



Recruitment and Selection Policy

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| Inmind Reference: | HR07 |
| Category: | Human Resources |
| Version Number: | 1.3 |
| Reviewed on: | February 2018 |
| Next review date: | February 2020 |
| Lead Officer: | HR Manager |
| Equality Impact Assessment completed: | Yes |

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|---|
| Applicable Legislation/Regulations: |
| The Equality Act 2010; The Health and Social Care Act 2008/The Care Act 2014 Human Rights Act 1998; Equal Pay Act 1970 and Revised Code of Practice 2003 The Rehabilitation of Offenders Act 1974; Immigration, Asylum and Nationality Act 1996 Police Act 1997; Data Protection Act 1998 Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 Employment Act 2002; Freedom of Information Act 2000 |
| Codes of Practice: |
| NHS: Safer Recruitment Guidance |
| Purpose: |
| The purpose of this policy is to ensure that Inmind Healthcare Group’s recruitment practice is not only open and fair but also includes all checks that are necessary to ensure individuals who are appointed have the required level of qualifications, skills and experience and in particular that the Company is protecting its duty of care to its service users. |

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| Version Control Table | | |
| Date Ratified | Version Number | Status |
| | 1.3 | Live |

| | |
|-------------|---|
| Date | Key Revision |
| 10/02/18 | Addition of reference to “NHS: Safer Recruitment” guidance in relation to pre-employment reference checks |
| | Addition of reference to eligibility checks in accordance with the Immigration, Asylum and Nationality Act 1996 |

Please check to ensure this is the most current electronic copy of this document as it is updated and published in electronic format only (hard copies may become out of date).

1.0 The Policy

Inmind Healthcare Group recognises that its ability to meet its service objectives is dependent on the recruitment and retention of staff with the appropriate skills and abilities.

In doing so, the Company will comply with the employment requirements of all appropriate legislation and statutory requirements.

Whilst every effort will be made to consider all applicants impartially regardless of age, race, culture, religion or belief, gender, sexual orientation, disability or past offences, the Company will also pay due regard to ensuring that 'indirect discrimination' does not occur.

2.0 The Procedure

2.1 Identifying a Vacancy

- a) Prior to commencing any recruitment process, the Manager must request authorisation to recruit from the Executive Team.
- b) All job descriptions and person specifications for new posts within the organisation must be authorised by the Executive team prior to the recruitment process commencing to ensure they comply with equal opportunities and other employment legislation.

2.2 Advertising a Vacancy

- a) All vacancies should be advertised internally, as well as external advertising.
- b) Care must be taken when advertising any position, that the advertising process is not discriminatory and that the principles laid down in the Equality Policy (CH27) are followed, even at this stage. All advertisements will be authorised by an Executive Team member who will ensure that the placing of the advertisement and its content are fully compliant and appropriate.
- c) All enquiries, however received for a position, will receive the same information pack to allow the potential applicant to make an informed decision as to whether to apply. This will be available by post, sent electronically, and can also be downloaded from the company web site.
- d) The Information pack will include a job description, person description including the required skills, knowledge, and qualifications. It will also include an application form. At the Executive Team's discretion, they may waive the application form requirement for very senior positions where there may be a more appropriate way of presenting the information.

2.3 Informal Pre-interviews and Requests to Look Around

- a) It is often the case that potential candidates are offered, or request, an informal chat about a particular position in advance of applying. Wherever possible this should be conducted by someone not on the interview panel to ensure that there is no possibility of bias before the interview commences.
- b) It is sometimes requested by a potential candidate that they are afforded the opportunity to look around the premises where the position will be based. If this is granted it must not be assumed that they meet Inmind's requirements for a member of staff. They must be treated as a visitor, comply with all the company's rules with regard to patient privacy, mobile phones etc. and never be left unaccompanied.

