

# Recruitment and Selection Policy

January 2024-January 2027

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|                            |  |                     | Human Resources a Development              | nd Organisational    |
| Title                      | Recruitment ar   | nd Selection Policy | ,  |                      |
| Amendments                 | Updated Equal  | ity Impact Assess   | ment                                       |                      |
| Purpose                    | 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 and in accordance with best practice. |                     |  |                      |
| Superseded Documents       | Recruitment and Selection Policy v1.2  |                     |  |                      |
| Audience                   | All staff in Nottingham and Nottinghamshire Integrated Care Board  |                     |  |                      |
| Consulted with             | Integrated Care  | e Board Senior Le   | adership Team and St                       | aff Engagement Group |
| Equality Impact Assessment | See Appendix B   |                     |  |                      |
| Approving Body             | Human Resour   |                     | Date approved                              | January 2024         |
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#### 1. Introduction

- 1.1. This policy applies to the NHS Nottingham and Nottinghamshire Integrated Care Board, hereafter referred to as 'the ICB'.
- 1.2. The ICB is committed to support managers in providing a fair, consistent, and effective approach to the recruitment of all employees and to help managers deal with recruitment and selection effectively and consistently.
- 1.3. The ICB aims to maintain a competent, flexible, and quality conscious workforce. To this end, the ICB is committed to selecting the best candidate for every vacancy, regardless of sex, race, colour, religion, marital status, ethnic origin, age, disability, or sexual orientation. At the same time together with the Staff Appraisal Policy, the ICB aims to provide all employees with the opportunity to develop long-term careers appropriate to their abilities and ambitions.
- 1.4. The ICB recognises that our staff are the key to the success of the ICB which is why we are keen to give our staff the chance to make internal moves and develop their experience with us.
- 1.5. The ICB actively promotes equality of opportunity for all and welcomes applications from a wide range of candidates.
- 1.6. The ICB complies with the NHS Employment Check Standards and the Disclosure and Barring Service (DBS) Code of Practice and undertakes to treat all applicants in the same way at each stage of the process.
- 1.7. In accordance with NHS Employment Check Standards, on behalf of the ICB, Arden & GEM CSU will undertake document checks on each prospective employee and staff in on-going NHS employment. This includes permanent staff, staff on fixed term contracts and apprentices.

### 2. Purpose and Scope

- 2.1. This policy applies to filling vacancies in the ICB.
- 2.2. 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 and in accordance with best practice.

- 2.3. The objectives of the policy are:
  - 2.3.1. To recruit and retain skilled people to enable the ICB to achieve their aims and values.
  - 2.3.2. To ensure effective, consistent and fair practice by the provision of clear guidelines.
  - 2.3.3. To ensure there is equality of opportunity for existing and prospective staff and to ensure there is no less favourable treatment of candidates.
  - 2.3.4. To ensure recruiting managers are competent to fulfil their obligations within the policy and wherever possible have undergone relevant training.
- 2.4. 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 ICB's at risk.

#### 3. Roles and Responsibilities

| Roles         | Responsibilities   |  |
|---------------|--|--|
| Candidates    | It is the responsibility of the candidates to:   |  |
|               | Submit an accurate application.  |  |
|               | Confirm their intention to attend an assessment.   |  |
|               | <ul> <li>Notify the recruiting manager if they are unable to<br/>attend an assessment.</li> </ul>  |  |
|               | Communicate with the recruiting manager, the HR team and Recruitment team as required.   |  |
| Line Managers | It is the responsibility of the recruiting managers to:  |  |
|               | <ul> <li>Ensure their knowledge and skills of recruitment best<br/>practice are maintained through attending relevant<br/>ICB training.</li> </ul> |  |
|               | Follow the process provided in the guidance.   |  |

| Roles            | Responsibilities  |
|------------------|---|
|                  | <ul> <li>Declare, as soon as possible, if a candidate is known to them in anything other than a professional capacity.</li> <li>Assess all applicants fairly and making appointments on the basis of the outcome of the assessment</li> </ul>         |
|                  | <ul><li>process.</li><li>Conduct all relevant training.</li></ul>   |
| Human Resources  | It is the responsibility of the HR team to:   |
|                  | <ul> <li>Support and advise managers on the process as per<br/>the guidance including but not limited to the<br/>administering of the vacancy control (VCF) process,<br/>job evaluation, addressing queries at pre-<br/>employment checks.</li> </ul> |
|                  | Interpret the guidance given by NHS Employers.  |
|                  | Manage the Recruitment team to ensure that recruitment is processed quickly and accurately.   |
|                  | <ul> <li>Assist managers in the preparation of an appropriate induction for new starters.</li> </ul>  |
|                  | Ensure managers are appropriately trained.  |
| Recruitment Team | It is the responsibility of the Recruitment team to:  |
|                  | <ul> <li>Provide the Recruitment service as indicated in the<br/>Service Line Agreement.</li> </ul>   |
|                  | <ul> <li>Interpret the guidance given by NHS Employers.</li> </ul>  |
|                  | <ul> <li>Process and evidence all pre-employment checks in<br/>line with the relevant guidance and legislation.</li> </ul>  |
|                  | <ul> <li>Enter employee information, timely and accurately, into ESR.</li> </ul>  |
|                  | Store and destroy interview paperwork in line with<br>general data protection regulations and NHS<br>information governance guidelines.   |

