

**Reference Number:** FOI202526/075  
**From:** Private Individual  
**Date:** 20 May 2025  
**Subject:** Trust Policies regarding employees legal right to work in the UK

Under the Freedom of Information Act 2000, I would like to request the following information:

- Q1
- a. A copy of any policies that set out how the Trust ensures that employees have a legal right to work in the UK, and how these policies are enforced.
  - b. A copy of any records or audits, from within the last two years, that set out details as to how far these policies are complied with.
  - c. The job title and grade of the person (or people) responsible for overseeing and enforcing this policy? (For the avoidance of doubt, I am not seeking any personal information other than job title and grade).
- A1
- a. See attached - *Inclusive Recruitment & Selection Policy*
  - b. Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data.
  - c. Head of Employment Services – Band 8a
- Q2
- a. A copy of any policies that set out how the Trust ensures that employees contracted through third parties have a legal right to work in the UK, and how these policies are enforced.
  - b. A copy of any records or audits, from within the last two years, that set out details as to how far these policies are complied with.
  - c. The job title and grade of the person (or people) responsible for overseeing and enforcing this policy. (For the avoidance of doubt, I am not seeking any personal information other than job title and grade).
- A2
- a. As per A1a
  - b. Information not held – the Trust does not routinely collate or hold this information centrally as part of its management or performance data.
  - c. As per A1c
- Q3
- a. Information that sets out, for each of the last three years, how many asylum seekers were hired on a temporary right to work visa by the Trust.
  - c. Information that sets out, for each of the last three years, how many asylum seekers were registered volunteers at the Trust.
  - d. A copy of any policy concerning how you ensure that asylum seekers who are registered volunteers are not replacing paid roles.
- A3
- a. Zero
  - b. Zero
  - c. Information not held – no specific policy in place

- Q4 Information that sets out, for each of the last three years, how many checks have been conducted due to expiration of a Positive Verification Notice of a Temporary work visa.
- A4 None
- Q5 Information that sets out, for each of the last three years, how many employees had an employment contract terminated due to a change in their immigration status?
- A5 None
- Q6 Information regarding any schemes or partnerships that your Trust has with charities or other external organisations that support or promote the employment of foreign nationals, asylum seekers or those who have recently successfully claimed asylum. I am seeking information on the name of the charity or organisation and any partnership agreement or document that sets out the nature of the relationship or scheme.
- A6 Information not held – no such schemes or partnerships in place

## Inclusive Recruitment & Selection

## Policy

<b>For completion by Author</b>			
Author(s) Name and Title:	Peter Cook, Recruitment and Resourcing Lead		
Scope:	Trust Wide	Classification:	Human Resources
Version Number:	5.3	Review Date:	03/05/2027
Replaces:	5.2		
To be read in conjunction with the following documents:	Disclosure and Barring Policy Professional Registration Policy Flexible Working Policy Equality, Diversity & Inclusion Policy		
Document for public display:	Yes		
Executive Lead	Jane Royds, Chief People Officer		

<b>For completion by Approving Committee</b>			
Equality Impact Analysis Completed:	Yes		
Endorsement Completed:	No	Record of Changes	No
Authorised by:	People Delivery Group	Authorisation date:	11/06/2024

<b>For completion by Document Control</b>					
Unique ID No:	TW14(08)	Issue Status:	Approved	Issue Date:	11/07/2024
After this document is withdrawn from use it must be kept in archive for the lifetime of the Trust, plus 6 years.					
Archive:	Document Control		Date Added to Archive:		
Officer responsible for Archive:	Information Governance and Document Control Facilitator				

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# Policy Statement

Liverpool Heart and Chest Hospital NHS Foundation Trust (the Trust) recognises the importance of a recruitment and selection process that ensures delivery of a high-quality workforce that is central to the achievement of the outstanding level of patient care provided by the Trust.

This policy underpins the Trusts Recruitment Strategy and has been developed taking into account current legislation, guidelines and existing Trust policies and the NHS Employment Check Standards.

