either of the combinations below:

- Two forms of photographic personal identification and one document confirming their address
- One form of photographic personal identification and two documents confirming their address

### 1.3 Right to Work Checks

The CCG has a responsibility to prevent illegal migrant working in the UK. An individual must produce documents to prove they are permitted to work in the UK and that their identity is genuine.

If an individual is not subject to immigration control, has no restrictions on their stay in the UK or is a UK citizen, then they will still be required to produce a document or a specified combination of documents prior to commencing employment.

Where the individual has limited leave to be in the UK the checks will be repeated on that employee by the Recruitment team at least 3 months before expiry, until they provide specified documents indicating that they can remain permanently in the UK or until they leave the organisation's employment.

All documents provided by individuals must be checked following guidance on [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk). A certified copy of the documents is to be kept on the personal file.

Certain documentation is accepted as proof of an individual's identity and this must be produced prior to commencement of employment.

#### 1.3.1 Work permits/Certificates of Sponsorship - Tier 2

If a prospective employee is not a British Citizen or a citizen of one of the EEA countries, they are likely to require a sponsorship certificate which will be applied for by the organisation to undertake employment. There are certain exceptions including:

- Swiss nationals
- a family member of an EEA or Swiss national who is in the UK exercising their treaty rights or a family member of an EEA or Swiss national who intends to join them in, or is travelling with them to, the UK
- a citizen of Gibraltar

- a Commonwealth citizen with permission to stay in the UK on the basis of UK ancestry.

If a recruiting manager has questions about the likelihood of their post being suitable for a Tier 2 sponsorship certificate they should contact the Recruitment team for further information.

Where successful applicants require a sponsorship certificate, the application process will be managed by the Human Resources.

The organisation will have to demonstrate that the resident labour market has been tested appropriately by national advert for up to 4 weeks. This means that no EU/EEA Nationals were suitable to fill the post.

The individual applicant/employee is responsible for securing their leave to remain and entry clearance. They must also ensure they have appropriate documentation to support their leave to remain (passport stamps or Identity Card). Certified copies of these must be held on the employee's personal file for the duration of their employment.

The organisation will pay the sponsorship fee. The individual will be responsible for the payment for their leave to remain.

#### 1.3.2 **Refugees and Asylum Seekers**

A refugee has rights under the Geneva Convention to be treated no less favorably than citizens of the host nation. In the UK refugees have the right to work.

Since 2003 asylum seekers do not have the right to work in the UK. Only a very small number of asylum seekers will have the right to work and if so it will state 'employment permitted' on their Application Registration Card (ACR).

#### 1.4 **Employment History and Reference Checks**

Before any appointment is made it is essential to check the accuracy of a prospective employee's previous employment and/or training history. It is also necessary to receive assurance of an individual's qualifications, integrity and track record.

Recruiting managers should check the suitability of the supplied references at interview for all applicants and document any alternatives, if appropriate, on the preferred applicant's candidate confirmation form. Human Resources will then contact the referees for the preferred candidates by e-mail.

Reference should always be obtained in writing and will be requested using the organisation's standard proforma, although it may be necessary to further clarify information with the referee over the phone. Always obtain confirmation of employment and/or training in writing, either via post, email, fax, or using the organisation's preferred recruitment software (such as NHS Jobs for instance). Electronic confirmation must come from a company email address (private email addresses such as Yahoo, Hotmail etc. are not acceptable). Employers, including agencies providing staff to the NHS, will need to satisfy themselves that both the referee and the organisation are bona fide. This could include checking that the organisation exists (using the phone book, internet or business directories). All references should include the referee's name, job title, and a mainline switchboard number.

References should be appropriate in order to provide the best possible evidence on the suitability of an individual for a position. References should cover at least the last

three years of previous employment and/or training history and they should include the applicant's current or most recent employer or training provider. Where an individual has been with one employer for five years or more, one reference may be sufficient. Where a prospective employee has changed employment frequently within the last three years, a sufficient number of confirmations must be obtained to cover the continuous three years history.

Any gaps or discrepancies in employment or training history should be further investigated at interview so that the employer can get an informed view as to the probity of the individual. Where there are gaps in employment or training history, employers will need to seek appropriate assurances from the applicant and, where in any doubt, should obtain suitable personal references.

For Internal appointments a reference should be sought from the applicant's current/last NHS manager. Employers must assess whether any additional references are required to provide adequate assurances.

If the manager has any concerns regarding the reference they should seek advice from a HR Representative.

#### **1.5 Registration and qualification checks**

The purpose of registration and qualification checks is to ensure that all prospective employees are recognised by the appropriate regulatory body and that they have the right qualifications to do their job. (Please refer to appendix 3 on Professional Registration). Where qualifications have been checked by a professional regulatory body and the individual's registration has been confirmed, then further documentary evidence about qualifications that are relevant to their registration should not be required. Employers must verify that the applicant is actually the person registered with the regulatory body, that there are no restrictions to their registration, and there are no pending investigations on their fitness to practise.