## 4. Definitions

| Term                              | Definition  |
|-----------------------------------|---|
| NHS Employers                     | 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.  |
| Fixed Term<br>Contract            | A fixed-term contract is one that ends on a pre-determined specified date or on the occurrence of a specific event or the completion of a task.   |
| Candidate                         | A person who has applied for a role within the ICB. They may be an existing ICB employee or external to the ICB. The individual is known as a candidate until they commence employment within the ICB, when they become an employee.  |
| Recruiting<br>Manager             | 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 (within the service line). The person leaving the role should not be the recruiting manager (e.g. if someone is retiring, they should not recruit their replacement).  |
| Resident<br>Labour Market<br>Test | The advertising of the 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<br>Request         | Part of the Data Protection Act (2018), an individual can request access to their personal data held by the ICB, known as a subject access request. This includes information about the reasoning behind any decisions taken about them such as, in this context, the recruitment and selection process that they have participated in.                                   |
| Equality Act (2010)               | This Act replaced the previous anti-discrimination 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. |

#### 5. Approval

- 5.1 Approval is required to fill all vacant posts on an interim or permanent basis.
- 5.2 Approval is required to ensure parity of need across the ICB and to enable assessment of financial balance.
- 5.3 For the approval process, please see Recruitment and Selection Process Guidance: A guide for Recruiting Managers at Appendix A.
- 5.4 For agency approval, the same approval process is to be followed. For further guidance on agency workers, please refer to the Agency Workers Policy.

#### 6. Process

6.1 For guidance as to the recruitment process, please refer to the ICB's Recruitment and Selection Process Guidance: A guide for Recruiting Managers.

#### 7. Employment Checking Standards

- 7.1 There are six standards that the ICB as an NHS body are obligated to carry out before recruiting staff into NHS positions; they are detailed below.
- 7.2 Whilst Arden & GEM CSU are contracted to provide services to assist the ICB in our compliance with these standards, the responsibility of compliance is that of the ICB. In the event these standards were not met, it would be at the cost of the ICB.

#### 7.3 Identity documents

- 7.3.1 NHS Employers provide up to date guidance on the appropriate documents to verify identity.
- 7.3.2 The CSU interpret and advise the ICB on this guidance. Please refer to the HR team or the ICB recruitment contact at the CSU for support.

#### 7.4 Right to work documentation

- 7.4.1 The ICB is required to carry out a right to work check to determine whether a candidate has legal right and permission to work in the UK.
- 7.4.2 The Immigration, Asylum and Nationality Act (2006) (amended by the Immigration Act 2016) provides employers with a statutory excuse against a civil penalty where they can clearly demonstrate that they

- have carried out all the necessary checks to mitigate any risks of employing illegal workers.
- 7.4.3 It is therefore your responsibility as recruiting manager to verify and authenticate these documents. For details on how to do this, please refer to the recruitment guidance.
- 7.4.4 If the candidate indicates they do not have the right to work in the UK then you should establish whether they will be eligible to work under either Tier 1 or will require sponsorship under the Tier 2 skilled worker points system. The Immigration Office indicates that a license to work is post specific **not** person specific. Therefore, even if an individual suggests they already have the correct permissions to work these (except in exceptional circumstances) will not be transferable.
- 7.4.5 The ICB does not hold a license for sponsorship so please liaise with the HR team in these circumstances. Sponsorship under Tier 2 can only be applied for if none of the interview candidates (who have the right to work in the UK) are appointable; and the resident labour market test, amongst a number of other criteria has been met.

#### 7.5 Professional registration and qualification checks

- 7.5.1 The ICB is required to assure that candidates are qualified and competent to perform a particular role.
- 7.5.2 Where the role requires professional registration, the ICB is required to verify the registration and the individual's fitness to practice with the appropriate professional body. The CSU will conduct this check on the ICB's behalf pending consent from the candidate. It seeks to check their fitness to practice alongside their registration.
- 7.5.3 Only the qualifications that form part of the requirements for the position being applied for will need to be verified.
- 7.5.4 NHS Employers have guidance on equivalent qualifications when conducting reviewing qualifications of candidates that may have been gained from overseas.

#### 7.6 Health assessments

7.6.1 The ICB has a duty of care to their employees to ensure that they, and their workplaces, are safe and healthy in line with health and safety obligations and equality law. Please refer to the relevant ICB Health and Safety policies for further information.