The objectives of the Equality and Inclusion Policy in relation to recruitment and selection is to ensure that the talents and resources of employees are utilised to their full extent and that no applicant or employee receives less favourable treatment on the grounds of age; disability; gender; gender reassignment; marriage & civil partnership; pregnancy & maternity; race; religion or belief; sex and sexual orientation. To support this, the Trust has a fair and transparent recruitment and selection process and demonstrates the highest standards of practice in promoting equal opportunities and taking positive action to attract diversity to its roles.

## 1. Roles and Responsibilities

### 1.1 Chief People Officer

The Chief People Officer is responsible for the development and implementation of this policy.

### 1.2 People Committee

The People Committee will monitor performance against this policy.

### 1.3 People Delivery Group

This group will be responsible for ratifying and reviewing the policy through delegated responsibility from the People Committee. The group will ensure appropriate management and staff side consultation when reviewing the policy and will monitor its applications and outcomes.

### 1.4 Managers

Managers are responsible for applying the principles of the policy fairly, equitably and sensitively and ensuring all their team members are aware of the policy. Managers must contact the Human Resources Department if they require advice on the application of this policy.

It is the Recruiting Managers responsibility to ensure all posts prior to seeking approval have been reviewed and are fit for purpose to support the Trusts objectives in delivery of high quality patient care.

### 1.5 Employees

All Liverpool Heart and Chest Hospital employees are responsible for co-operating with the development and implementation of corporate policies as part of their normal duties and responsibilities.

### 1.6 HR Department

Human Resources are responsible for: -

- Monitoring compliance with Employment Check Standards
- Monitoring the recruitment service and facilitating improvements to service delivery
- Developing, implementing and monitoring quality standards for the recruitment service

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- Providing training and advice for Recruiting Managers
- Keeping up to date with changes in legislation, developments in good practice and NHS requirements and implement changes accordingly

## 1.7 HR Transactional & Recruitment Team

The HR Transactional & Recruitment Team are responsible for:-

- Providing guidance and training to Recruiting Managers on job descriptions and person specifications
- Providing training to Recruiting Managers on the Trusts online recruitment system
- Providing an efficient and effective recruitment service
- Checking that adverts, job descriptions and person specifications are non-discriminatory
- Liaising with advertising agencies when advertising media is used
- Ensuring compliance with NHS Employment Check Standards
- Issuing Contract documentation
- Keeping up to date with changes in legislation, developments in good practice and NHS requirements and implement changes accordingly.

## 2. Document Control Standards

- 2.1 The purpose of this policy is to act as a guide for all managers involved in recruitment at any level and to promote and maintain high professional standards of recruitment, which in turn contribute to the overall strategic objectives of the Trust.
- 2.2 This policy provides a clear procedure to Recruiting Managers which is informed by good practice, legal and procedural guidance and should be adopted in all recruitments campaigns across Trust in order to ensure a consistent approach.
- 2.3 When following this policy, managers must ensure all applicants of vacancies at the Trust are treated fairly and within the provisions of the Trust's Equality & Inclusion Policy
- 2.4 This policy covers all employees and potential employees (including temporary, bank and agency staff) of the Trust. It applies to recruitment and selection within all disciplines and for all posts, whether advertised internally or externally, except those governed by national agreements - such as consultant medical posts that specify other arrangements. Detail on the recruitment process for consultant medical posts can be obtained from the Transactional HR and Recruitment Team.
- 2.5 The aim of this policy is to ensure that the Trust is compliant in accordance with current legislation for employing staff in accordance with the Equality Act, Immigration Rules and Disclosure & Barring Service (where applicable).
- 2.6 It is advised for all managers with responsibility for recruitment and selection of staff to attend the recruitment and selection training. These sessions form part of the Manager Essential Training sessions, any manager who requires a refresher can contact the Recruitment team for further training or advice.
- 2.7 Advice and support will be provided by the Recruitment and Resourcing Lead and the Transactional HR & Recruitment Team to support staff and managers in adhering to this policy and their understanding of dealing with recruitment and selection.