#### **1.6 Registration Checks**

Before any unconditional offer letter is issued the Human Resources will confirm the individual is registered with the appropriate professional body. The individual is asked for a copy of their professional registration and this is placed on their personal file and documented on the starter checklist. This will also be checked on the professional bodies' website. Professionally registered staff are required to maintain their professional registration throughout their employment. Further information is available in appendix 3.

#### **1.7 Qualification Checks**

The organisation must ensure that all employees have the required qualifications to perform the role for which they are appointed. All applicants are required to provide at interview, evidence of any qualification that is required for the role. These must then be photocopied by the recruiting manager (or nominated deputy) and retained with all the recruitment documentation.

For non-health professionals, qualifications that are specified as a pre-requisite for the position must be checked. Where a qualification is essential for the position, employers must:

- request original certificates and retain a copy on file
- check that the details on certificates match the information provided by the applicant in their application form. For example, do the names, dates, course title(s) and grades match? It is quite possible that the name given in a qualification certificate will not match that given by the applicant due to a

number of reasons, such as marriage/civil partnership or divorce. In such cases, employers must obtain additional evidence to validate the change of name.

- contact the awarding body directly, where possible, to confirm the applicant's attendance, course details and grade awarded. Employers will be required to provide a copy of the applicant's consent in order to obtain any such information.

Where the applicant has gained their qualifications overseas, employers will need to check that this qualification exists, that it is equivalent to the stated UK qualification and that the prospective employee does, in fact, hold the qualification. These checks should, wherever possible, be carried out directly with the awarding institution. Where this is not possible, employers should seek advice from the relevant country's UK embassy, consulate or high commission.

## 1.8 Occupational Health Checks

Occupational Health checks ensure that employees are physically and psychologically capable of doing their role, taking into account any current or previous illness. It is designed to identify anyone likely to be at excess risk of developing work-related diseases from hazardous agents present in the workplace and to ensure, as far as possible, that they do not represent a risk to others and that they will be doing work that is suitable and safe for them.

Occupational health checks should be carried out when a member of staff is first appointed to a position within the organisation or if they change positions, where this involves a significant change of duties.

Applicants successful at interview and who are defined as 'healthcare workers' are required to complete a full occupational health pre-employment questionnaire.

Those that do not fit this definition are required to complete a work health declaration form asking whether they have either:

- Are you aware of any health conditions or disability which might impair your ability to undertake effectively the duties of the position which you have been offered?
- Do you have a health condition or disability which might affect your work and which might require special adjustments to your work or at your place of work?

The questionnaire or health declaration is sent to the successful applicant. A work health declaration form will only be submitted to the occupational health department if the applicant has answered yes to either of the above questions. Health questionnaires are sent directly to be reviewed by the Occupational Health department.

All checks must take into account the requirements of the Equality Act (2010) and reasonable adjustments must be made to ensure that people can work in the NHS regardless of physical impairment or learning disabilities. Occupational health checks should only be made once a job offer has been made.

Results of prospective candidate occupational health checks will be confidentially filed and stored in the occupational health department.

Once the Occupational Health department have reviewed all the information from the individual they will either issue a fit to work clearance certificate or provide a more report detailing the applicant's suitability for the role and advising of any adjustments that would need to be made to the working environment in order to facilitate employment. It may be necessary for individuals to attend the Occupational Health Department in their first week of starting the new role in order to obtain any immunisation updates where applicable.

## 1.9 **Criminal Background Checks / Disclosure Barring Service (DBS)**

Guidance on the procedure for dealing with a disclosure check and the recruitment of ex-offenders is attached in appendix 4. For external consultants the cost is allocated to the CCG and the CCG to determine if cost is passed onto the consultant and to advise the HR rep.

## 1.10 **Job application form**

Applicants should be required to sign a declaration which includes the following wording:

- The information in this form is true and complete. I agree that any deliberate omission, falsification or misrepresentation in the application form will be grounds for rejecting this application or subsequent dismissal if employed by the organisation. Where applicable, I consent that the organisation can seek clarification regarding professional registration details.

## 1.11 **Recording Checks**

Evidence of all pre-employment checks conducted will be stored on individual HR files with a record of the outcome entered and maintained by the Human Resources on ESR.

## 1.12 **Temporary/Agency/Contingent Workers**

Temporary workers should only be obtained through recruitment agencies approved by the CCG where rates have been negotiated and there is a service level agreement place. These agencies are responsible for obtaining pre-employment checks on all workers in line with all the NHS Employment check standards.

## 2. **Follow-up for those who fail to satisfy the checking arrangements**

Individuals will not be able to commence employment with the organisation until satisfactory pre-employment checks have been received.

If unsatisfactory check(s) are received, the matter will be escalated to the recruiting manager and the following processes will apply:

### 2.1 **Eligibility to work in the UK & Identity Checks**

If concerns regarding identity or right to work apply, the Local Counter Fraud Specialist must be alerted immediately. The LCFS will liaise with the UK Border Agency to determine the best course of action which may include a criminal investigation. The LCFS will keep HR informed and will agree the action to take.

### 2.2 **Employment History & Reference Checks**

In the event of unsatisfactory employment history or reference checks being received, the recruiting manager will be informed, enabling them to make a full review of the facts and circumstances and make a decision to recruit or withdraw the job offer.