- 7.6.2 The ICB must consider the requirements of the Equality Act as there are specific parameters as to the circumstances under which we can legally ask questions about an applicant's health or disability prior to making an offer of appointment. The CSU and the Occupational Health provision will be able to provide support on this.
- 7.6.3 The ICB has a duty to consider any reasonable adjustments (as far as practical) to ensure that people with disabilities are not disadvantaged during the recruitment process and, are treated fairly when considering working arrangements and the working environment.
- 7.6.4 Prior to employment, a candidate is required to conduct a work health assessment. This is a health screen to assess whether the candidate is capable and fit to undertake a particular role.
- 7.6.5 This assessment enables the ICB to establish with the candidate early on, any health condition or disability that may require:
  - Adjustments being made to the workplace to enable the individual to safely carry out the duties they have been engaged to carry out.
  - Restrictions placed on their duties.

#### 7.7 Employment history and reference checks

- 7.7.1 Whilst there is no legal requirement for employing organisations to supply references about people who are or were in their employment, employers have a duty of care to colleagues and patients to ensure all reasonable attempts to ascertain a person's suitability for a given role have been undertaken.
- 7.7.2 Reference requests should be obtained with a candidate's permission. The CSU will conduct reference requests on the ICB's behalf.
- 7.7.3 NHS Employers guidance stipulates that references to validate the previous three years of continuous employment be sought for new candidates. They have guidance available if this is not possible. The CSU will be able to support the ICB in this event.
- 7.7.4 The content of a reference should not be used as the single assessment of suitability to a role. The ICB will need to sign off the references with the CSU to proceed with the appointing the candidate.
- 7.7.5 Please speak to HR team in the event of wishing to withdraw offer based on references.

#### 7.8 Criminal record check

- 7.8.1 A criminal record check relates to the data held about a person's criminal history. It can help to ensure people are prevented from entering the workforce into unsuitable roles.
- 7.8.2 In England, this is done via the Disclosure and Barring Service (DBS). There are a range of checks, each with different eligibility criteria that provide different levels of information. NHS Employers have developed an Eligibility tool to assess what level of check could be requested which can be found <a href="https://example.com/here">here</a>.
- 7.8.3 There are several pieces of legislation which underpin checks under the DBS regime. For many of the ICB roles, a DBS check will not be required. It is critical we do not apply for DBS checks that are not required as this can be deemed unlawful. The fine for this is an unfixed penalty charge.

#### 7.9 **Fraud**

- 7.9.1 As the individual verifying the authenticity of the documentation seen, it is your responsibility to take reasonable effort to ensure that all documents seen are bona fide.
- 7.9.2 This may include checking basic security features and the presentation of the document. Check that the details on the documents provided match the information provided by the candidate on their application form/other documents checked.
- 7.9.3 Where the information doesn't align, seek further evidence to validate the difference i.e. in the case of a name change (marriage/civil partnership or divorce).
- 7.9.4 For further guidance on checking authenticity of documents, the CSU will be able to assist. To reach them, please email agem.recruitment@nhs.net.

#### 8. Inclusive Practices

- 8.1 The ICB is Disability Confident committed.
- 8.2 The ICB has therefore committed to make a difference for disabled applicants by:
  - Inclusive and accessible recruitment.
  - Communicating vacancies.

- Offering an interview to disabled people, where the applicant meets the essential criteria an interview must be guaranteed.
- Providing reasonable adjustments.

#### 9. Data Protection

9.1 Copies of employment check standards are to be retained on file complying with data protection legislation (Data Protection Act 2018). The ICB must have a lawful basis for processing and retaining data, and document this. Please refer to the ICB Information Governance Policies.

#### 10. Complaints

10.1. If an applicant is unhappy with the outcome of their feedback, or any stage of the recruitment process, they can address their concerns, in writing, to the HR Manager. Where the HR Manager is involved in the recruitment, concerns should be addressed to the Head of HR and OD.

#### 11. Expenses

- 11.1. Reimbursement for candidates travel, subsistence and overnight stays before an interview are not routinely offered.
- 11.2. It may be appropriate in exceptional circumstances but would only be with pre-agreement of the budget holder. The rates of which will be in line with the Travel and Expenses policy.
- 11.3. For candidates who withdraw their application or who refuse an offer of employment for reasons which seem inappropriate to the recruiting manager, expenses previously agreed would be void.

#### Relocation

11.4. Relocation expenses are usually only paid in circumstances where there has been particularly difficulty in recruiting to a role. Please refer to the Travel and Expenses policy.

#### 12. Induction

12.1. The recruiting manager must ensure that all practical arrangements are considered and plans made to welcome the new employee. Please refer to the guidance and the intranet.