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## 3. Types of Vacancies

### 3.1 New Posts

3.1.1 Newly created posts will be required to undergo an Agenda for Change assessment in order to determine pay banding. Once a job description and person specification are finalised and have been approved by the appropriate manager, the documents should be sent electronically to the Human Resources Department so that arrangements can be made for the assessment to be undertaken. This must be completed prior to commencement of the recruitment process. Recruiting Managers should contact the Human Resources Department if they require further advice or guidance on this.

### 3.2 Secondments

3.2.1 It is expected that all secondment opportunities are advertised through the Trusts online recruitment system. This may be internal and/or external depending upon the circumstances and the appointment undertaken in accordance with this policy.

3.2.2 If there is a possibility that the post may become permanent after the secondment period, this needs to be stipulated in the advert. In such an event the employee may be slotted into the permanent post once it has undergone the necessary Vacancy Control Process.

3.2.3 However, if the secondment is not advertised in this way and the post becomes permanent; in order to provide equality of opportunity the post will need to be advertised.

### 3.3 Temporary Move to a Higher Band

3.3.1 In accordance with NHS Terms & Conditions of Service, an employee may be moved to a higher band where it is necessary to fill a post on a temporary basis when a vacancy is unfilled, being advertised, or the post is being held open for someone who is due to return to work e.g. from long term sick, maternity leave or paternity leave.

3.3.2 Temporary movement to a higher band should not normally last more than six months or be less than one month, except in instances where a longer period may not be known at the outset e.g. maternity leave.

3.3.3 Temporary moves to a higher band should be undertaken through a competitive recruitment process. This may be undertaken either via the Trusts online recruiting system or through expressions of interest to the Recruiting Manager. The Recruiting Manager should undertake an informal interview process. The manager should adhere to the principles of AfC Temporary Movement to a Higher Pay Band.

### 3.4 Fixed Term Appointments

3.4.1 Fixed term appointments are usually made in the following circumstances: -

- To undertake a specific project which is time limited
- Where funding is limited to a specific period
- To cover a period of secondment
- To cover a period of maternity / paternity leave
- To cover a career break

3.4.2 The duration of the fixed term appointment should be clearly stated in the recruitment documentation including the advert, offer letter and contract of employment.

3.4.3 If there is any possibility that the post may become permanent after the fixed term period,

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this should also be stipulated in the advert. In such an event the employee may be slotted into the permanent post once it has gone through the necessary vacancy control process. Where this has not been stipulated in the advert and the post subsequently can be made permanent, the post will need to be advertised.

- 3.4.4 If the fixed term contract is not expected to become permanent, but does in the duration of the contract, the post will be required to go through the normal recruitment process to allow for equality of opportunity.

### **3.5 Apprenticeships & Trainee Posts**

- 3.5.1 Managers recruiting to posts in AfC Band 2 and 3, should routinely consider the option of deploying apprenticeship opportunities (where appropriate), or deploying 'trainee' employment opportunities. Advice can be obtained from the Education and Development Department.

### **3.6 Redeployment**

- 3.6.1 The Trust aims to meet its legal obligation to redeploy any employee who cannot continue in their current role into a suitable available alternative role.

- 3.6.2 There are several factors that an employee of the Trust may find themselves on a redeployment register, these include:-

- Employees who have been advised that they are at risk of redundancy at the end of a period of formal consultation regarding organisational change
- Employees with a disability which independent specialist advice has confirmed cannot be accommodated in their current role through reasonable adjustment.
- Where redeployment has been recommended as an appropriate outcome following a formal process such as grievance, disciplinary or remedying poor performance
- Employees with a year or more continuous service whose fixed term contract is due to end within three months.

### **3.7 People and Activity Group (PAG)**

- 3.7.1 All non-patient facing roles in LHCH are required to go to the People and Activity Group for approval before they go onto the Recruitment System. The PAG will meet every Wednesday to authorise or defer posts. A list of all posts advertised will go to the PAG on a weekly basis.