### 2.3 **Disclosure & Barring Service (DBS) Checks (Previously CRB)**

In the event that conviction or other information is contained on a disclosure, the recruiting manager will be informed and with the support of the Human Resources they must be assured that all relevant facts have been considered prior to make a decision as to whether it would be appropriate for the applicant to be recruited to that position. It may be necessary to meet with the individual to discuss this further as well as refer to other declarations the applicant may have made throughout the recruitment process, i.e. on the application forms and at interview. Once all the facts and circumstances are determined a decision must be made as to whether to recruit or withdraw the job offer.

2.4 **Professional Registration & Qualification checks**

Please refer to Appendix 3 on Professional Registration

2.5 **Occupational Health**

In the event of an unsuccessful Occupational Health check, the recruiting manager will be informed and with the support of the Human Resources and Occupational Health team they must reassure themselves that all facts and options for reasonable adjustment on the grounds of health have been considered, prior to any offer of employment being withdrawn.

The recruiting manager/Human Resources must confirm in writing the reasons for withdrawing the offer of employment and this will be kept in the applicants recruitment file.

2.6 Any deliberate omission, falsification or misrepresentation in the application form will be grounds for rejecting the application or subsequent dismissal if employed by the organisation.

### **Recruitment & Retention Premia (Optional) determined by Remuneration Committee**

#### **1. Definition**

- 1.1 Recruitment and Retention Premia (RRP) is an additional payment to the basic pay of an individual post or specific group of posts.
- 1.2 Recruitment and Retention Premia may be paid in circumstances “where market pressures would otherwise prevent the employer from being able to recruit staff to and retain staff in sufficient numbers for the posts concerned at the normal salary for a job of that weight”.
- 1.3 Recruitment and Retention Premia is a supplementary payment over and above the basic pay that the post holder receives by virtue of their position on their pay band, any high cost area supplements, or any payments for unsocial hours or on-call cover.
- 1.4 Recruitment and Retention Premia will apply to posts rather than to employees. Where an employee moves to a different post that does not attract a recruitment and retention premium, either within the same organisation or elsewhere in the NHS, their entitlement to any previous recruitment and retention premium will cease and pay protection will not apply.
- 1.5 Both long-term and short-term Recruitment and Retention Premia will be expressed as cash sums and will be separately identifiable from basic pay, any high cost area supplement, and any other component of pay.
- 1.6 Any locally awarded recruitment and retention premium for a given post shall not normally exceed 30% of basic salary. It will be the responsibility of the organisation to ensure that any premium awarded locally do not normally result in payments in excess of this amount. In the event that, following review and subject to a 6 month notice period the Recruitment and Retention Premia is withdrawn, pay protection arrangements will not apply.

#### **2. Short Term Premia**

- 2.1 Short-term Recruitment and Retention Premia will apply where the labour market conditions giving rise to recruitment and retention problems are expected to be short-term and where the need for the premium is expected to disappear or reduce in the foreseeable future. Short term premia will normally be applied for a period of no longer than two years.
- 2.2 Short-term Recruitment and Retention Premia:
  - may be awarded on a one-off basis or for a fixed-term;
  - will be regularly reviewed (not less than annually);
  - may be withdrawn, or have the value adjusted, subject to a notice period of six months; and
  - will not be pensionable, or count for purposes of overtime, unsocial hour's payments or any other payments linked to basic pay.

#### **3. Long Term Premia**

- 3.1 Long-term Recruitment and Retention Premia will apply where the relevant labour market conditions are more deep-rooted and the need for the premium is not expected to vary significantly in the foreseeable future.
- 3.2 Long-term Recruitment and Retention Premia:
  - will be awarded on a long-term basis;

- will be regularly reviewed (not less than annually);
- may be awarded to new staff at a different value to that which applies to existing staff; and
- will be pensionable, and will count for the purposes of overtime, unsocial hour's payments and any other payments linked to basic pay.

#### 4. **Procedure**

- 4.1 A recruitment and retention premia may be awarded on either a short-term or long-term basis, determined by principles outlined in the following paragraphs.
- 4.2 To ensure consistency in the application of payment of Recruitment and Retention Premia the organisation should not offer a local Recruitment and Retention Premia without prior consultation with Staff Side.
- 4.3 The application for the award of recruitment and retention premia can only be generated at Remuneration Committee level.
- 4.4 A record of all recruitment and retention premia being paid will be retained, and a review of all premia will take place at least annually.
- 4.5 The organisation may use premium in two main ways; either through recruitment; or through a requirement to retain staff; based on the job within a locality or through a market shortage or a specific skill set, both of these may be applied in a long or short term capacity.
- 4.6 Recruitment and retention premia will be considered in cases where it is proven that adjustments to non pay benefits are unlikely to improve the situation and one or more of the following conditions apply:
- There are documented labour market shortages within a defined geographical area;
  - NHS employers locally have jointly agreed to pay supplements for designated posts and the organisation needs to remain competitive in the recruitment market for equivalent posts;
  - There is a competitive non-NHS labour market where salary survey data indicates that enhancements to Agenda for Change evaluated pay rates would be required to attract and retain staff;
  - Where there is consistent data showing high patterns of turnover, supported by exit interview data, indicating a direct link to dissatisfaction with pay levels.
- 4.7 If it is decided that the vacancy problem can be addressed most effectively only through payment of a recruitment and retention premium, management and staff side should decide in partnership whether the problem is likely to be resolved in the foreseeable future (in which case any premium should be short-term) or whether it is likely to continue indefinitely (in which case any premium should be long-term).
- 4.8 Before consideration is given to payment of Recruitment and Retention Premia to ensure retention of staff, management will ensure non-pay benefits (e.g. training and development) are sufficiently developed. Where possible local turnover rates should be compared with national rates. Regular analysis of exit interview data will be undertaken to assess how far pay is a factor in employees' decisions to leave the Authority.
- 4.9 If it is decided that a retention problem can be addressed most effectively only through payment of a recruitment and retention premium, the organisation will decide whether the problem is likely to be resolved in the foreseeable future (in which case

