# Recruitment and Selection Policy

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1. Policy Summary

The recruitment and selection of staff is one of the most important activities carried out by managers to ensure the provision of high quality patient care. Under the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 19, the Trust must ensure that only ‘fit and proper’ staff who are able to provide care and treatment appropriate to their role and to enable them to provide the regulated activity are employed. To meet this regulation, the Trust must operate robust recruitment and selection procedures.

The Trust recognises that highly skilled, experienced and motivated staff are essential to enable it to deliver its services and essential to its growth and success. The Trust is committed to ensuring the recruitment and selection of people with the appropriate skills, knowledge, experience and qualifications is undertaken as efficiently and effectively as possible, and in line with all legal, statutory and good practice guidance requirements.

The purpose of this policy is to outline appropriate guidance and standards to enable recruiting managers to attract, recruit and retain the best candidate for the role from a diverse and wide pool of applicants in a safe and efficient way in accordance with best practice.

The objectives of the recruitment and selection policy are:

- To recruit and retain skilled people to enable the Trust to achieve its aims and values.
- To ensure effective, consistent and fair practice by the provision of clear guidelines.
- To ensure there is equality of opportunity for existing and prospective staff and to ensure there is no less favourable treatment of candidates
- To ensure recruiting managers are competent to fulfil their obligations within the policy and wherever possible have undergone relevant training.

By following the guidance in this policy, recruiting managers can be assured that they are operating within the confines of current employment legislation and they are able to avoid discrimination and recruit safely without putting the Trust at risk.
2. Policy Statements

This Recruitment and Selection policy should be read in conjunction with the Trust’s Equality and Diversity policy. The Trust seeks to develop positive practices to promote opportunity in employment by attracting and appointing the most suitable candidate for each of its vacancies. In applying this policy, the Trust 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 9 protected characteristics as outlined in the Equality Act (2010):

- age
- disability
- gender,
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sexual orientation

In addition to offending background, trade union membership or any other personal characteristic. Promoting diversity embodies the principles of fair treatment for all and will as a result help to improve recruitment and retention. The Trust values the diversity of its workforce and aims to ensure that all staff understand this commitment and adhere to the standards.

The application of this policy and guidance will apply equally to all staff including those on full time, part time and fixed term contracts, with the exception of medical Consultants, board appointments, contracts for services appointments and agency recruitment.
3. Definition of Terms Used

CQC: Care Quality Commission
CQC is the independent regulator of health and adult social care in England.

NHS Employers:
NHS Employers is the organisation that represents individual NHS organisations to be the voice of workforce leaders, experts in HR, and negotiate fairly to get the best deal for patients.

Candidate
A candidate is a person who has applied for a role with the Trust. They may be an existing Trust employee or external. The individual is known as a candidate until they commence employment with the Trust, when they become an employee.

Recruiting Manager
The recruiting manager is the manager of the vacant role who has taken responsibility for recruiting to the role. It may be the line manager or another senior manager (such as the senior sister or service manager.) The person leaving the role should not be the recruiting manager (e.g. if someone is retiring, they should not recruit their replacement.)

Interview Panel
The interview panel is the group who assess the candidate’s suitability against the Person Specification.

Resident Labour Market Test
The resident labour market test is the advertising of a role for a set period of time to determine whether a suitable candidate can be sourced from the existing settled labour market (those who already have the right to work in the UK.) This must be evidenced in order to appoint a candidate who does not already have the right to work in the UK.

Subject Access Request
As part of the Data Protection Act 1998, an individual can request access to their personal data held by the Trust, known as a subject access request. This includes information about the reasoning behind any decisions taken about them, including in this context, the recruitment and selection process that they have participated in.

Equality Act 2010 – this act replaced the previous antidiscrimination laws (such as the Race Relations Act 1976 and the Disability Discrimination Act 1985) with a single Act. It simplifies the law, removed inconsistencies and made it easier for employers to understand and comply with. It also strengthens the law in important ways to help tackle discrimination and inequality.
Discrimination

*Direct Discrimination* - is treating someone less favourably than another person because of a protected characteristic they have. E.g. not appointing a pregnant woman to a role because of financial concerns connected with covering the role during her absence due to maternity leave.

*Indirect Discrimination* – occurs where a policy applies to everyone, but has a disproportionate impact on people with a protected characteristic. Often it is not the intention of the employer to discriminate, but nevertheless the outcome results in one group being disadvantaged in comparison to another, e.g. insisting on higher language standards than are necessary for safe and effective job performance, would tend to disqualify people for whom English is not their first language.

*Associative Discrimination* – treating someone less favourably because they associate with an individual who has a protected characteristic e.g. not appointing a candidate who has a disabled child.

*Perceptive Discrimination* - is where an individual is treated less favourably based on a perception that the discriminator thinks the person possesses the characteristic, even if they do not. E.g. not appointing a candidate because they are married to an existing employee who has a religious belief (doesn’t work a Sunday or takes religious holidays off).

*Positive action* - the Equality Act allows employers to take positive action if they think that their employees or job applicants who share a particular protected characteristic suffer a disadvantage connected to that characteristic, or if their participation in an activity is disproportionately low.