#### 13. Equality and Diversity Statement

- 13.1 The Nottingham and Nottinghamshire ICB pays due regard to the requirements of the Public Sector Equality Duty (PSED) of the Equality Act 2010 in policy development and implementation as a commissioner and provider of services as well as an employer.
- 13.2 The ICB is committed to ensuring that the way we provide services to the public and the experiences of our staff does not discriminate against any individuals or groups on the basis of their age, disability, gender identity (trans, non-binary), marriage or civil partnership status, pregnancy or maternity, race, religion or belief, gender or sexual orientation.
- 13.3 We are committed to ensuring that our activities also consider the disadvantages that some people in our diverse population experience when accessing health services. Such disadvantaged groups include people experiencing economic and social deprivation, carers, refugees and asylum seekers, people who are homeless, workers in stigmatised occupations, people who are geographically isolated, gypsies, Roma and travellers.
- 13.4 As an employer, we are committed to promoting equality of opportunity in recruitment, training and career progression and to valuing and increasing diversity within our workforce.
- 13.5 To help ensure that these commitments are embedded in our day-to-day working practices, an Equality Impact Assessment has been completed for, and is attached to, this policy.

#### 14. Communication, Monitoring and Review

- 14.1 The Recruitment and Selection Policy will be highlighted to new employees at staff induction and is stored on the ICB's HR/OD Intranet pages and by the ICB's HR&OD Team.
- 14.2 This policy is subject to frequent review in line with the NHS Terms and Conditions Handbook and in line with the relevant legislation and guidance and will be approved by the Human Resources Executive Steering Group.
- 14.3 In addition the policy will be reviewed periodically every three years by the HR Team linking in with the appropriate colleagues where required. Where review is necessary due to legislative changes, this will happen immediately.
- 14.4 Any individual who has queries regarding the content of this policy, or has difficulty understanding how this policy relates to their role, should contact the HR Team via email nnicb-nn.hr@nhs.net.

#### 15. Staff Training

- 15.1 All staff will be offered relevant training commensurate with their duties and responsibilities. Staff requiring support should speak to their line manager in the first instance. Support may also be obtained through their HR Department.
- 15.2 Any individual who has queries regarding the content of this policy, or has difficulty understanding how this policy relates to their role, should contact the HR Team via email at nnicb-nn.hr@nhs.net.

#### 16. Interaction with other Policies

- 16.1 This policy should be considered in conjunction with the following ICB policies:
  - Travel and Expenses Policy.
  - Agency Workers Policy.
  - · Health and Safety Policies:
    - Health, Safety and Security Policy;
    - Fire Safety Policy;
    - Display Screen Equipment Use Policy.
  - Information Governance Policies:
    - Information Governance Management Framework;
    - Confidentiality and Data Protection Policy;
    - Information Security Policy;
    - Internet and Email Policy;
    - Data Quality Policy;
    - Records Management Policy;
    - Freedom of Information and Environmental Information Regulations Policy.

#### 17. References

- 17.1 The following legislation and guidance has been taken into consideration in the development of this procedural document:
  - Agenda for Change NHS Terms and Conditions of Service Handbook.
  - Equality Act 2010.
  - Data Protection Act 2018
  - General Data Protection Regulations 2018.

#### **Appendix A:**

# Recruitment and Selection Process Guidance: A Guide for Recruiting Managers

#### 1. Introduction

This document has been prepared to assist managers with recruitment practices and the actions that need to be taken to successfully recruit to vacant posts. The ICB use trac to recruit, for support in using the system please contact the Recruitment Team, agem.recruitment@nhs.net.

For assistance in getting access to trac contact the HR team, <a href="mailto:nnicb-nn.hr@nhs.net">nnicb-nn.hr@nhs.net</a>.

#### 2. Vacancy Approval

Prior to submitting a request, please consider the following things:

- Can the work itself be eliminated? Can the work be absorbed by reorganising existing resources? Can skill mix be considered as an alternative?
- Is there still a job to be done? Is it the same job as was done previously?
- Will the job be permanent or temporary?
- Can the vacancy be covered with a temporary secondment?
- Is this one vacancy or can a single process be used to fill this and subsequent vacancies?

You will need to submit a vacancy request via trac for all posts (temporary and permanent). You will need to have an advert text and job description prepared to upload with your vacancy request. The specific details of who to seek approval from are provided in trac; finance will need to approve it and the relevant budget holder. For new and changed posts, they will need to be considered by Execs (the HR team arrange this on your behalf). Be mindful when considering your timelines that Execs do not consider vacancies daily.

#### 3. Advert text

The advert text should be drawn up using the job description and person specification so they can inform the content of the advert. You will need to include this <u>working for the organisation</u> and <u>footer</u> in all your adverts.

#### 4. Job descriptions and person specifications

It is the recruiting manager's responsibility to prepare the job description including the person specification.

If the vacancy is an existing post, then the current job description and person specification should be reviewed, and any necessary changes made.

Where significant change has occurred, the job description and person specification will need to be re-evaluated by a job evaluation panel as per the Agenda for Change Terms and Conditions. Be mindful of this when considering the recruitment timeline.

#### Job description

The job description must clearly and accurately outline the duties and responsibilities of the role. The language used should be readily understandable and avoid the use of jargon.