Full details can be found on the HR Front Door:

<https://lhchnhs.sharepoint.com/sites/HRFrontDoor/SitePages/People-and-Activity-Group.aspx>

## **4. Recruitment Agencies & Temporary Agency Workers**

- 4.1 For the majority of fixed term and permanent appointments the services of an external recruitment agency will not be required. Where the post is of a Senior / Specialist level and the services of an external recruitment agency are engaged then this should be approved at the time of seeking vacancy approval and will be funded by the recruiting department.
- 4.2 All short term agency engagements or engagements with a personal services company need to follow the Trusts Agency Engagement Process.
- 4.3 Agencies used by the Trust should be registered on one of the Government Procuring Frameworks. This will ensure that the staff provided from these suppliers, will adhere to all aspects of safer recruitment including pre-employment checks, alert notices and

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professional code of conduct etc.

- 4.4 The Temporary Staffing Team will request agencies to confirm, via a proforma, that each agency worker has satisfactory clearance checks prior to starting work with the Trust. The Temporary Staffing Team will audit the recruitment checks of Agency by requesting the recruitment packs to ensure all checks have been completed.
- 4.5 In exceptional circumstances whereby the agencies being utilised by the Trust are not on a Government Procuring Framework, then the Recruitment and Resourcing Lead in partnership with the Procurement Team will ensure that a Service Level Agreement is drawn up to safeguard against the necessary compliance within the recruitment process.
- 4.6 The rights of an individual to equal treatment under the Agency Workers Regulations is applicable to certain terms and conditions relating to working time, holiday entitlement and pay. In certain circumstances, the right to equal treatment may apply once a worker has worked in the same or similar role for the Trust for 12 continuous weeks.

## 5. Procedure

- 5.1 The recruitment procedure has been separated into five key stages as outlined below:-

- Stage 1 – Approve
- Stage 2 – Advertise
- Stage 3 – Interview & Selection
- Stage 4 – Employ
- Stage 5 – Induction

### 5.2 Stage 1- Approve

- 5.2.1 At the point of a resignation, it is the Recruiting Managers responsibility to review the role and ensure that it is still fit for purpose and links to the divisional Workforce Plan. Any changes to the post may require it to be taken through the AfC Job Evaluation Process. Managers should discuss with their HR Business Partner for further advice and guidance.
- 5.2.2 All the job applications are completed by the Trusts online recruitment system NHS Jobs. Any job not advertised on the Recruitment System may be made invalid.
- 5.2.3 NHS Jobs requires the manager to complete the necessary fields and upload onto the system a current and up to date Job Description, Person Specification and Risk ID for Occupational Health purposes. This also includes the duration the advert will be active online. It is advisable that managers consider the role, speciality and demand for each post and adjust the advertising period accordingly
- 5.2.3 The recruitment system will automatically send the vacancy request through to Finance for consideration and budget approval.
- 5.2.4 If approved, the Finance team will inform the Recruiting Manager and the HR Transactional and Recruitment Team who can advertise the post accordingly.
- 5.2.6 If the post is not approved, the Finance Team will return the decision to the Recruiting Manager for information and/or instruction.

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### **5.3 Stage 2 - Advertise**