*Positive discrimination* – positive discrimination is illegal. It involves employing or promoting people because they are from a target group such as women or men, or a particular ethnic group.
4. Duties and Responsibilities

**Director of Human Resources**
As lead for Human Resources within the Trust, the Director of Human Resources is responsible for:

- Ensuring the provision of appropriate publicity of the policy
- Ensuring consistency of application throughout the Trust
- Ensuring the provision of training and advice to managers and staff on the operation of the policy

**Recruiting Managers**
Recruiting managers are responsible for:

- Ensuring their knowledge and skills of recruitment best practice are maintained through attending relevant Trust training
- Submitting all necessary information for advertising of the role (including Job Description and Person Specification)
- Declaring, as soon as it is possible, if a candidate is known to them in anything other than a professional capacity
- Shortlisting and inviting candidates to attend interviews candidates via NHS Jobs
- Assessing all applicants fairly and making appointments on the basis of the outcome of the assessment process
- Submitting the relevant form to recruitment to enable them to process the employment checks
- Completing the relevant risk assessment forms (where necessary)
- Documenting the assessment process clearly, ensuring that interview notes are factual and legible (noting that, under the Data Protection Act, candidates may submit a subject access request to see this information)

**Recruitment Team**
The Recruitment team are responsible for:

- Advertising vacancies which have been approved at ITR
- Supporting and advising managers on the recruitment and selection process
- Sending conditional offer letters to successful candidates
- Notifying the recruiting manager if checks are outstanding to enable them to risks assess the situation appropriately
- Producing contracts for new employees
- Processing and evidencing all pre-employment checks in line with the Employment Check policy
- Entering employee information, accurately, onto ESR
- Sending information regarding induction to all candidates
- Storing and destroying interview paperwork in line with data protection and NHS information governance guidelines.
HR Operations Team
- Administering the Intention to Recruit (ITR) process
- Supporting recruiting managers with the Job Evaluations process
- Carrying out all post-employment checks in line with the Employment Check policy
- Supporting managers with risk assessments in relation to DBS and Occupational Health queries or issues.

Candidates
Candidates are responsible for:
- Submitting an accurate application
- Confirming their intention to attend an assessment
- Notifying the recruiting manager if they are unable to attend an assessment
- Communicating with the recruiting manager, HR Operations team and the Recruitment department as required.

5. The Recruitment and Selection Process

The recruitment process is set out in the flowchart in Appendix A.

5.1. The vacancy

Once a vacancy has been identified and before any decision is made to advertise, the manager responsible should review the service requirements, skills mix and competencies required for the role against the department’s, business plan and budget.

This review should also include whether the details of the role outlined in the job description or the skills in the person specification, need to be amended to reflect the needs of the department or the role. Information may also be obtained from exit interviews as this can provide a valuable insight into how to improve the recruitment, induction and retention of new employees.

The manager should consider whether the role needs to go through job evaluation i.e. if it is a new role or if there have been substantial changes to the job role, it may need to go through a job evaluation process. Advice and guidance is available from the HR Operations Team on this element of the process.

The recruiting manager should also consider:

- Whether a secondment or internal transfer would be more appropriate to fill the vacancy
- Whether the role is still needed - there may have been changes in the department and a reorganisation may be appropriate, if necessary, the manager must consider their business plan and consult with the HR Operations team in this situation
- If there are any aspects of the job which may need amendment
• Whether the vacancy is suitable for flexible working e.g. part time, job share, annualised hours contract  
• What sort of contract the position should be offered on e.g. permanent, or fixed term (Please refer to the Fixed Term Contract Policy for further information regarding the recruitment process for fixed term contracts)

**Job Descriptions and Person Specifications**

It is the recruiting manager’s responsibility to prepare the job description including the person specification using the correct template as on the intranet:

http://webserver.ruh-bath.nhs.uk/staff_resources/hr/recruitment/advertising_and_shortlisting.asp?menu_id=5

If the vacancy has been created because someone has left an existing role then the current job description and person specification must be reviewed and any necessary changes made.

The job description must clearly and accurately outline the duties and responsibilities of the role. The language used should be readily understandable to potential applicants (including those from outside the NHS) and should avoid unnecessary abbreviations, jargon or acronyms.

The person specification is of equal importance to the job description as it is the benchmark against which all applications are considered for shortlisting and appointment. The person specification details the experience, qualifications, skills, abilities, and behaviours that are required to do the job (essential criteria) and those which will enable the person to perform the job more effectively (desirable.) It should be drawn up after the job description and, with the job description, will inform the content of the advert. The person specification should be specific, related to the job, and not unnecessarily restrictive - for example only qualifications strictly needed to do the job should be specified. The inclusion of criteria that cannot be justified as essential for the performance of the job may be deemed discriminatory under the Equality Act 2010, if these impact disproportionately to the disadvantage of specific groups. For example, to specify a certain number of years’ experience would discriminate against those not old enough to have that length of service in a role at that level.

The job description and person specification should be prepared and evaluated in line with the NHS Employer’s Guidance. Please contact the divisional HR Operational team for information on this process.