- c) If at any time a staff member escorting a potential candidate around becomes uneasy with their conduct or questioning they must halt the tour straight away, remove the person from the 'service user' side of the hospital and immediately seek the advice of a senior member of staff or member of the Executive Team. For this reason it is imperative that wherever possible such tours are conducted by a senior member of staff

2.4 The Application and Short-listing Process

- a) The application form is designed so that any information that could lead to inequality of choice of applicants for interview is withheld from the selection team. The rear sheets will be removed prior to the selection process to facilitate this. Selection decisions must not discriminate against any of the protected characteristics as set out in The Equality Act 2010, unless for genuine occupational qualification reasons.
- b) All applicants with a disability who meet the minimum criteria for the post will be shortlisted for interview in accordance with the Company's commitment to compliance with the Equality Act, and any special arrangements required for the interview will be made. The panel should consider applications that have specifically requested an adjustment to the job to overcome a disabling barrier to their application. The panel must take the request seriously and be open to all possibilities for achieving a reasonable adjustment.
- c) The selection of applicants for interview will be conducted by members of the interview panel with regard to the criteria laid down within the job application. The number selected must be proportionate to the number of vacancies. No candidate should be selected just to 'make up the numbers'; if they do not meet the criteria they should not be selected. Successful candidates will be informed and invited to interview.
- d) All non-shortlisted applications must be retained, along with the Short-listing Decision Form for a minimum of 12 months in accordance with employment legislation.
- e) In line with good practice guidance and The Care Act 2014, recruiting managers should scrutinise all applications during the short-listing process to ensure that any gaps are identified and any queries can be addressed at interview stage. All applicants must give a full employment history from the date of leaving full-time education, and a brief explanation for any gaps within this period.
- f) Candidates must also be informed of any presentation, tasks or tests they will be expected to undertake as part of the selection process and asked to confirm attendance prior to the interview.

2.5 The Interview Process

- a) The interview panel will consist of the line manager for the post offered and at least one or possibly two senior members of staff. For fairness and practicality all the candidates will be interviewed as closely together as possible. All applicants will be allocated the same length of time for the interview.

- b) When deciding the constitution of the interview panel, it is also essential to consider the diversity e.g. gender, ethnicity of the panel as well as the skill mix in relation to the role being recruited for.
- c) On the day of the interview, the interview panel should ensure the following checks are completed:
 - Eligibility to work in the UK
 - Documentation to enable a DBS check to be undertaken
 - Proof of relevant qualifications/professional registration
 - Appropriate reference details
- d) A question sheet will be prepared prior to the interview to ensure that all applicants are asked the same questions. Notes must be taken separately by each interviewer of the response and the answer scored. The score must only be based on the response provided during the interview.
- e) Where more than one applicant reaches an acceptable standard the appointment will be made on which candidate best suits the job, based on their scores for the answers they provide during the interview. Consideration will also be given to their application and general interview performance.
- f) All information collated by each member of the panel will be used to determine the successful candidate, although the interview panel Chair has the authorisation to make the overall final decision as long as it is fair and can be justified. It is important that the interview records reflect only the facts about each candidate as the individual has the right under the Freedom of Information Act 2000 to request copies at any time.
- g) Applicants will be informed as soon as possible about the outcome of the interview and where they are successful a conditional offer of employment will be made subject to references, a Disclosure and Barring Service check (as appropriate to the role) and medical clearance.
- h) All completed question sheets, whether from a successful or unsuccessful candidate will be kept in secure storage for twelve months, at which point they will be confidentially destroyed.
- i) No applicants will be reimbursed any interview expenses or compensated for any loss of income incurred by attending for interview.

2.6 References

- a) Following a conditional offer of employment being formally made to the successful candidate, the Company will request appropriate references for the individual. References must be requested in writing, or via email.
- b) Ideally the candidates will have given permission for references to be checked prior to interview but in practical terms this may not be possible. All referees should be contacted within two working days of the conditional offer being made to the candidate.