#### **Person specification**

The person specification is of equal important to the job description as it is the benchmark against which all applications will be considered and shortlisted and appointed against. It should detail the experience, qualifications, skill, abilities, and behaviours that are required to do the role effectively. It should be drawn up after the job description. It should be specific and related to the job whilst being unnecessarily restrictive.

The inclusion of criteria that cannot be justified as essential for performance of the job may be deemed discriminatory under the Equality Act 2010, if these, impact disproportionately to the disadvantage of a specific group. 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.

#### 5. Shortlisting Applications

Candidates should be scored against the essential criteria in the Person Specification of the Job Description. Those who identify as disabled, the individuals should be seen as long as the essential criteria are met. For vacancies which receive a high volume of candidates, it may be appropriate to use extra criteria i.e., the desirable criteria however this should be exercised with caution. The candidates either reach the minimum threshold for shortlisting or they do not. As such, there is rarely a requirement to place candidates on reserve.

#### 6. Interview Questions

It is the responsibility of the recruiting manager to prepare the interview questions. The interview is often your sole opportunity to size up a candidate so make sure you ensure that you know enough about them to make an informed decision on who would be best suited to the role based on skills, knowledge, experience, and team fit.

The questions should relate to the information detailed as requirements of the role in the Job Description. HR do not hold a bank of questions given that each interview will require bespoke questions to relate to the specifics of the individual role, however, are happy to assist if you require support.

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 a time when...", "describe the procedures you used when...", or "can you tell us exactly how..."
- Avoid asking open questions that require a lengthy/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 staff in the section?"
- Asking questions that invite candidates to give you further information about things not previously explored but which they feel might not be relevant; for example, "is there anything else about the work there that you want to tell us about?"

#### Cautiously consider the use of:

Hypothetical questions: they have the potential to generate answers that do not accurately reflect the way the individual behaves. It is preferable 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 their appointment. Our advice is following a hypothetical question; ask for an example of something similar that the applicant has dealt with in a previous job.

Types of question 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. It is better to ask each
  question individually as 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.

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 they are 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.

#### 7. Panel composition

The interview panel should, where possible be composed as follows:

Roles banded 7 and below; panels should have no more than 3 members and should where possible be a fair representation of the ICB workforce. Where possible managers should give due consideration to the protected characteristics as per the Equality Act 2010 where possible.

Roles banded 8a and above may require more members depending on the nature of the appointment but should still follow the guidance to where possible provide a fair representation of the ICB workforce.

#### 8. Internal interviews

For internal interviews, the panel should comprise of the line manager for the role and at least one independent colleague for fairness.

#### 9. Documentation taken at Interview

#### Right to work and ID checks

Whilst the candidates are attending their interview, they are asked to bring in their right to work documentation and proof of address documents. As the recruiting manager interviewing, it is your responsibility to verify and authenticate these documents. Further to this, you will need to take black and white photocopies, write "original seen and verified", sign, name, and date each document.

If the candidate indicates they do not have the right to work in the UK, then you should establish whether they will be eligible to work under either Tier 1 or will require sponsorship under the Tier 2 skilled worker points system. It is the policy of the Immigration Office that a license to work is post specific **not** person specific. Therefore, even if an individual believes they already have the correct permissions to work these (except in very exceptional circumstances) will not be transferable. Sponsorship under Tier 2 can only be applied for if none of the interview candidates (who have the right to work in the UK) are appointable; and several other criteria have been met. The ICB does not hold a license for sponsorship so please liaise with the HR team in these circumstances.

#### When checking passports (UK and overseas)

- Check the general quality and condition of the passport. Look out for page substitution, incorrect numbering of pages, damage to the cover or spine of the document, poor paper and print quality.
- Check that print is clear and even
- Check wording, issue, and expiry dates
- Check for damage
- Check photographs for signs of damage or for excessive glue
- For biometric passports check that the photograph is printed
- Check watermarks can be clearly seen when holding the document up to the light.
- Check the name of the country of origin.

Further details are available here

#### When checking visas

- Check for signs of alteration to the passport number or personal and issue details.
- Make sure details correspond with information in the individual's passport.
- Check security features, such as watermarks, are intact.
- Check the image on the visa for signs of substitution.
- Check the wording for evidence of alteration or spelling mistakes.

#### When checking biometric residence permits

Please refer to UK Borders Agency guidance here.

#### When checking photo-card driving licences

New driving licences now contain similar security features to those present in passports.

- Examine the licence carefully, looking for any damage or adjustments.
- Ensure the printed details have not been changed.
- Check watermarks and security features are intact.
- Photographs will always be in greyscale, check this matches the applicant.
- Check the biographical details (i.e., name, date of birth) match the details of the applicant.
- Ensure the valid to date is the day before the owner's 70th birthday (if the owner is over 70 this does not apply).