**Authorising the vacancy**

When the manager is satisfied that the vacancy details and job description are correct they should submit this for approval
5.2. Advertising vacancies

The Recruiting Manager is responsible for writing the advert using the job description and person specification and submitting this as part of the 'Intention to Recruit' process. The divisional Recruitment team can assist with the writing of adverts and guidance documents are provided on the Trust intranet.

http://webserver/staff_resources/hr/recruitment/advertising_and_shortlisting.asp?menu_id=5

The HR Operations Team will notify the recruiting manager if the role is approved and will send the vacancy (with accompanying documents) to the Recruitment Team for publishing. If a vacancy is not approved it will either be:

- Put on hold pending further information from the recruiting manager
- Rejected

The recruiting manager can re-submit a rejected request if they feel they have addressed the reasons it was rejected.

As part of the re-deployment process, a vacancy may be held before it is advertised if there is a possibility that an existing Trust employee whose current role is no longer tenable may be suitable for the role. In this instance, the Recruitment Team will notify the HR Operations Team who will make contact with the recruiting manager to discuss the situation and the potential next steps.

As a minimum, all approved vacancies will be advertised on NHS Jobs for a reasonable period of time by the recruitment team (set to a default of 14 days) who will ensure that the advert is not in breach of employment legislation. When deciding how long to advertise a role for, managers should take into consideration that in order to appoint a worker who does not have the right to work in the UK the Trust must have met the resident labour market test for that role, which includes evidence that the role has been for at least 28 days in the last 6 months.

The advert will include the date of the interview and a copy of the job description and person specification. Other documents can be attached to the advert when provided by the recruiting manager.

If a manager has a clear rationale, they can specify that the vacancy only be open to internal candidates (those already employed by the RUH).

A recruiting manager may also wish to advertise externally through additional media, such as online job boards or professional journals. The Recruitment Team will support communication with the advertising agency, who will provide discounted rates to ensure cost effectiveness. The cost of external advertising and responsibility for raising the relevant purchase order will be met by the department with the vacant role. External adverts should signpost candidates to the full details of the vacancy on the NHS Jobs website so that they can be managed in the same way as other applicants and thereby ensuring anonymity and transparency in the selection process.
5.3. Application process

All applicants must apply through NHS Jobs in order that all applications can be considered fairly and anonymously. Managers should not accept CVs in place of a formal application form.

In some circumstances, an off-line application form may be obtained from the Recruitment Team so that a candidate can apply for a vacancy.

Additional questions

Vacancies on NHS Jobs can be set up to include additional questions on the application form and pre-application questions to assist recruiting managers in shortlisting candidates. The recruiting manager will liaise with the recruitment team to set the questions and the response needed to take the application forward (for pre-application questions only).

Pre-application questions

Pre-application questions can be used to prevent applicants who do not meet some essential criteria from progressing to the application form. Multiple-choice questions can be added to the vacancy. They are especially helpful where a role has previously generated high volumes of applications or to draw an applicant’s attention to specific requirements (such as a qualification or registration required for the role.) For example “I have a full driver’s license to C1 standard”. To which the required response is “Yes.” If an applicant ticks “No” they will not be able to proceed with the application for that role.

If an applicant has genuinely made a mistake with a pre-application question they should contact the recruitment team to re-set their application to allow them to submit their correct response.

Application form additional questions:

Both multiple-choice and open questions can be added to an application form to assist a recruiting manager with shortlisting. For example “Please explain in 150 words or less why you want to join the Oncology department.”
5.4. Equality and Diversity

The Equality Act became law in October 2010. It replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) and ensures consistency in what employers need to do to make the workplace a fair environment and to comply with the law. Under the Equality Act 2010 there are 9 protected characteristics which make it illegal to discriminate against:

- Age
- Disability
- Sex
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sexual orientation

The Trust is committed to equality of opportunity for both employed and prospective staff and supports a culture where our workforce is representative of the communities we serve and where differences are recognised, accepted and valued.

The Trust is positive about employing disabled people and maintaining the standards set up by the "Two Ticks" (Positive about Disabled People) symbol on adverts and recruitment literature.

As part of this commitment all candidates who apply via this scheme and meet the minimum essential criteria for the role must be short listed and guaranteed an interview. Data to monitor equality and diversity will be collected at short-listing, interview and appointment stages within the recruitment process via NHS Jobs.

5.5. Health and disability information in recruitment

The Equality Act 2010 contained new provisions which aim to stop disabled job applicants being screened out early in the recruitment process. The general position is that it is unlawful for an employer to ask any job applicant about their health or disability until the applicant has been offered a job. This includes asking such a question as part of the application process or during an interview. For example, questions about previous sickness absence asked during an interview or on an application form are classed as questions that relate to health or disability and must not be asked.
However, there are a few exceptions where questions about health and disability can be asked during the initial stages of a recruitment process:

a) To determine whether any reasonable adjustments need to be made to enable a disabled person to participate in an interview/assessment during the recruitment process.

b) To find out whether a job applicant would be able to undertake a function that is intrinsic to the job (An intrinsic function of a job is a function which, if it could not be performed, would mean that the job could not be carried out). For example, an intrinsic part of a role is the ability to climb ladders, therefore, questions relating to health or disability in order to determine the candidate’s ability to climb ladders could be asked as it is intrinsic to the job.

c) To establish whether the applicant can take part in an assessment to determine their suitability for the job.

d) To monitor diversity among job applicants. This information is kept separate from the application forms and recruiting managers in order to minimise the risk that this information will influence the selection process.

e) To support “positive action” in employment for disabled people. The Trust is allowed to ask a candidate if they are disabled for the purpose of ensuring that the candidate can access the ‘two ticks’ scheme.

f) If there is an occupational requirement for the person to be disabled. For example, if there was a requirement for a counsellor to have personally had a mental health condition and candidates during the interview were asked to confirm that they had had such a condition this would be a lawful question as experience of having a mental health condition is an occupational requirement of the job.