- 5.3.1 Recruitment advertisements must reflect the realistic requirements of the post with regard to skills, qualifications and experience, and shall not include any unjustifiable requirements.
- 5.3.2 Vacancies should be advertised using the Trusts online recruitment system, NHS Jobs, except in certain circumstances where staff at risk of redundancy who are placed on the redeployment register may be redeployed into the vacancy.
- 5.3.3 Consideration should be given to where to advertise a role and whether there are specific media, publications, websites, networks, etc. that can be utilised to help reach, and encourage more applications from individuals from under-represented group(s). Advice can be sought from the Human Resources Department.
- 5.3.4 Where adverts are placed in a professional journal or external media, they should also be placed onto NHS Jobs. This requirement should be clearly stated in the recruitment documentation and will be subject to the confirmation that the necessary funding is available from the Division.
- 5.3.5 Each advert will be active for a set period of time (e.g. three calendar days, two weeks and 28 days), depending upon the speciality and demand as determined by the manager at the vacancy control stage.
- 5.3.6 In circumstances where a successful candidate declines a post, or the post is withdrawn because of unsatisfactory pre-employment checks, then the Recruiting Manager may consider other suitable applicants without re-advertising if the closing date is less than three months prior. Once three months has expired the vacancy should be advertised in order to ensure equality of opportunity.
- 5.3.7 Where there is a Genuine Occupational Requirement to recruit a particular gender, ethnic background or age limitation, then this should be clearly identified within the advert in line with the current legislation. Advice can be sought from the Human Resources Department.
- 5.3.8 The Transactional HR & Recruitment Team will check the Redeployment Register prior to releasing an advert to ensure that there are no suitable candidates on the register. If an employee has been identified as a suitable candidate, the Transactional HR & Recruitment Team will notify the Recruiting Manager and HR Business Partner to initiate the redeployment process.
- 5.3.9 If no suitable candidate has been identified, the vacancy will be uploaded onto the internet jobs pages and will be advertised on several employment websites including NHS Jobs.
- 5.3.10 The Recruiting Manager will receive notification that the advert has gone live and can request a notification on progress of applications if they require (this is done at the time of completing the vacancy request documentation).
- 5.3.11 All vacancies close at mid-night on the date agreed and the Transactional HR & Recruitment Team will notify the Recruiting Manager that the vacancy is ready for shortlisting.

### **5.4 Stage 3 - Interview & Selection**

- 5.4.1 The aim of the selection process is to appoint the candidate who, in the opinion of the interview panel, is the candidate most able to perform the duties outlined in the job

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description by reference to the person specification and has displayed the Values and Behaviours of the Trust. Selection for posts will be based solely on objective criteria laid down in the person specification. Recruiting Managers have the responsibility, in conjunction with the interview panel, to ensure that the criteria are not directly or indirectly discriminatory and that measurement of criteria is undertaken objectively. A copy of all interview documentation should be sent the HR Recruitment team kept for a maximum of 12 months.

## **5.5 Shortlisting**

- 5.5.1 Applicants are required to complete a standard application form. In exceptional circumstances CV's may be accepted, but this will need careful consideration to ensure there is no breach of the current Equality legislation. Further advice is available from the Human Resources Department.
- 5.5.2 The Trust is positive about employing people with disabilities and veterans of the armed forces. As such all applicants who have declared that they have a disability or are veterans, and who meet the essential criteria for a post will be shortlisted and invited to interview. The online recruitment system will clearly identify those candidates who have registered their disability with two ticks, and those who are veterans by an AF symbol, at the shortlisting stage of the process.
- 5.5.3 It is good practice that all interview panel members are involved in the shortlisting process which should be undertaken using the online recruitment system as this supports equality of opportunity in the fact that online applications are anonymous to Recruiting Managers.
- 5.5.4 Shortlisting criteria are requested at the point of uploading the vacancy into the online recruitment system at the initial onset. This is to assist the Recruiting Manager to compare the essential and desirable criteria to each applicant. Shortlisting criteria should be used consistently across all applicants.
- 5.5.5 Where an applicant has a disability and needs support to complete an application, the Transactional HR & Recruitment Team will assist wherever possible.

## **5.6 Interview Panels**

- 5.6.1 Objectivity in the recruitment and selection process is paramount. Interview panels should consist of a minimum of two people and be diverse in terms of gender, race and/or other protected characteristics, where practical.
- 5.6.2 At least one of the panel members should have undertaken the Trusts Recruitment & Selection training, and all interviewers should be up to date with their statutory and mandatory equality training.
- 5.6.3 Recruiting Managers are responsible for making any 'reasonable adjustments' to the recruitment process and to any assessments for candidates who have declared they have a disability.
- 5.6.4 Panel members should declare any potential conflict of interest in the appointment. If a candidate is a close friend or relative of a panel member, ideally they should not take part in the selection process. Where this is not possible, the panel member should make the other panel members aware and the panel should unanimously agree on the appointment. The relationship or business interest should be discussed and the impact on the candidate's suitability recorded.