any premium should be short-term) or whether it is likely to continue indefinitely (in which case any premium should be long-term).

## Professional Registration

### 1. Principles

- 1.1 In order to protect the public and ensure high standards of clinical practice it is a legal requirement that the organisation may only employ registered practitioners in qualified clinical positions. This includes the following posts that have been accepted onto the register of the statutory regulatory bodies outlined in the NHS Employment Check Standards.
- Medical and Dental
  - Nurses and Midwives
  - Allied Health Professionals
  - Healthcare Scientists
  - Hearing Aid Dispensers
  - Practitioner Psychologists
  - Pharmacy Technicians
- 1.2 Employees are responsible for maintaining their registration with their relevant professional body. If they do not maintain their registration or this is withdrawn the disciplinary procedure may be invoked.
- 1.3 Individuals who are not directly employed by the organisation (e.g. NHS Professionals, Agency and Locum workers) but who nevertheless are engaged in work that requires professional registration must also hold current registration. The organisation will ensure that there are processes in place to check the ongoing registration of such workers.

### 2. Procedure

#### 2.1 Employees Responsibility

- 2.1.1 It is ultimately the responsibility of all employees who require professional registration to practice to ensure that they have the appropriate registration relevant to their employment/role. They must ensure that registration with their professional body remains current at all times and that they abide by their professional code of conduct.
- 2.1.2 Employees absent from the workplace, for instance on secondment, career break, suspension, maternity or long term sick will still be required to maintain their professional registration.
- 2.1.3 It is the duty of the individual to organise and pay the registration fee within the requested time limit and in line with renewal dates. Registered Professionals going on holiday over the lapse period, or on long-term sickness or away from the work place for other reasons e.g. secondment must take action, in advance, to receive the appropriate cover. In exceptional circumstances it may not be possible to renew registration e.g. unforeseen illness within the timescale, for which the manager will use their discretion.
- 2.1.4 Employees/contractors must disclose to the organisation any conditions attached to his/her registration at the earliest available opportunity.
- 2.1.5 During the course of their employment employees must, on request by management or Human Resources, provide evidence that their registration has been renewed in accordance with procedures laid down.

- 2.1.6 All personal data, particularly name changes must be communicated to both the line manager and professional body to ensure accuracy of data. It is the duty of the individual to notify the NMC, GMC, GDC, HPC or GPhC of any change in their personal details for example: change of address. Failure to keep such details up to date will possibly leave the individual not receiving the appropriate reminder and thus the individual not being registered.
- 2.1.7 An individual in choosing not to register or allowing such registration to lapse would no longer be eligible to practice in that capacity and, may be suspended from duty without pay as they are in breach of their contract. (With the exception of staff who are on an employment break scheme). If after a maximum period of one month following the expiry of registration the individual has failed to re-register, it will be assumed that the individual has broken their contract and their employment will automatically cease.
- 2.1.8 When staff take an Employment Break, they remain an employee of the organisation. However, if the Employment Break does not necessitate them maintaining their professional registration, they will not be subject to the conditions within this policy in terms of failing to renew their registration. Once an individual returns to the organisation all conditions/responsibilities will apply.
- 2.1.9 Where a Professional holding an honorary contract with the organisation, chooses not to register or allows their registration to lapse, their honorary contract will be withdrawn.

## **2.2 Line Manager Responsibility**

- 2.2.1 If Managers engage someone from an Agency, this should be from one of the Agencies listed in with the CCG where rates have been negotiated and there is a service level agreement place... Whilst it is part of the contract for the Agency to ensure that their registered workforce is in a position to practice by having a “live” registration, the organisation will, as a good employer, check the registration via the appropriate Website of all agency staff when they commence employment.
- 2.2.2 When staff have seconded into the organisation, their employer remains the organisation with whom they have a substantive contract. However, the organisation will as a good employer check the registration via the appropriate website.
- 2.2.3 If staff are working within the organisation as part of an SLA, their employer remains the organisation with whom they have a substantive contract, and as such this organisation should be ensuring that their workforce’s registration is “live”. However, the organisation will as a good employer, check the registration via the appropriate website.
- 2.2.4 Managers who identify or are informed of a lapsed registration must take immediate action. Immediate actions will include:
- Contacting the employee
  - Ensuring the person is withdrawn from undertaking the duties of a qualified clinician or professional with immediate effect.
  - Discuss the options with the HR Team and employee
  - Check re-registration with the relevant regulatory body, receive proof of renewal and evidence this in the personnel file
- 2.2.5 When considering action to be taken, managers will take account of the following factors;

- Length of time since registration has lapsed
- Reason(s) put forward for non-renewal
- Whether the individual has knowingly continued to practice without registration and has failed to notify management
- Any previous occasions when the individual has allowed their registration to lapse
- Whether the individual has attempted to conceal the fact that their registration has lapsed.