It is therefore important that recruiting managers and the interview panel are careful to avoid asking any disability or health related questions (other than those included in the exceptions outlined above) prior to an offer of employment being made. The Work Health Assessment form (available on request from the Recruitment Team) should therefore never be issued to a candidate until an offer of employment has been made.

For further information regarding health and disability exceptions please contact the Resourcing Manager.

5.6. Planning the selection process

The recruiting manager should plan who will undertake the short listing and be involved in the interview/assessment process, when the interview/assessment will take place, and the location of the interview/assessment including the booking of rooms. Ideally, interviews should be scheduled within 10 working days after the closing date of the advert as delays are likely to lead to a loss of candidates. Consideration should be given to using job-related selection tests/assessments such as presentations, group exercises, discussion groups or ‘in-tray exercises if there are some elements of the person specification that are difficult to test at interview.
If job-related tests or presentations are to be used, all candidates should be given the same written information as to how long they will take, the topic area(s) they will cover, and what - if anything - they should prepare in advance. Psychometric tests may only be given by trained test administrators and any department wishing to use psychometric tests must contact the Resourcing Manager for advice. In all cases care should be taken to ensure that job-related tests are well explained in writing for candidates, in plain language, that all candidates are subject to the same tests under exactly the same conditions, (excluding any allowances made as ‘reasonable adjustments’ to disabled candidates) and that presentation topics do not favour any one candidate. It is very important that selection tests are not unfairly discriminatory. Further advice is available from the Resourcing Manager on the development of job-related tests.

Interview panels should have a minimum of 2 members including the recruiting manager. At least one of the panel members should have undertaken the ‘Recruiting the Best Staff’ training course in the last 2 years. The panel chair is responsible for ensuring processes are followed fairly, legally and in line with the Trust's policy.

There may be occasions when representation from either the HR Operational or Recruitment teams may be necessary or desirable. For example for senior appointments or for appointments where an independent view would be valued. However, it is not appropriate for HR/Recruitment to be involved in all interviews. Similarly, there will be occasions when external representation is required such as where the role requires specific expertise.

**5.7. Short listing**

Vacancies listed on NHS Jobs close at midnight and the next working day the recruiting manager will receive by email a link to the NHS jobs system and a request to complete the short listing process. Candidates who apply via a paper application which is submitted to the Recruitment team will be uploaded to the NHS Jobs system. Recruiting managers should short list candidates within 5 working days of receipt of the email from the NHS Jobs system in order to ensure that candidates are not lost and the process is efficient.

Short listing should be undertaken by assessing each candidate against the essential criteria in the person specification and marked on the short listing template. (Please see attached template in Appendix 2). This assessment should be based on the information provided in the candidate’s application and any personal knowledge of a candidate should not be used. Candidates who do not meet all of the essential criteria should not be short listed. In situations where there is a high volume of candidates meeting the essential criteria, the recruiting manager can use the desirable criteria to produce a manageable number of candidates to interview.

In order to ensure a fair and transparent process and to satisfy legal requirements, reasons for selection or rejection of all candidates must be recorded on NHS Jobs using the criteria provided. It is ideal that the top 5 or 6 candidates only are shortlisted (using the short listing template) but to also have a reserve list for those with lower scores who still meet the criteria.
It is good practice to advise candidates of the status of their application. The NHS Jobs system has the functionality to update candidates. Recruiting Managers must ensure that they select the ‘shortlisting complete’ button on the system. Candidates, when they log into their NHS Jobs account will then be advised whether their application has been successful or not.

Training guides for short listing via NHS Jobs are available on the Trust’s intranet: http://webserver/staff_resources/hr/recruitment/advertising_and_shortlisting.asp?menu_id=5 or from the Recruitment Team.

5.8. Inviting candidates to interview

Once the recruiting manager has finalised their short listing on NHS Jobs they will need to set up the interview/assessment slots and invite the shortlisted candidates to these. Recruiting Managers can choose to allow the invited candidates to choose their preferred interview/assessment slot (this is on a ‘first come, first served basis) or assign specific slots to each candidate. It is recommended that recruiting managers allow candidates to choose their preferred slot as this can help to reduce the amount of non-attendees on the interview/assessment day.

The email inviting candidates to the interview should include the following information:

- date, time and place of their interview
- names and job titles of the interview panel
- a request that they contact the author of the email if they have any particular requirements or to discuss the interview facilities (related to access to the venue or any other need related to a disability).
- if appropriate, details of any test or presentation they will be required to take

The template used by NHS jobs includes details of the employment check documents that should be brought to the interview.