## **5.7 Methods of Selection**

### **5.7.1 Interview questions should:-**

- Be well prepared in advance
- Be structured to gain evidence to support how well the candidate meets the person specification
- Allow the candidate to ask questions and seek clarification

5.7.2 Recruiting Managers drafting questions should consider what benefit the information obtained in response will be in making a decision against the person specification. The use of questions involving a scenario relevant to the post, which test the candidates knowledge of key subject matters and which allow the best candidates to demonstrate how closely they match the person specification are recommended.

5.7.2 Questions should generally be the same for each candidate and related to the requirements of the post. However, this does not preclude specific questions about issues raised or requiring clarification in the application, for example, about a gap in the employment history, or probing questions as a follow up to an answer.

5.7.3 Questions about a candidate's personal life are intrusive and should be avoided. Health related questions should also be avoided, unless the candidate discloses this at interview and the interview panel need to seek further clarification; however this should be handled with caution.

5.7.4 The interview panel should take robust interview notes as these are used to make the appointment and to provide feedback to unsuccessful candidates.

## **5.8 Presentations**

5.8.1 These can test the candidate's ability to deliver training or presentations in other contexts, knowledge and understanding of a topic. They should only normally be used for posts where training or presentations are a requirement for the post and candidates should be notified that this will be the case in advance of the interview.

## **5.9 Selection Tests**

5.9.1 Is a method of assessing a candidate's ability to perform the duties of the post, provided they are relevant, reliable, fair and unbiased and are recommended for all recruitment exercises. Examples include typing tests, maths, 'in tray' tests, writing a document, tests in the use of applicable software, case studies or scenario exercises and group exercises.

5.9.2 If psychometric tests are proposed, this should be discussed with the Recruitment and Resourcing Lead prior to advertising a vacancy and will be developed, administered and interpreted only by properly accredited people. Assessment Centres are a combination of all of the above, which will test a variety of skills and knowledge. These normally consist of a group of candidates going through a variety of activities to determine their suitability to a particular post.

## **5.10 Making a Selection**

5.10.1 In selecting the successful candidate, the panel should make a decision based on the merit and eligibility of the candidates as assessed by:-

- Whether there is evidence that they meet all the essential criteria on the person specification including qualifications (if required for the post)

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- The content of the application
- Performance at interview
- Outcome of any selection tests

5.10.2 For audit purposes the panel should record why the successful candidate was chosen, this should include evidence of them meeting the essential criteria, their performance at interview and where appropriate them passing selection tests.

5.10.3 An appointment should not be made if the panel is not satisfied that any of the candidates meet all the essential requirements of the post. As part of assessing the merit of each candidate, Recruiting Managers should satisfy themselves that the information the candidate gives is authentic, consistent and honest.

## **5.11 Stage 4 - Employ**

### **5.11.1 Making an Offer of Employment**

5.11.2 Recruiting Managers should contact the successful candidate to make a verbal offer of appointment but should make it clear to prospective employees that any offer of appointment is conditional pending the successful completion of pre-employment checks.

5.11.3 This should be followed up by a letter setting out the conditions laid out in the offer of employment, including details of pre-employment checks and that the offer will be subsequently withdrawn should the individual knowingly withhold information, or provide false or misleading information or if the pre-employment checks are not satisfactory to the Trust. This letter is sent from the Transactional HR & Recruitment Team following the Recruiting Manager completing the successful candidate details on the online recruitment system (NHS Jobs).

5.11.4 At the same time the Transactional HR & Recruitment Team will make all the necessary arrangements with the individual to complete the necessary paperwork and the pre-employment checks.

## **5.12 Feedback to Candidates**

5.12.1 Recruiting Managers are responsible for providing constructive feedback to unsuccessful candidates. Feedback should be provided to candidates either by telephone or face to face as soon as possible after the interview.