2.2.6 The manager in consultation with a Human Resources representative should consider the following options:

- Allow the individual to take annual leave or time owing until their registration is renewed within an agreed time frame
- Allow the individual to take unpaid leave where no annual leave is available
- Suspend the individual from duty without pay, invoke disciplinary process
- Where feasible, consider transferring the individual member of staff to another area within the organisation that offers a non-patient contact role that is of equal value.
- Temporary downgrade into a non-qualified post specific to service need

### **2.3 Human Resources Responsibility**

2.3.1 Human Resources will check current registrations of all new starters to ensure that it is valid for the purpose of the practitioner's employment and place a copy on the individual's personal file.

2.3.2 The Human Resources will ensure that the practitioner's registration details are placed on the ESR system. They will maintain the practitioner's registration on the ESR information system.

2.3.3 The Human Resources will check that all practitioners have renewed their registration. For those that have renewed their registration, their details will be updated on the electronic staff record.

2.3.4 For those that have not renewed their registration or re registered the Human Resources will contact the individual, copying in the manager, informing them that their registration is due for renewal and if that it is not renewed by the renewal date, then they will not be eligible to practice in that capacity and they may be suspended from duty without pay immediately as they are in breach of their contract.

2.3.5 Where a registration has not been renewed the Human Resources will contact the individual and manager.

2.3.6 If after a maximum period of one month following the expiry of registration the individual has failed to notify the Human Resources of their re-registration, there will be a final check after which it will be assumed that the individual has broken their contract and their employment will automatically cease. During this time there will obviously be discussions between the Human Resources and appropriate manager as to whether contact has been made. Every effort will be made to facilitate the member of staff to re-register within the timescale set out in this policy

## Disclosure of Criminal Background & Recruiting Ex-Offenders.

### 1. Principles

- 1.1 The organisation actively promotes equality of opportunity for all and welcomes applications from a wide range of candidates including those with criminal records. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information received.
- 1.2 Disclosures are only requested after an assessment has indicated that it is proportionate and relevant to the post concerned. For those posts that require a disclosure all adverts, recruitment briefs and application forms will contain a statement indicating what level of disclosure will be required in the event of an individual being offered a position.
- 1.3 Human Resources will advise and guide recruiting managers where a Disclosure has been made.
- 1.4 The organisation undertakes to discuss any matters revealed in a disclosure with the person seeking employment, before withdrawing a conditional offer of employment.
- 1.5 The organisation may conduct an interview to enable an open and measured discussion to take place regarding any offences or other matters that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought, could lead to the withdrawal of an offer of employment.
- 1.6 The organisation complies fully with the DBS code of practice. Every individual who is subject to a Disclosure will be made aware of this code of practice and a copy will be provided to all applicants.
- 1.7 Having a criminal record will not necessarily bar a potential employee from working with the organisation. This will depend on the nature of the position and the circumstances and background of the offence(s).
- 1.8 The organisation complies fully with the DBS code of practice regarding the correct handling, use, storage, retention and disposal of disclosures and disclosure information. Disclosure information will be securely destroyed as soon as the relevant information has been noted.
- 1.9 The organisation complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of disclosure information.
- 1.10 No disclosure information will be kept on personal files and where a disclosure needs to be kept due to a dispute or because additional information has been supplied it will be kept separately and securely in a non-portable, lockable storage unit.
- 1.11 Where disclosure information has been kept, it will be securely destroyed once the dispute is resolved or a decision has been made regarding employment or at the latest after 6 months.
- 1.12 Access to disclosure information is strictly controlled and limited to those who are entitled to see it as part of their duties.

- 1.13 For record purposes only the organisation will keep the following information:
- The name of the subject.
  - The level of the disclosure requested.
  - The position for which the disclosure was requested.
  - The unique reference number of the disclosure.
  - Details of the recruitment decision taken
- 1.14 In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties.
- 1.15 The organisation maintains a record of all people to whom disclosure and disclosure information has been revealed and the organisation recognises that it is a criminal offence to pass this information on to anyone who is not entitled to receive it.
- 1.16 Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.
- 1.17 The organisation will comply with all recommendations from DBS on the proper use and safekeeping of the disclosure information.