#### **Proof of address**

Documents provided as proof of address should not be downloaded from the internet as they are difficult to validate because they have no form of security marks that can be easily identified and checked. It is important that employers are vigilant in cross-referencing information with other official documentary evidence provided by the applicant if they are accepting downloaded documents. They should not be viewed in isolation.

#### Qualifications

All qualifications identified as **essential** on the person specification will need to be checked at interview as part of the documentation check although photocopies are not required.

#### 10. Notifying candidates

As recruiting manager, you should provide an indication at interview of when the candidates should hear regarding the outcome.

It is the responsibility of the recruiting manager to inform both the successful and unsuccessful candidates and provide verbal and if requested written feedback on the candidate's performance.

If you are unable to reach a candidate by phone, the recruiting manager must email or send a letter to the candidate informing them of the outcome.

Please do not indicate start dates at this stage given that pre-employment checks are still required.

#### 11. Salary guidance

Please ensure that you do not confirm the starting salary with the employee / candidate before approval has been received. You will need to complete and submit a salary justification form to the HR team alongside the authority to offer if a decision is taken not to appoint on the appropriate, minimum point (as described in the guidance below).

 Staff transferring within the NHS (internally within the organisation or from another NHS organisation including employees on official NHS career breaks)

Staff appointed to a post on a higher pay band will transfer to the bottom of the pay band with a new increment date.

Staff appointed to a post on the same pay band will remain on the same salary point with the same incremental date.

Staff appointed to a post on a lower pay band will transfer to **the minimum** of the new pay band. Relevant whole years' experience at the same level of responsibility as the new post may be considered in determining starting salary. Only whole years of experience should be credited. Given the reduced pay band width and the reductions in increments available, organisations may wish to consider recruitment and retention premiums as a way of crediting this salary. There will be a requirement to obtain approval by completing a salary justification form. This must be obtained prior to any agreement being reached with the new employee. For advice and guidance on this, please speak to your HR team.

In the case of an individual joining the organisation who currently receives long-term national or short-term recruitment and retention premium payable in the NHS post from which the new member of staff transfers please speak to the HR team

In the case of an individual who is currently on Pay Protection, this will only be paid if the transfer to a lower graded post has resulted from Management of Change. If you think this may be applicable, please speak to your HR team. Staff appointed to a post on a higher pay band, who are currently on protection up to this same pay band, should be moved over on the protected point, or, if there is not a matching point, the next point that takes them out of protection.

#### New staff coming from outside the NHS (including secondments).

New staff appointed from outside the NHS will normally commence on the minimum point of the pay band. There will be a requirement to obtain approval by completing a salary justification form if it is awarded at a higher point. This must be obtained prior to any agreement being reached with the new employee.

Before deciding to offer higher starting salary than the minimum point of the pay band, the recruiting manager must consider the impact of the decision on others already in post, others outside the immediate department, consistency locally, budget.

New staff appointed from outside the NHS will have an incremental date of the anniversary of their appointment.

Returners to the NHS with more than a 3-month break will have an incremental date of the anniversary of their re-appointment. If appointed to a higher pay band, your incremental date will be reset.

Salary Justifications forms will need to be completed and submitted alongside the authority to offer form to the HR team clearly stating the reasons for any starting salary above the minimum point.

# • In completing a salary justification form the manager may wish to take account the following:

Any period of relevant experience should be confirmed through application forms, references obtained as part of the recruitment process or, if this is not possible, through evidence provided by the appointee.

Current salary should not be used alone as a way of determining starting salary but may be a factor in deciding to take relevant previous experience into account. A copy of the most recent payslip should be requested if this is a consideration.

Pay offers cannot be increased due to additional travel costs, childcare, travel time, parking, temporary posts etc. The applicant has chosen to apply for the post and should have taken account of the likely offer as explained in the Terms and Conditions sent to them before interview.

#### 12. Authority to Offer

You will need to complete the offer on Trac.

You will need to submit this and upload the ID checks taken for the successful candidate to trac for processing. Please note that from receipt of the paperwork the Recruitment Team have 48 hours to process the offer to the preferred candidate.

Unless advised otherwise, the Recruitment Team will reject all other candidates on the grounds they are unsuccessful on trac.

You need to retain the interview assessment notes for the unsuccessful candidates for 6 months. After which, they can be confidentially shredded.

#### 13. Responsibilities following Offer

As their future line manager, it is important that you keep in contact with your preferred candidate especially when the pre-employment checks have been completed.

You will need to liaise with them once notified by the Recruitment Team that their preemployment checks are complete regarding their start date. Please bear in mind that start dates after the 5<sup>th</sup> of the month may not receive payment for their first month of employment until the following month. Please ensure you are both clear on this, at point of agreement.

Contact should be made to provide their first day starting instructions.

You may wish to make contact regarding previously booked Annual Leave, provide details of parking arrangements, and discuss any requirement for flexible working from perspective of both employee and employer.