5.12.2 Unsuccessful candidates will receive a formal notification via NHS Jobs once the Recruiting Manager has completed the necessary successful candidate section.

## **5.13 Maintaining Records**

5.13.1 Under the Data Protection Act, candidates have a right to request copies of all interview documentation.

5.13.2 All documentation relating to the recruitment campaign should be kept for 12 months, this includes but not limited to; application forms, interview notes, scoring forms and ability tests (if undertaken).

## **5.14 Pre-Employment Checks**

5.14.1 The following checks should be undertaken before commencement of employment, in

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accordance with the NHS Employment Check Standards. The Transactional HR & Recruitment Team will administer these checks where necessary:-

- Verification of Identity
- Right to Work Checks (including Work Visas and Certificates of Sponsorship)
- Self-Declaration Forms
- DBS Disclosure
- Reference Checks
- Employment History Checks
- Professional Registration
- Qualifications
- Occupational Health

5.14.2 More information on these checks can be found on the [Employment standards and regulation | NHS Employers](#) webpage. In exceptional circumstances, the Recruiting Manager may request to waiver one of the pre-employment checks. This requires a formal risk assessment of the waiver to be considered along with appropriate approval from a Senior Manager and the Recruitment and Resourcing Lead.

## **5.15 Confirmation Offer of Employment**

5.15.1 Once satisfactory pre-employment checks have been received, the Transactional HR & Recruitment Team will inform the Recruiting Manager and send a final offer letter and Contract of Employment to the successful candidate.

5.15.2 Contracts will only be issued once all pre-employment checks are deemed satisfactory by the Recruiting Manager.

## **5.16 Pre-Employment Checks Not Completed**

5.16.1 If information for pre-employment checks cannot be obtained, and the reasons are genuine, the Recruiting Manager should decide whether to continue with the employment offer or withdraw the offer of employment.

5.16.2 If pre-employment checks are not satisfactory e.g., a poor reference, the Recruiting Manager may decide to withdraw the offer of employment. Advice should be sought from Human Resources before withdrawing any offer of employment to ensure compliance with employment law.

5.16.3 Should a successful candidate present a Positive Disclosure, please refer to the DBS Policy for guidance on how to assess the information contained within the disclosure against the employment offer.

5.16.4 Should the offer of employment be withdrawn, this should be discussed with the candidate as soon as possible, followed by a letter confirming the decision.

## **5.17 Contract of Employment**

5.17.1 On receipt of all satisfactory pre-employment checks, a final offer letter including a contract of employment will be sent to the successful candidate.

5.17.2 The Contract of Employment must be issued on or before the first day of employment, no matter how long the individual is to be employed for.

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## **5.18 Stage 5 - Induction**

5.18.1 Managers have a responsibility to ensure new starters are booked onto Corporate Induction. This is normally undertaken in conjunction with the Transactional HR & Recruitment Team, whereby they will book the successful candidate onto Corporate Induction.

5.18.1 As well as undertaking the Corporate Induction programme, there is also a need for all Managers to ensure that Local Induction takes place to ensure that new employees become familiar with local operational aspects of their specific area/service and job role and are introduced to their workplace colleagues.

5.18.1 For more information, please refer to the Trusts Corporate Induction and Mandatory Training Policy

## **5.19 Reasonable Adjustments – Equality Act**

5.19.1 The Equality Act (2010), states that all candidates who have indicated that they have a disability must be offered assistance during the interview process. The Trust therefore has a legal obligation under the Act to make reasonable adjustments if an individual with a disability is put at a substantial disadvantage in comparison with persons who are not disabled.

5.19.2 Examples of reasonable adjustments that could be made include providing a reader or interpreter, situating the interview/selection process in a location with suitable access or modifying tests (e.g., using large print).

5.19.3 The Human Resources Department can provide further guidance on reasonable adjustments at both the recruitment stage and when in post.