Training guides on inviting candidates to interview via NHS Jobs are available on the Trust’s intranet: http://webserver/staff_resources/hr/recruitment/advertising_and_shortlisting.asp?menu_id=5 or from the Recruitment team.

5.9. Reasonable adjustments for interviews

The NHS Jobs system advises candidates that they should contact the Trust if they require reasonable adjustments to be made for their attendance at the interview/assessment.
5.10. Feedback

Due to the volume of applications that the Trust receives, feedback is not offered to candidates at the application stage. However, a recruiting manager can choose to provide feedback to candidates at this stage. If feedback is offered, it should be specific relating to the person specification and honest. It is good practice to balance the applicant’s weakness with some positive points.

5.11. Interviews

All interviews must be conducted by at least two people, one of which must be up to date with their equality & diversity training and/or have attended the 'Recruiting the Best Staff' course within the last 2 years. Although the maximum number is not stipulated, care should be taken that candidates are not intimidated by the size of the interview panel. The interview panel will comprise of those people best able to assess the knowledge, skills and attributes for a particular role but should always include the manager to whom the appointed person will be responsible for. For senior appointments, the senior manager must also be a member of the panel.

The interview panel should meet prior to the interview to prepare the interview questions. The questions explored by each panel member should be agreed to avoid repetition. Interviewers should work to a set structure of questions (although it is recognised that further probing questions may need to be asked in order to follow up particular issues) which should be asked of each candidate to assess them against the criteria listed in the person specification. Assumptions should not be made regarding the expertise or abilities of candidates because of their work history. Care must be taken to avoid questions that could be construed as discriminatory (e.g. questions about a candidate's personal circumstances that are unrelated to the job). For example, the interview panel can ask for confirmation of whether the candidates can comply with the working patterns of the role, but would not be able to ask supplementary questions about domestic or child care arrangements. It is the responsibility of the Chair of the panel to ensure that such questions are not asked. For further guidance on interview questions please see Appendix 3.

The chair of the panel (usually the recruiting manager) must ensure that the Disclosure and Barring Services (DBS) question in the interview template must be asked of every candidate.

The interview panel acts for the Trust in making selection decisions and as such are accountable for these decisions. The Trust's interview template should be used for all interviews (Appendix 4 and on the RUH intranet: http://webserver/staff_resources/hr/recruitment/selecting.asp?menu_id=5)

Notes must be taken by each member of the panel so that an informed decision is made based on the content of the interviews. Notes taken during the interview must relate to how the candidate demonstrated their skills, abilities, knowledge and experience.
The Data Protection Act allows candidates to request disclosure of all information collected about them during the recruitment process via a subject access request. Therefore, in the event of a complaint or an Employment Tribunal all documents used in the recruitment and selection process would be required.

Discussion about individual candidates should not be made until after all candidates have been interviewed. It is good practice to score the candidate at the end of their interview whilst the content of the interview is still fresh for the panel. The interview template should be the only document used to record notes.

At the end of each interview candidates should be advised of when they will be notified of the results of the selection process. Although every effort should be made to contact candidates as soon as possible, it is recommended that candidates are told to anticipate a decision within 24 hours. The recruiting manager or another member of the panel are the only appropriate people to be able to provide feedback to the candidates.

The decision to appoint a candidate must only be made by the panel members. Where the panel is unable to agree which candidate should be appointed they should either arrange a further assessment exercise (i.e. second interview, test, presentation etc.) or the recruiting manager (normally the line manager for the vacant position) will be responsible for making the final decision.

**Reserve candidates**

Where more than one candidate meets the selection criteria the interview panel may decide to list second and third choice candidates. Where the first choice candidate is unable to take up employment, for any reason, the second candidate may be offered the position and so on. Reserves may be held for a period of 3 months and if there is the requirement to fill the same role during that period the reserve candidate may be offered the position without having to repeat the recruitment process.

It is also the responsibility of the interview panel to take photocopies of any employment check documents that candidates bring to the interview. The person inspecting and taking copies of the documents must ensure that they sign and date the photocopies.

The interview paperwork, short listing form, application forms and copies of any employment check paperwork of all candidates should be forwarded to the relevant divisional Recruitment Team. This information will be retained in line with the Data Protection Act (1998) and NHS Information Governance Guidelines. Recruitment and selection information for successful candidates will be retained on the personal file for the duration of their employment, whilst information on unsuccessful candidates will be retained for a period of 12 months before being destroyed.
Conflict of interests
Panel members are responsible for declaring if they have a relationship (business or personal) with an applicant. In this situation, they should not sit on the panel for interview. In particular, no member of staff should participate in the short listing or interview process or authorise the appointment where a close relation is involved.

5.12. Making an offer of employment
Once the Recruiting Manager has made the verbal offer to the candidate, the recruitment form must be completed and sent to the divisional Recruitment Team within 2 working days of the interview date. The divisional Recruitment team will make a conditional offer via the NHS Jobs system to the candidate within 2 working days of receipt of the completed recruitment form.

Successful candidates should be advised not to submit their resignation to their current employer (where appropriate) prior to all of the relevant checks being completed satisfactorily.