## 2. **Procedure.**

- 2.1 Disclosure applications are processed by Human Resources using the Disclosure Barring Service (DBS) to assess applicant's suitability for positions of CCG.
- 2.2 When recruiting for a vacancy the Recruiting Manager needs to assess whether a DBS check is necessary and what level of disclosure is required in line with current DBS guidance. This should be done prior to advertising to enable the information to be included in the advert. Advice can be sought from a HR Representative.
- 2.3 Dependant on whether the role is eligible for a DBS disclosure the Human Resources will ensure that the appropriate question is asked on the NHS Jobs application form.
- 2.4 Once the preferred candidate has been selected the Human Resources will send the applicant disclosure application form with instructions that the completed form must be returned with any supporting documentation that has not already been provided at interview.
- 2.5 The disclosure application form will be verified and countersigned by one of the Human Resources team members who are registered with the DBS and sent for processing.
- 2.6 If the Disclosure application contains information that may affect the appointment a Human Resources representative will discuss this with the recruiting manager (in all instances), and the individual concerned where appropriate.
- 2.7 Where the information contained on the Disclosure Application form significantly impacts on a candidates ability, suitability and potential risk to undertake the post for which they have been appointed, any offer of employment must be withdrawn.
- 2.8 The decision to withdraw an offer of employment must be confirmed both verbally and in writing to the candidate concerned. Advice must be sought from a HR Representative.

## Managing Personal Relationships

### 1. Application

- 1.1 Job applicants will be required to declare on their application any personal/work relationship
- 1.2 The aim is to protect all staff of the organisation in situations where a personal relationship exists, or develops, so that staff cannot be accused of a conflict of interest, bias or be the subject of allegations from other staff or the organisation.
- 1.3 In the majority of situations where a line management relationship exists the organisation will not support staff working together where they have a close personal relationship as described.

### 2. Personal Relationships

- 2.1 A personal relationship includes any relationship where a close family relationship exists, for example, mother, father, daughter, son, sister, brother (and including step and in-laws) partner, ex-partner (including spouse or cohabitee), civil partner.
- 2.2 The scope of the term “personal relationship” applies to prospective staff that have a relationship with a current member of the organisation’s staff, or where a relationship starts during employment with the organisation.

### 3. Examples of Potential Conflict of Interest/Bias

- 3.1 Situations where a personal relationship may expose staff to conflict of interest or bias include, but are not restricted to, the following:  
Perceived or alleged breaches of probity  
Unfair advantage/favoritism  
Breach of confidence/confidentiality  
Harassment or bullying.  
Employee relations issues  
or  
Any other issues perceived to be gained from the overlap of a personal and professional relationship.

### 4. Personal Relationship between Staff with No Line Management Relationship

- 4.1 This policy does not automatically prevent staff or prospective staff who have a personal relationship (described in section 2) from working together whilst employed by the organisation.
- 4.2 However, the existence of such a relationship must either be declared at the time of appointment/promotion or, if the relationship develops during their employment. Where there is a relationship this must be discussed with either their line manager or if more appropriate with a Human Resources representative. Such a declaration will be strictly confidential.
- 4.3 Staff may normally continue to work together in the same team or department where this is appropriate, providing there is no conflict of interest and/or no line management relationship.

**5. Personal Relationship Between Staff With a Line Management Relationship.**

- 5.1 Where a personal relationship exists prior to commencing into a new post, the member of staff will not be appointed into a post which results in a line management relationship with someone with whom they have a personal relationship. This must be declared upon recruitment and advise sought from HR.
- 5.2 Where a personal relationship develops whilst working for the organisation, members of staff who are in a line management or supervisory relationship at work must not be involved with recruitment, selection, promotion, appraisal, pay or any other management activity or process involving the other member of staff.

**1 PURPOSE**

This document describes the approach of the CCG to the use of probationary periods. The purpose of a probationary period, together with other measures such as induction, is to provide a consistent means by which new employees can be supported to become effective as quickly as possible and to enable a manager to objectively assess the capability, attitude and potential of the new employee. Should the required standards of the CCG not be met during the probationary period employment may either be terminated or exceptionally extended.

**2 SCOPE OF PROCEDURE**

All new employees of the CCG and those appointed as Office Holders on the Governing Body and Clinical Board and those engaged on fixed term contracts (no time limit). Existing CCG staff who take up new posts within the CCG will not be subject to a probationary period nor will individuals who join the CCG due to the application of the Transfer of Undertakings Protection of Employment regulations.

**3 DEFINITION**

A probationary period is normally a six months period during which the performance, conduct and attendance of the employee will be assessed by a manager against the particular requirements of the role, the CCGs values and behaviours and expected levels of attendance and punctuality. During the probationary period the employee's performance, conduct and attendance will be reviewed by the manager at four weeks, ten weeks, sixteen weeks, twenty weeks and at twenty six weeks and recoded within standard documentation. Where necessary additional support and development opportunities will be provided by the manager. A decision about whether the probationary period has been successful will normally be made at twenty six weeks however, should there be significant concerns highlighted at earlier review stages, and there is no evidence of the required improvement being made, a decision to dismiss or to extend the probationary period may be taken by the appropriate manager sooner than at twenty six weeks. Support at all stages of the process is available from HR.