## **5.20 Armed Forces Covenant**

5.20.1 LHCH has pledged its commitment and support to the Armed Forces Covenant and Armed Forces Community.

The Covenant outlines that as a Trust we recognise the value serving personnel, both regular and reservists, veterans and military families bring to LHCH and to our country, and we will seek to uphold its principles. This includes supporting the employment of veterans, recognising military skills and qualifications in our recruitment and selection process and supporting the employment of service spouses and partners.

## **5.21 Rehabilitation of Offenders**

5.21.1 When considering an applicant with a criminal conviction, the Recruiting Manager must take into account the post applied for and the nature of the conviction. The manager needs to consider the relevance of the conviction in relation to the role the candidate has applied for.

5.21.2 In this situation the Manager should contact the Human Resources Department for advice at the earliest opportunity and refer to the DBS Policy for further guidance.

## **5.22 Flexible Working**

5.22.1 The Trust is committed to the principles of flexible working. Managers should consider requests for flexible working patterns, so as not to exclude potential employees who may be unable to work in a full-time capacity for whatever reason. In such cases the Recruiting Manager should consider other alternatives such as job share, flexible hours, part time hours etc. when recruiting into a vacant post.

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5.22.2 Please see the Trust's Flexible Working Policy for further information.

### **5.23 Suspected Fraud or Corruption**

5.23.1 If fraudulent or corrupt activity is suspected in relation to any area of this policy, the Trust's Local Counter Fraud Specialist (LCFS) should be informed, telephone 0151 285 4500.

5.23.2 Alternatively, any suspicions may be reported via the confidential NHS Fraud & Corruption Reporting Line 0800 028 40 60 (Freephone Mon – Fri 8am-6pm), or via the online reporting form [www.reportnhsfraud.nhs.uk](http://www.reportnhsfraud.nhs.uk). All information provided via any of these reporting lines will be treated in strictest confidence, and can be provided completely anonymously. The Trust fully endorses the provisions of the Public Interest Disclosure Act 1998, and disclosure by anyone who has reasonable suspicions of fraud or corruption is encouraged. The Trust's Raising Concerns Policy will be rigorously enforced to ensure that no employee should suffer as a result of reporting reasonably held suspicions.

## **6. Policy Implementation Plan**

- 6.1 The Chief People Officer will be responsible for implementation of this policy.
- 6.2 This Policy has been consulted widely throughout the Trust with Managers and Staff Side partners.
- 6.3 The policy will be implemented on a Trust wide basis. The policy will be made available on the intranet and disseminated to all wards / departments.
- 6.4 Managers have a responsibility to ensure staff have read and understood this policy and procedure. New staff will be informed of the policy as part of their Trust induction.
- 6.5 Staff and management awareness will be provided via divisional and corporate structures. Staff awareness will be raised via the Trust Newsletter, Team Brief and Corporate Communications.

## **7. Monitoring of Compliance**

The effective implementation of this policy will be monitored by the People Delivery Group with delegated responsibility from the People Committee.

## **8. References**

NHS Employment Check Standards  
The Equality Act (2010)  
Disclosure & Barring Policy  
Equality & Inclusion Policy  
Trusts Induction Policy  
Flexible Working Policy

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## 9. Endorsed By:-

Name of Lead Clinician/ Manager or Committee Chair	Position of Endorser or Name of Endorsing Committee	Date

## 10. Record of Changes

### Summary of changes made to produce this version

Section No	Date of Change	Description of Change (prefix description as applicable with Addition / Amendment / Deletion)	Reason
2.2	May 24	Amended Training Requirements - Removing 2 year refresher  Added in being able to contact Recruitment Team for advice and Additional training	No feasible to do 2 year refresher
4.4	May 24	Adding Temporary Staffing Team will spot check Agency Recruitment Packs  Adding Temporary Staffing Team will spot check Agency Recruitment Packs	Advice from MIAA
5.2.2	May 24	All Jobs on Recruitment System  Added - Job may be invalid if not on recruitment system	Keep track of all posts.
3.7	May 24	Added Section on PAG	New Process