5.13. Making reasonable adjustments – post offer
Where the successful candidate is disabled, reasonable adjustments may need to be considered depending on their disability and in consultation with them. The Trust has a duty to consider what reasonable adjustments can be made to working practices for disabled people. Where it is agreed that reasonable adjustments need to be made this should be discussed with the Occupational Health Team and the divisional Human Resources Operations team in the recruitment process.

5.14. Employment checks
The Trust’s Employment Checks policy outlines the necessary employment checks that NHS organisations (across England) are required to undertake in the appointment and ongoing employment of individuals in the NHS.

For external candidates this offer will be conditional on the following employment checks:
- Identification
- Right to work in the UK
- Occupational Health clearance
- References
- Qualifications and registration
- DBS check

Where the successful candidate is a registered health professional the relevant divisional Recruitment team will check the 'Alert List' to ensure that no alert letter by the Healthcare Professional Alert Notices has been issued in relation to the candidate.

For internal candidates, the relevant divisional Recruitment Team will check the candidate’s current file and advise of which checks will be required in order to ensure that the checks in place meet current NHS Employment Check standards.
5.15. Starting salary and incremental dates
All new employees to the NHS should be appointed on the lowest salary point in the relevant band. However, in exceptional circumstances a starting salary which is higher than the lowest salary point in the band may be agreed. This would normally be in situations where the role is of a specialist nature that the higher salary is necessary to secure the best candidate for the role. The recruitment form should indicate why a higher salary is being offered.

When an internal candidate is offered a job that is at a higher pay band, pay should be set at the minimum of the new pay band. However, if this would result in no increase, for example, the individual is at the top of their current pay band, the individual would go to the first pay point in the band which would result in an increase in pay. The employee’s incremental date (when they are eligible to move to the next incremental point on the pay scale) will change to reflect the date of the most recent increase in salary.

When an internal candidate is offered a job that is at the same pay band as their current role, they would normally move across on the same pay point. The incremental date will remain the same so that the employee is not disadvantaged by the change.

5.16. Verification of previous service – Inter-Authority Transfer
Reasonable efforts will be made to verify previous service. This will be undertaken by the payroll department via the Inter Authority Transfer (IAT) functionality on the Electronic Staff Record (ESR).

5.17. Withdrawing an offer of employment
If, after careful consideration, it is decided to withdraw the conditional offer of employment the grounds for withdrawal must be very clear e.g. due to unsatisfactory references or other employment checks and the offer of employment rescinded in writing. This decision must be made in conjunction with the relevant divisional Human Resources Adviser.

5.18. Dealing with complaints from candidates
Where an applicant, either internal or external has a complaint about the recruitment process, they should direct their complaint in writing to the Resourcing Manager within 2 months of the action in question. The Resourcing Manager will acknowledge receipt of the complaint and arrange for an initial investigation to be conducted within 2 weeks. The Resourcing Manager or divisional Human Resources Business Partner will determine what action will be taken in line with the relevant policies and inform the complainant accordingly.
5.19. Expenses
Interview expenses are not routinely offered to candidates by the Trust. All adverts on NHS Jobs indicate the Trust’s policy towards interview expenses. However, a recruiting manager can choose to offer interview expenses which will be paid via their departmental budget.

5.20. Relocation Expenses
Relocation expenses are usually only paid in circumstances where there has been particular difficulty in recruiting to a role. In these circumstances, authority from the budget holder is required and the NHS Jobs advert should state that a relocation allowance will be payable. The maximum allowance that can be offered under Her Majesty’s Revenue and Customs (HRMC) guidelines before tax and National Insurance payments is up to £8,000.

5.21. First few weeks
The recruiting manager must ensure that all practical arrangements are considered and plans made to welcome the new employee. It is strongly advised that recruiting managers should maintain contact with their new employees throughout the employment checks process to engage the employee with their new team and place of work:

- Arrangements are made to meet and welcome the new employee on their first day in the department
- Team members are aware of the new employee
- Confirm that the employee’s professional registration is up to date and note when it should be renewed for ongoing monitoring

6. Monitoring Compliance

The Recruitment team has systems to monitor the recruitment process in line with the Equality Act 2010. An equality and diversity report on the recruitment process is undertaken as part of the annual Workforce Race Equality Standard reporting process. An equality and diversity report monitoring the characteristics of applicants and those recruited to the Trust will be provided annually to the Equality and Diversity Committee and Trust Board.

The implementation of and compliance of this policy will also be monitored using the following indicators:

- Line Managers have received information updates on the contents of this policy;
- Recruitment decisions have been fair and in line with policy and have not been successfully challenged by employees or potential employees.
7. Review

This policy will be subject to a planned review every three years as part of the Trust’s Policy Review Process. It is recognised however that there may be updates required in the interim arising from amendments or release of new regulations, Codes of Practice or statutory provisions or guidance from the Department of Health or professional bodies. These updates will be made as soon as practicable to reflect and inform the Trust’s revised policy and practise.