**4 ASSOCIATED POLICIES**

This procedure must be read in conjunction with the following CCG policies, procedures and statements:

- Disciplinary
- Managing Concerns with Performance Policy
- Appraisal and Learning and Development Policies
- Managing Sickness Absence Policy

## **5 ROLES AND RESPONSIBILITIES**

### **The Manager**

1. To agree probationary review induction dates with the employee and to ensure that these reviews are undertaken and the probationary assessment forms are completed.
2. To create and implement an induction plan for the employee including regular supervision arrangements.
3. To establish clear objectives for the employee and to ensure that training and development opportunities are identified, planned and undertaken by the new recruit.
4. To make recommendations to senior management that a contract of employment ought to be terminated during or at the conclusion of the probationary period.
5. To ensure that copies of all related correspondence and records are kept and are accessible.
6. Where necessary, to carry out a workplace assessment and ensure that any reasonable adjustments required at work are implemented in a timely manner.
7. To seek advice from a HR representative should the employee not be performing to the required standard at the ten weeks review or later.
8. At senior management level to decide whether the employee has met the required level of performance, conduct and attendance to satisfactorily complete the probationary period.

### **The Employee**

1. To perform to the best of their ability
2. To undertake any agreed induction, training and development activities and to implement learning from these activities.
3. To raise training and development needs with the manager as early as possible
4. To identify whether they have a protected characteristic and whether additional support, training, equipment or adjustments are required.

### **The HR representative**

1. To provide guidance and advice to managers and probationers about implementation of this policy and procedure
2. To attend review meetings when required.

## **Occupational Health Service**

1. To provide advice and guidance to managers about the outcome of any pre-employment health questionnaire and where reasonable adjustments are identified.

## **6 CONTRACT OF EMPLOYMENT AND RELATED POLICIES AND PROCEDURES**

During the probationary period the employee will be employed on a contract of employment and subject to the same range of CCG policies and procedures as their colleagues, including all relevant operational policies and procedures. Following successful completion of the probationary period the employee will also be covered by the Pay Progression Policy (which covers appraisal).

## **7 RECORD KEEPING**

It is important that a written/electronic record is kept by the manager of the outcome of every stage of the probationary assessment process and that this record can be accessed by the employee and HR. Records will include the Probationary Period Assessment Form and copies of any letters sent to the employee by the manager concerning a need for improvement, an extension of the probationary period and the outcome of the probationary period review process.

## **8 RIGHT TO REPRESENTATION**

An employee is entitled to be accompanied at a probationary period review meeting should they wish to be. The employee may be accompanied by a CCG accredited staff side representative, or a CCG work colleague not acting in a legal capacity. A minimum of five working days' notice of each review meeting will be provided by the manager who will take into account the right of the employee to representation when making the meeting arrangements. It is the responsibility of the employee to arrange for their representative to attend as review meetings will go ahead with or without a representative being present given the importance of adhering to the timetable laid down in this policy/procedure.

## **9 EXTENSIONS TO PROBATIONARY PERIODS**

A probationary period should only be extended in exceptional circumstances. These may be when the performance of the employee has not been satisfactory but further time is regarded as being necessary due to a lack of support or the timing of sickness absence means that an assessment cannot be fairly carried out within the normal timescale. Any extension to the probationary period can only be for a short period of time i.e. a maximum of eight weeks. The manager and the employee must both agree to an extension.

## **10 OUTCOME OF PROBATIONARY PERIOD**

Upon completion of the probationary review meetings, including any extension to the probationary period, the manager will either decide that the employee is to take up their post on a substantive basis or recommend that they be dismissed. This decision/recommendation, with reasons, will be recorded in a letter to the employee to be written and a copy retained by the manager. Where there is a recommendation that the employee be dismissed this will be subject of a written report by the manager which will be considered at a meeting with the appropriate Senior Manager, at which a decision will be made. The employee is entitled to be accompanied as stated in section 8 of this policy/procedure.

## **11 RIGHT OF APPEAL**

An employee has a right to appeal against a decision made to terminate their employment during, or at the conclusion of, their probationary period. The appeal process to be followed is laid down in the Disciplinary Policy.

### Probationary Period Assessment Form

This form should be completed by managers with all new CCG employees at 4, 10, 16, 20 and 26 weeks after the employee's start date. The form should be completed by the employee and by the manager before each of the review meetings and a final version completed by the manager after the review meeting has taken place. A copy should then be retained by the manager once both parties have signed to agree the content.

<b>Employees Name:</b>	<b>Start Date:</b>
<b>Job Title:</b>	<b>End of Probationary Period:</b>
<b>Location:</b>	<b>Managers Name:</b>
<b>Indicate which review this is</b>	<b>Week: 4, 10, 16, 20, 26, other</b>

<p><b>1. Review of Job Description:</b></p> <p>Review the job description and person specification with the employee. Explain what the priority areas to concentrate on.</p> <p>If at week 20 and the employee is not meeting most of the requirements of the role, explain why.</p> <p>Priority objectives for next four weeks:</p>	<p><b>Give examples where employee's performance meets the requirements of role:</b></p>	<p><b>Additional notes:</b></p>
<p><b>2. Reasonable adjustments required in the role:</b></p> <p>Are there specific health requirements of the role as detailed in the job description?</p>	<p><b>Adjustments required</b></p>	<p><b>Adjustments implemented</b></p>