- c) It is acknowledged that some organisations, particularly those in the public sector, are reluctant to release information about employees or former employees. In these cases it is advisable to obtain from the applicant written authority to obtain this information. It is also recommended that the candidate is encouraged to contact their employer and former employers to request the information is released.
- d) Any applicant who refuses to authorise the seeking of references should immediately be removed from the process and any conditional offer withdrawn.
- e) The purpose of references is to establish the applicant is who they say they are, that they are able to do what they say they can, and that they are able to demonstrate good and satisfactory conduct in their previous employment. To this end a number of key questions should be asked of their referees:
- Has the applicant ever been the subject of any disciplinary procedures relating to the welfare and/or safety of children or adults deemed vulnerable?
 - Have any allegations or concerns arisen in relation to the applicant which have a bearing upon the safety of children or adults deemed vulnerable?
 - Are you aware of any other reasons why we should not consider this applicant suitable to work with children and/or vulnerable adults?
 - Are there any current disciplinary sanctions against the applicant, or any investigations that may lead to disciplinary action?
 - Are the requirements of the position the applicant has applied for within the scope of the skills and abilities of the applicant?
- f) To ensure that a thorough checking process is undertaken, Inmind Healthcare Group will only accept professional references from a senior manager within an organisation or from a human resources professional.
- g) There can be a response on headed note paper, an email response from an accredited email address, or as a last resort if other pathways are not available by telephone.
- h) For written responses from whatever pathway a telephone call should be made to ensure that the respondent is genuine. In these cases the telephone number given by the applicant should be checked to ensure it is genuine. In all cases Inmind must call the referee and not the referee call Inmind.
- i) For telephone references Inmind should always independently verify the number given and make the call, not receive the call. The identity of the referee should be confirmed and the appropriate questions asked. The answers given must be recorded in writing and the transcript signed by the person making the call. This transcript should be placed with other references in the applicants file.
- j) In order to comply with NHS Safer Recruitment guidance, one reference must be obtained from the individual's current/last employer. It is good practice that references cover an employment period of a minimum of five years with no employment gaps. However, if this cannot be obtained, it is the responsibility of the Manager to ensure that they obtain sufficient information. If the individual has no previous employment history, a reference must be obtained from their last place of education. All employment/education references must include a company/institution

stamp or letter head. As good practice, the Manager should follow up all employment references with a phone call to verify the identity of the referee.

- k) If an individual has been previously employed in a position that duties involved work with children or vulnerable adults, satisfactory verification, so far as reasonably practicable, must be obtained of the reason why the individual's employment in that position ended.
- l) The Manager must be satisfied that the referees stated are suitable to provide accurate, relevant and up to date information.

2.7 Disclosure and Barring Service Checks

- a) For posts which meet the criteria, an enhanced disclosure with an appropriate barred list check for either adults, children or both must be requested through the Disclosure and Barring Service.
- b) It is acknowledged that this process can take up to four weeks. However, no applicant must be given an unconditional offer of employment till all these checks are satisfactorily completed.
- c) Guidance on completing the form and details of the supporting information required are available in detail and can be downloaded from:
<https://www.gov.uk/government/publications/dbs-application-forms-guide-for-applicants>
- d) Some applicants may already have an Enhanced DBS Check with the appropriate barring list and have subscribed to the DBS Update Service. Using this facility their DBS Status can be checked without completing a new application. The guide for doing this can be downloaded from:
<https://www.gov.uk/dbs-update-service>

Note: It must be checked that the existing DBS check entirely matches Inmind's requirements including the existence of, and category of barred list checks

- e) Although Inmind submits the DBS application on the applicant's behalf only the applicant receives the certificate back. They must provide it to the staff member undertaking the checks within seven days of receipt by them. The applicant must agree, either in writing or verbally, that the certificate can be copied and retained with their records. (See also Disclosure and Barring Service Policy)
- f) The initial DBS check will be paid for by the potential staff member by way of a deduction from their first month's salary payment. At the end of the first year of employment this will be returned to them in the month 12 salary payment.
- g) All staff will be required to undertake a DBS check every three years. The cost of this will be borne by the company. In the event that there is an unsatisfactory outcome staff should be aware that Inmind may take appropriate action and their continuing employment may be impacted.