The new starter prior to starting will be required to complete a declaration regarding any conflicts of interest, if they allude to an involvement in any other post, employment, or work, either paid or unpaid, that may be a conflict of interest with this post, you should inform the Corporate Governance team at your earliest convenience with the details held.

#### 14. Workplace Induction

Please ensure you complete the workplace orientation checklist with the new starter on their first day alongside any other informal local inductions. This form can be found on the intranet

# **Appendix B: Equality Impact Assessment**

| Overall Impact on:  Equality, Inclusion and Human Rights  [Select one option]                            |  |  | sitive □ Neutral ⊠<br>ive □ Undetermined [ | ]           |
|--|--|--|--|-------------|
| Name of Policy, Process, Strategy or Service Change  |  | ment and Selection Policy                              | Date of Completion                         | 20/09/2023  |
| EIA Responsible Person Include name, job role and contact details.                                       | Gemma Waring Head of HR and OD  Gemma.Waring@nhs.net |  |  |             |
| EIA Group Include the name and position of all members of the EIA Group.                                 |  |  |  |             |
| Wider Consultation Undertaken State who, outside of the project team, has been consulted around the EIA. | Staff Engageme                                       | nt Group.  |  |             |
| Internal and external) that you utilised to  |  | urces of information<br>.uk/government/collections/dis | ability-confident-campa                    | i <u>gn</u> |

|     | What are the actual, expected or potential positive impacts of the policy, process, strategy or service change? | What are the actual, expected or potential negative impacts of the policy, process, strategy or service change?  | What actions have been taken to address the actual or potential positive and negative impacts of the policy, process, strategy or service change? | What, if any, additional actions should be considered to ensure the policy, process, strategy or service change is as inclusive as possible? Include the name and contact details of the person responsible for the actions.   | Impact Score |
|-----|---|--|---|--|--------------|
| Age | No  | Where and how we advertise potentially restricts applicants from younger and older age groups.  Recruiter assumptions on ability/experience due to age at interview.  There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation. | Recruitment and selection training for all recruiting managers.  HR support to all recruitment activity.  | Complete review of recruitment practices in line with No More Tick Boxes including but not limited to: Consistency in approach to recruitment. Mandated training for all recruiting managers. Removal of desirable criteria from job descriptions. Review of where advertisements occur.  A Further assessment of Age in the recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation. | 3            |

| Disability <sup>1</sup> (Including: mental, physical, learning, intellectual and neurodivergent) | Those with a declared disabilities can have reasonable adjustments i | Where and how and for how long we advertise posts potentially impacts individuals with a disability or underlying health condition.  Physical access restrictions in some buildings.  There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation. | Disability confident guarantee interview scheme.  Reasonable adjustments to interview settings – both access and interview process to support individuals with disabilities. | Specified make up of shortlisting and interview panels.  A Further assessment of the Disability in the recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation. | 3 |
|--|--|--|--|--|---|
| Gender <sup>2</sup> (Including: trans, non-binary and gender reassignment)                       |  | Potentially impact trans and non-binary applicants/staff through restrictions in both NHS Jobs and ESR gender/sex identity.  There have been no changes to this policy from previous version, as such the EQIA has not   | None presently.  | A Further assessment of the Gender in the recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation.  | 3 |

|                                      | been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation.  |   |
|--------------------------------------|---|---|
| Marriage and<br>Civil<br>Partnership | None identified in previous assessment: There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation.  | A Further assessment of Marriage and Civil Partnership in recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation. |
| Pregnancy<br>and Maternity<br>Status | None identified in previous assessment: There have been no changes to this policy from previous version, has such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation. | A Further assessment of Pregnancy and Maternity in recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation.        |

| Race <sup>3</sup>                   | Where and how we advertise posts potentially restricts applicants from black and minority ethnic backgrounds.  Predominately white interview panels potentially impact black and minority ethnic candidates' performance.  There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation. | recruiting managers.  HR support to all recruitment activity. | A Further assessment of Race in the recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation.                | 3 |
|-------------------------------------|---|---|--|---|
| Religion and<br>Belief <sup>4</sup> | There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation.  |   | A Further assessment of Religion and belief in the recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation. | 3 |

| Sex <sup>5</sup>                   | There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation. | A Further assessment of Sex in the recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation.                | 3 |
|------------------------------------|--|---|---|
| Sexual<br>Orientation <sup>6</sup> | There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation. | A Further assessment of Sexual orientation in the recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation. | } |
| Human<br>Rights <sup>7</sup>       | There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation. | A Further assessment of Human Rights in the recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation.       | 3 |

| Community Cohesion and Social Inclusion <sup>8</sup>   | There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation. | A Further assessment of Community Cohesion and Social Inclusion in the recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation. |
|--|--|--|
| Safeguarding <sup>9</sup> (Including: adults, children, Looked After Children and adults at risk or who lack capacity) | There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation. | A Further assessment Safeguarding in the recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation.                               |
| Other Groups<br>at Risk <sup>10</sup> of<br>Stigmatisation,<br>Discrimination<br>or<br>Disadvantage                    | There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation. | A Further assessment Other Groups at Risk in the recruitment and selection will be undertaken, when the whole process is reviewed as part of a plan to review all Recruitment and Selection in the organisation.                       |

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|----|-----|---------|-----|-----|--------|------|
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Provide additional evidence and narrative about the positive, negative, and neutral impacts of the proposal on the equality, inclusion and human rights elements detailed above.