8. References

Provide evidence base for procedural documents with up to date references. It is recommended that all references are cited in full using an agreed uniform approach to referencing

CQC  http://www.cqc.org.uk/content/regulation-19-fit-and-proper-persons-employed#full-regulation


Appendix 1: Recruitment Flow Chart

Manager submits ITR form for approval with Job Description, Person Specification

Vacancy not approved -

Vacancy is approved and details sent to recruitment by HR operations team

Recruitment team advertise the vacancy on NHS Jobs

Recruitment team put candidates into 'review' status on NHS Jobs

Candidates apply for the vacancy

Vacancy also published on Universal Job Match

Manager to shortlist candidates against the Person Specification and put them into 'shortlisted' or 'rejected' status on NHS Jobs

Manager invites candidates to attend interview/assessment via NHS Jobs

Candidates confirm attendance for interview/assessment via NHS Jobs

Manager makes verbal offer to highest scoring candidate

Panel scores interview/assessment

Candidate attends interview/assessment

Manager submits recruitment form and yellow section of WHA form to Recruitment

Candidate commences in role.

Recruitment team completes pre-employment checks

Recruitment team sends Conditional Offer Letter to candidate via NHS Jobs

Candidate commences in role.

Vacancy also published on Universal Job Match
### Appendix 2: Example of a Short Listing Template

Example of a short listing template

**Education/Qualifications/Training**

<table>
<thead>
<tr>
<th>Essential criteria</th>
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<td>Essential criteria</td>
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**Knowledge/Experience**

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**Specific skills**

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<td>Essential criteria</td>
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**Overall total**

|                  |                  |                  |                  |                  |                  |
Appendix 3: Further Guidance on Interview Questions

The primary purpose of an interview is to find out about the candidate’s suitability for the job through asking questions to obtain information. Ideally the candidate should spend about 70-80% of the interview talking. This is achieved by:

- asking open questions with the intent of finding out things you do not know already; for example, ‘Can you tell us about a time when.............’, ‘describe the procedures you used when …’, or ‘Can you tell us exactly how …’ Avoid asking open questions that require a lengthy and complicated answer as candidates will find it difficult to keep on track.

- using closed questions to check facts you are uncertain about (such as, something which the candidate has said earlier in the interview); for example, ‘Did I understand you to say that you managed all the staff in the section?’

- asking questions that invite candidates to give you further information about things not previously explored but which they feel might be relevant; for example, ‘is there anything else about the work there that you want to tell us about?’

Hypothetical questions should be used with care as they potentially generate hypothetical answers that may not reflect the way the individual actually behaves. It is sometimes better to ask about actual behaviour in situations the applicant has previously encountered. If you feel that a hypothetical question is needed, ensure that the situation you outline is something that the applicant would be likely to encounter early in his/her appointment. Follow the question by asking for an example of something similar that the applicant has dealt with in a previous job.

Types of questions to avoid are:

**Leading questions** – these inform or suggest to the candidate the answer which will most help their application. For example, it would be better to ask ‘Tell us about the figure work in your present job’ rather than ‘there is a lot of figure work in this job, is this something you are good at?’

**Multiple questions** – such as “Why have you applied for this job, and why do you want to leave your present job?” are often confusing and a candidate might easily forget the second part of the question. They also give the candidate a way of ignoring something that they don’t want to discuss by talking at length to only one part of the question. It is better to ask each question individually.
During the interview, the interview panel should:

- Ensure the interview is free from interruptions
- Introduce the panel members
- Make sure the candidate is settled before commencing the interview (it is often good practice to start the interview describing the role/set up of the department)
- Begin questioning in areas that are familiar/safe to the candidate (e.g. why are you interested in the role? As this gives the candidate the opportunity to relax and therefore they are more likely to perform well)
- Use supplementary questions to elicit further information and to probe for more in-depth answers
- Stay in charge of the interview – keep to time and tactfully interrupt a candidate’s answer if it is clear that s/he is not answering the question asked
- Use appropriate body language to indicate encouragement, interest, attention etc. (e.g. nodding, leaning forward, eye contact)
- Allow time at the end of the interview for the candidate to ask questions.
Appendix 4: Interview Template

<table>
<thead>
<tr>
<th>Candidate:</th>
<th>Interviewers:</th>
<th>Date:</th>
</tr>
</thead>
</table>

You will need to produce a rating of 1 - 4 for each competency.

1. No evidence of the skills/behaviours required
2. Weak evidence of the skills/behaviours required
3. Good evidence of the skills/behaviours required
4. Strong evidence of the skills/behaviours required

Overall summary of candidate (to be completed after all of the interviews have been scored).

<table>
<thead>
<tr>
<th>Candidate to be appointed</th>
<th>Yes/No*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Candidate reserved/talent pool</td>
<td>Yes/No*</td>
</tr>
<tr>
<td>Candidate Rejected</td>
<td>Yes/No*</td>
</tr>
<tr>
<td>Questions</td>
<td>Positive Indicators</td>
</tr>
<tr>
<td>-----------</td>
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<tr>
<td>1</td>
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</table>
THE FOLLOWING DBS QUESTION (UNDERLINED) MUST BE ASKED OF ALL CANDIDATES (you may find it easier to read the text to the candidate)

**BASIC CHECKS ONLY**
As an Acute Trust we undertake DBS (what were known as Criminal Record Bureau checks) checks on all of our new employees as part of the recruitment process. If you are successful you will need to undergo a basic DBS check.

This post is not exempt from the Rehabilitation of Offenders Act 1974 and we only ask candidates to disclose convictions which are not yet spent under this act.