- h) Staff may be required to self certify on an annual basis that there has been no event, incident or action that might impact on their ability to obtain a clear DBS check. Failure to provide this, if requested, will be considered gross misconduct and may lead to dismissal.
- i) All requirements under the DBS system may change without notice due to changes in legislation or the developing requirements of Statutory or Regulatory bodies.

2.8 Health Considerations

- a) As part of the pre-employment checking process, appropriate health checks should be conducted with all potential staff.
- b) The successful candidate must have their Hepatitis B/ Tuberculosis immunisation prior to or as soon after commencing work as possible, at the very latest within 13 weeks of their start date.
- c) The service also recommends that staff vaccinate themselves against Hepatitis C and other communicable diseases where possible/ available.

2.9 Confirmation of Employment

- a) Unconditional offers of employment will not be made until the following conditions have been met:
 - Satisfactory references are received, in accordance with NHS Safer Recruitment guidance
 - Evidence of qualifications and registration has been checked and verified (or for new care staff that they have received their first registration)
 - The candidate has provided original documentary evidence of their eligibility to work in the UK (see Preventing Illegal Working Policy)
 - Where appropriate, a Disclosure Barring Service check (including appropriate barred lists) has been satisfactorily completed and received
- b) If these conditions are not satisfactorily met then the appointment will not take place.
- c) All new appointments are made subject to a satisfactory six month probationary period, during which the new member of staff will be evaluated for suitability for the position (See Probationary Period Policy).

2.10 Contract of Employment

- a) A contract is a legally binding agreement between the employer and the employee which is formed when the employee agrees to work for the Company for pay.
- b) It is the responsibility of the Manager to issue the Contract of Employment within eight weeks (the legal time frame) of the staff member commencing their employment with the Company.

- c) Two copies of the Contract of Employment should be given to the employee to sign. One copy should be kept by the individual and the other retained in their personnel file.

- d) For existing members of staff transferring positions within the Company all changes to their previous Contract of Employment should be formally documented and confirmed in writing to them. If a significant change in terms and conditions has occurred, a new Contract of Employment should be issued.

Appendix 1

Equality Impact Assessment for this policy

| Protected Characteristic (domain) | Area of conflict | Resolution |
|--|-------------------------|-------------------|
| Age | Nil | N/A |
| Disability | Nil | N/A |
| Gender Reassignment | Nil | N/A |
| Pregnancy & Maternity | Nil | N/A |
| Race | Nil | N/A |
| Religion or Belief | Nil | N/A |
| Sex | Nil | N/A |
| Sexual Orientation | Nil | N/A |
| Marriage and Civil Partnership | Nil | N/A |

All relevant persons are required to comply with this policy and must demonstrate sensitivity and competence in relation to diversity in race, faith, age, gender, disability and sexual orientation. If you feel you are disadvantaged by this policy, please contact the Registered Manager and the service will actively respond to the enquiry.

PRIVATE AND CONFIDENTIAL

Please complete in BLOCK CAPITALS

| | |
|---|--|
| Hospital applied to: | |
| Position applied for: | |
| How did you hear of this vacancy? (include date) | |

PERSONAL PARTICULARS

| | |
|--|--|
| Full Name: Mr/Ms/Mrs/Miss | |
| Address: | Telephone Number (including STD Code) |
| | Home: |
| | Mobile: |
| | Business: |
| Tick box if you do not want to be contacted at work <input type="checkbox"/> | |
| E-mail address: | Are you a British subject or a national of any EU country? Yes/No |
| | If not, do you have the right to work in the UK and a current work permit? Yes/No |
| N.I. Number: | If so, please state the expiry date of your right to work in the UK and/or your work permit: |

EDUCATION AND QUALIFICATIONS

QUALIFICATIONS: Please give details of examinations attempted and results (including any examinations failed)

| Name(s) and Address(es) of School(s)/College(s) | Subject/Courses Studied & Level | Examination Result/ Grade (include any examinations failed) |
|---|---------------------------------|---|
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| | | |