You should consider:

- Three elements of Quality (safety, experience and effectiveness)
- Intersectionality
- Impact of COVID-19
- Access to Services
  - o Physical
  - Written communication.
  - Verbal communication
- Digital Poverty
- Safeguarding
- Dignity and Respect
- Person-centred Care

Here you should add additional detail or explanation around the positive, negative, and neutral impact of the proposals on the above protected characteristic and health inclusion groups. To address this, you should consider the barriers to accessing or using the service, including the mitigations to respond to these.

There have been no changes to this policy from previous version, as such the EQIA has not been reviewed. A Full assessment will take place as a comprehensive Recruitment and Selection review is planned by the organisation and a holistic EQIA will take place as part of that process.

EQIA Completed by Natasha Firth, HR Manager on 22/09/2023.

Authorised By Gemma Waring on 30/10/2023

| Positive Impact | Neutral Impact | Negative<br>Impact | Undetermined<br>Impact |
|-----------------|----------------|--------------------|------------------------|
| 56 to 50        | 49 to 36       | 35 to 22           | 21 to 14               |

# **Equality Impact Score Total**

42

| Positive | Neutral | Negative | Undetermined |  |
|----------|---------|----------|--------------|--|
| 4        | 3       | 2        | 1            |  |

- 1. **Disability** refers to anyone who has: "...a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities..." (Equality Act 2010 definition). This includes, but is not limited to: mental health conditions, learning disabilities, intellectual disabilities, neurodivergent conditions (such as dyslexia, dyspraxia and dyscalculia), autism, many physical conditions (including HIV, AIDS and cancer), and communication difficulties (including d/Deaf and blind people).
- 2. **Gender**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: "A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex."
- 3. Race, in terms of a Protected Characteristic within the Equality Act 2010, refers to: A person's colour, nationality, or ethnic or national origins. This also includes people whose first spoken language is not English, and/or those who have a limited understanding of written and spoken English due to English not being their first language.
- 4. **Religion and Belief**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: Religion means any religion and a reference to religion includes a reference to a lack of religion. Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.
- 5. **Sex**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: A reference to a person who has a particular protected characteristic and is a reference to a man or to a woman.
- 6. **Sexual Orientation**, in terms of a Protected Characteristic within the Equality Act 2010, refers to: Sexual orientation means a person's sexual orientation towards persons of the same sex, persons of the opposite sex or persons of either sex.
- 7. The **Human Rights Act 1998** sets out the fundamental areas that everyone and every organisation must adhere to. In relation to health and care, the most commonly applicable of the Articles within the Human Rights Act 1998 include: Article 2 Right to Life, Article 5 Right to Liberty and Security, Article 8 Right to Respect of Private and Family Life, and Article 9 Freedom of Thought, Conscience and Religion.
- 8. **Community Cohesion** is having a shared sense of belonging for all groups in society. It relies on criteria such as: the presence of a shared vision, inclusion of those with diverse backgrounds, equal opportunity, and supportive relationships between individuals. **Social Inclusion** is defined as the process of improving the terms of participation in society, particularly for people who are disadvantaged, through enhancing opportunities, access to resources, voice and respect for rights (United Nations definition). For the EQIA process, we should note any positive or negative impacts on certain groups being excluded or not included within a community or societal area. For example, people who are homeless, those from different socioeconomic groups, people of colour or those from certain age groups.
- 9. **Safeguarding** means: "...protecting a citizen's health, wellbeing and human rights; enabling them to live free from harm, abuse and neglect. It is an integral part of providing high-quality health care. Safeguarding children, young people and adults is a collective responsibility" (NHS England definition). Those most in need of protection are children, looked after children, and adults at risk (such as those receiving care, those under a DoLS or LPS Order, and those with a mental, intellectual or physical disability). In addition to the ten types of abuse set out in the Health and Care Act 2022, this section of the EQIA should also consider PREVENT, radicalisation and counterterrorism.
- 10. **Other Groups** refers to anyone else that could be positively or negatively impacted by the policy, process, strategy or service change. This could include, but is not limited to: carers, refugees and asylum seekers, people who are homeless, gypsy, Roma and traveller communities, people living with an addiction (e.g., alcohol, drugs or gambling), people experiencing social or economic deprivation, and people in stigmatised occupations (e.g., sex workers).