<p>Are adjustments required in order for the employee to be able to perform to the standard required of the role?</p>		
<p><b>3. Developmental needs:</b></p> <p>Explain priorities concerning areas the employee needs to develop. If additional training is required, state what this is and how this training need will be achieved and by when.</p>	<p><b>Employee's developmental needs are:</b></p>	
<p><b>4. Strategies for improvement:</b></p> <p>Explain where you feel the employee can improve, giving ideas and strategies for improvement.</p>	<p><b>How will improvement be addressed:</b></p>	
<p><b>5. Timekeeping and attendances:</b></p> <p>Confirm whether you are happy with the employee's timekeeping and if there are absence management issues, these should be picked up under the Absence Management Policy. If not, detail why not and outline what change is needed and by when.</p>		
<p><b>6. Values and Behaviours</b></p> <p>Does the employee live the CCGs values and behaviours?</p> <p>What improvements are required, if any?</p>		

<p><b>7. Overall Manager or supervisor comments:</b></p> <p>Give your overall view regarding the employee's performance. What improvements are required? Is additional training needed?</p>		
<p><b>8. Employee's comments on the above assessment:</b></p> <p>The employee should give their comments in response to this review.</p>		
<p><b>9. Review at 20 and 26 weeks:</b></p> <p>Are you happy to confirm the employee's permanent position in the post? (The earliest date that appointment can be confirmed is 26 weeks).</p>	<p><b>Explain if you are happy to confirm and if not, give reasons why not:</b></p>	
<p><b>Employee's signature:</b></p>  <p><b>Date:</b></p>	<p><b>Managers signature:</b></p>  <p><b>Date:</b></p>	<p><b>Manager to notify the Human Resources Team of the review outcome.</b></p>

## Equality Impact Assessment

<b>Title of policy</b>	Recruitment and Selection Policy	
<b>Names and roles of people completing the assessment</b>	Alison Ewart – HR Business Partner Nadeem Murtuja, Senior Associate E &D	
<b>Date assessment started/completed</b>	10/01/14	August 2015

1. Outline	
<b>Give a brief summary of the policy</b>	Recruitment and Selection Policy is designed to support managers in providing a fair, consistent and effective approach to the recruitment of all employees, in accordance with employment law and best practice.
<b>What outcomes do you want to achieve</b>	To ensure the policy complies with legislation and takes place effectively, efficiently and fairly.

2. Analysis of impact			
This is the core of the assessment, using the information above detail the actual or likely impact on protected groups, with consideration of the general duty to;  eliminate unlawful discrimination; advance equality of opportunity; foster good relations			
	<b>Are there any likely impacts?</b>  <b>Are any groups going to be affected differently?</b>  <b>Please describe.</b>	<b>Are these negative or positive?</b>	<b>What action will be taken to address any negative impacts or enhance positive ones?</b>
<b>Age</b>	Yes, candidates of a younger age may potentially be adversely affected if the job description states x amount of years' experience.	Negative	Job description templates are in place which do not use x years of experience in terms of language.
<b>Carers</b>	No		
<b>Disability</b>	Yes, disabled candidates who meet the essential criteria are	Positive	The policy makes provisions to support disabled

	guaranteed an interview under the two tick's scheme. Specialist access and adjustments to the selection process can also be requested.		candidates and this is integrated into recruitment documentation and procedures.
<b>Sex</b>	No		
<b>Race</b>	No		
<b>Religion or belief</b>	No		
<b>Sexual orientation</b>	No		
<b>Gender reassignment</b>	No		
<b>Pregnancy and maternity</b>	No		
<b>Marriage and civil partnership</b>	No		
<b>Other relevant group</b>	No		
<b>If any negative/positive impacts were identified are they valid, legal and/or justifiable?  Please detail.</b>	The policy is applicable to all employees and adheres to the NHS Litigation Authority Standards, statutory requirements and best practice. Makes all reasonable provision to ensure equity of access to all employees. There are no statements, conditions or requirements that disadvantage any particular group of people with a protected characteristic. The policy provides a clear and equitable process for all candidates and prospective employees. Positive action may be applied to roles where the organisation reasonably thinks the candidate has a protected characteristic that is under represented in the workforce or that people with that characteristic suffer a disadvantage connected to that characteristic. In this case it is not unlawful to recruit or promote a candidate who is of equal merit to another candidate.		
<b>3. Monitoring, Review and Publication</b>			
<b>How will you review/monitor the impact and effectiveness of your actions</b>	Recruitment statistics are monitored against the protected groups as necessary. Training and support is provided to managers to ensure they follow sound recruitment and selection processes.		
<b>Lead Officer</b>	Alison Ewart	<b>Review date:</b>	August 2018

<b>4. Equality and Diversity Sign off</b>			
Equality Lead Officer	Nadeem Murtuja		
		Date approved:	April 2014

<b>5. Sign off</b>			
Lead Officer	Fiona Stephens		
Director	Associate Director of Corporate Affairs	Date approved:	August 2015