FURTHER AND HIGHER EDUCATION: Please give details of all further and higher education since leaving school including training courses and details of qualifications.

| University/College/ Institute Attended | Subjects Studied Type of Training | Qualifications Obtained |
|--|-----------------------------------|-------------------------|
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PROFESSIONAL ASSOCIATIONS: Please state whether you are a member of any technical or professional association, and if so, which:

EMPLOYMENT HISTORY

Please list starting with the most recent, all the organisations for which you have worked:

| Name(s) and Address(es) of Employer(s) | Position Held/ Main Duties | Starting/ Leaving Salary | Starting/ Date | Leaving | Reason for Leaving |
|--|-------------------------------|-----------------------------|-------------------|---------|--------------------|
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SUPPLEMENTARY INFORMATION

Please give details of any experience, skill or achievements which you feel may be relevant in your application for employment.

Please give dates of any holidays arranged:

FOREIGN LANGUAGES: Please list any foreign languages you speak and your level of competence, both oral and written:

| | |
|--|----------|
| Are you currently subject to any contractual "restraints of trade" clauses? | Yes / No |
|--|----------|

If Yes, please give further information:

| | |
|--|----------|
| Do you have any commitments which might limit your working hours? | Yes / No |
|--|----------|

If Yes, please give details:

| | |
|--|----------|
| Have you ever been convicted of a criminal offence or received a warning, caution or reprimands. Any of the above are not necessarily a bar to employment. | Yes / No |
| If Yes*, please give further information: | |

***REHABILITATION OF OFFENDERS ACT 1974**

Because of the nature of the work for which you are applying, this post is exempt from the provisions of Section 4(2) of the above Act by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. Applicants are therefore, not entitled to withhold information about convictions which for other purposes are “spent” under the provisions of the Act and, in the event of employment, any failure to disclose such convictions could result in dismissal or disciplinary action. Any information given will be completely confidential and will be considered only in relation to an application for positions to which the Order applies. The post you are applying for involves working with vulnerable adults and as such you will be required to consent to the disclosure of any criminal record you may have by the CRB. If you are offered the post, you will be required to complete an application for disclosure and will not be able to start work until the disclosure is received and approved.

| | |
|-------------------------------|--|
| Salary Range Expected: | |
|-------------------------------|--|

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|---|--|
| How much notice are you required to give to leave your present employment? | |
|---|--|

| | |
|--|----------|
| Have you worked for us before? | Yes / No |
| If Yes, give details of reason for leaving: | |

Please list your interests, sports, hobbies, etc.

EQUAL OPPORTUNITIES



Applicants for jobs will not be unfairly discriminated against on the grounds of their sex, marital status, disability, colour, race, nationality or ethnic origin, sexuality or age. To ensure the effectiveness of the policy, and to assist in its development, it has been decided that all applicants will be monitored for employment and promotion.

All information will be treated in confidence and will not be seen by staff directly involved in the appointment. The questionnaire will be detached from your application form, stored separately and used only to provide statistics for monitoring purposes. Thank you for your assistance.

| | | | |
|----------------|--|---|--|
| Date of Birth: | | Where did you see this post advertised? | |
|----------------|--|---|--|

| | |
|---------|--------------------------|
| Male: | <input type="checkbox"/> |
| Female: | <input type="checkbox"/> |

| | |
|---|----------|
| Are you disabled? | Yes / No |
| Do you consider yourself to meet the Disability Discrimination Act definition of a Disabled Person? | Yes / No |

For Disabled Candidates only

To help recruiter's decide whether a reasonable adjustment will be required, please answer the following questions.

| | |
|---|----------|
| Does your impairment prevent you from carrying out any of the duties of the post? | Yes / No |
| If yes, you are still encouraged to apply as we may be able to make some changes to accommodate a suitable disabled candidate. It would be helpful if you let us know what the potential difficulties might be. | |
| | |

| | |
|--|----------|
| If called for an interview, does your impairment require us to make any particular | Yes / No |
|--|----------|