Can you advise whether you have unspent convictions (e.g. current convictions)?

**STANDARD OR ENHANCED CHECKS**
As an Acute Trust we undertake DBS (what were known as Criminal Record Bureau checks) checks on all of our new employees as part of the recruitment process. If you are successful you will need to undergo a DBS check.

As this post is exempt from the Rehabilitation of Offenders Act 1974 we ask candidates to disclose ‘spent’ and ‘unspent’ convictions, cautions, reprimands and final warnings.

Please can you advise whether you have any cautions, convictions, reprimands or final warnings which are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)?
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>Do you have any development needs that you think you will need help and support in achieving if you were appointed to the role?</td>
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</tr>
<tr>
<td>This post will be required to work between the hours of xx to xx on xxx, xxx (days of week). Are you able to work these?</td>
<td></td>
</tr>
<tr>
<td>What is your notice period?</td>
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<tr>
<td>Do you have any holidays booked?</td>
<td></td>
</tr>
</tbody>
</table>
Dear Claire

Please review the following information to support the ratification of the below named document.

Name of document: Recruitment and Selection Policy
Name of author: Melanie Ross
Job Title: Resourcing Manager

I, the above named author confirm that:

- The Policy presented for ratification meets all legislative, best practice and other guidance issued and known to me at the time of development of the Policy;
- I am not aware of any omissions to the Policy, and I will bring to the attention of the Executive Director any information which may affect the validity of the Policy presented as soon as this becomes known;
- The Policy meets the requirements as outlined in the document entitled Trust-wide Policy for the Development and Management of Policies (v4.0);
- The Policy meets the requirements of the NHSLA Risk Management Standards to achieve as a minimum level 2 compliance, where applicable;
- I have undertaken appropriate and thorough consultation on this Policy and I have documented the names of those individuals who responded as part of the consultation within the document. I have also fed back to responders to the consultation on the changes made to the Policy following consultation;
- I will send the Policy and signed ratification checklist to the Policy Coordinator for publication at my earliest opportunity following ratification;
- I will keep this Policy under review and ensure that it is reviewed prior to the review date.

Signature of Author: Melanie Ross Date: 16 June 2016
Name of Person Ratifying this policy: Claire Buchanan
Job Title: Director of HR
Signature: Date: 16 June 2016

To the person approving this policy:

Please ensure this page has been completed correctly, then print, sign and post this page only to: The Policy Coordinator, Apley House, (E5), Royal United Hospital

The whole policy must be sent electronically to: ruh-tr.policies@nhs.net
### Consultation Schedule

<table>
<thead>
<tr>
<th>Name and Title of Individual</th>
<th>Date Consulted</th>
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<tbody>
<tr>
<td>Sue Davis, Head of Human Resources</td>
<td>20/12/2011</td>
</tr>
<tr>
<td>Katy Coulam, HR Business Partner</td>
<td>20/12/2011</td>
</tr>
<tr>
<td>David Mawdesley, HR Business Partner</td>
<td>20/12/2011</td>
</tr>
<tr>
<td>Claire Grainger, HR Manager</td>
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<tr>
<td>Naomi Adams, Deputy HR Business Partner</td>
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<tr>
<td>Gayle Williams, Deputy HR Business Partner</td>
<td>20/12/2011</td>
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<tr>
<td>Rebecca Sawkins, Deputy HR Business Partner</td>
<td>20/12/2011</td>
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<tr>
<td>Georgina Holland, HR Advisor</td>
<td>20/12/2011</td>
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<tr>
<td>Emily Saad, HR Advisor</td>
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<tr>
<td>Joanna Gasiorowski, HR Advisor</td>
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<tr>
<td>Stacey Holland, HR Advisor</td>
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<tr>
<td>Liz Cowdrey, Clinical Co-ordinator</td>
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<tr>
<td>Andrew Howse, Senior Workforce Analyst</td>
<td>20/12/2011</td>
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The following people have submitted responses to the consultation process:

<table>
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<th>Name and Title of Individual</th>
<th>Date Responded</th>
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<table>
<thead>
<tr>
<th>Name of Committee/s (if applicable)</th>
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<tr>
<td>TCNC Policy Sub Group</td>
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<tr>
<td>Strategic Workforce Committee</td>
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## Equality Impact: (A) Assessment Screening

<table>
<thead>
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<th>1. Title of document/service for assessment</th>
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<tbody>
<tr>
<td>2. Date of assessment</td>
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<tr>
<td>3. Date for review</td>
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<tr>
<td>4. Directorate/Service</td>
<td>Human Resources</td>
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<td>5. Approval Committee</td>
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6. Does the document/service affect one group less or more favourably than another on the basis of:

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<th>Protected characteristic</th>
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<th>Rationale</th>
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<td>• Marriage and civil partnership</td>
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7. If you have identified potential discrimination, are the exceptions valid, legal and/or justified?

8. If the answers to the above question is ‘no’ then adjust the element of the document/service to remove the disadvantage identified.

9. If neither of the above is possible, take no further action until you have contacted your EIA Divisional / Directorate link for review and support.

### Signature of person completing the Equality Impact Assessment

<table>
<thead>
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### Chair of decision making Board / Group / Committee approval and sign off

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