

Livewell Southwest

**Recruitment and Selection Policy and
Procedure**

Version No 3.1
Review: December 2024
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Notice to staff using a paper copy of this guidance

The policies and procedures page of Intranet holds the most recent version of this guidance. Staff must ensure they are using the most recent guidance.

Author: People and Professionalism

Asset Number: 180

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Supersedes document	All previous versions
Author contact details	By post: Local Care Centre, Mount Gould Hospital, 200 Mount Gould Road, Plymouth, Devon. PL4 7PY. Tel: 01752 434700 (LCC Reception) or e mail: livewell.livewellpolicies@nhs.net

Document Review History

Version No.	Type of Change	Date	Originator of Change	Description of Change
For previous review history please contact the PRVG Co-ordinator.				
1.6	Amendment	January 2018	Recruitment Manager	Minor update to include statement on Modern Slavery
1.7	Minor Update	February 2018	HR Policy Group	Minor update to reflect Sustainability and Transformation Partnership.
1.8	Extended	April 2018	HR Team Manager	Extended
1.9	Extended	July 2018	Head of HR & Staff Wellbeing	Extended
2.0	Minor update	March 2019	Assistant HR Administrator	Update to references for NHS staff
2.1	Minor update	August 2019	Recruitment Manager	Interview panel
2.2	Extended	September 2019	Associate Director of HR & Engagement	Extended
2.3	Extended	February 2020	Head of HR & Staff Wellbeing	Extended
2.4	Extended	January 2021	HR Admin	Extended
2.5	Extended	September 2021	Associate Director of HR & Engagement	Extended
3	Reviewed	May 2022	Resourcing and Retention Manager	Minor changes
3.1	Reviewed	April 2024	Resourcing and Retention Manager	Minor changes

Contents		Page
1	Introduction	5
2	Scope	5
3	Definition of Terms	5
4.	Policy Statement	5
5	Duties (Roles & Responsibilities)	6
6	Training & Support	7
7	Monitoring Compliance with the Policy	7
Appendix A	Process for Recruitment and Selection	8
Appendix B	Frequently Asked Questions	20

Recruitment and Selection Policy and Procedure

1 Introduction

- 1.1 Livewell Southwest is committed to fairness and equity and values diversity in all aspects of its work as a provider of health and social care services and as an employer of people. We constantly strive to build a workforce that is representative of the community it serves.
- 1.2 Livewell Southwest is committed to eliminating all forms of discrimination on the grounds of age, disability, gender reassignment, marriage / civil partnership, pregnancy maternity, race, religion or belief, sex and sexual orientation in the provision of our services and in recruitment and employment. This enables an environment that is characterised by dignity and respect which is free from harassment, bullying and victimisation.
- 1.3 This Policy ensures that effective, fair and consistent recruitment and selection procedures operate within Livewell Southwest that are compliant with employment practices and employment legislation. It will ensure clear processes are in place to enable Livewell Southwest to recruit and retain skilled people.

2. Scope

- 2.1 This Policy applies to all employees, Contract for Services honorary contracts and volunteers of Livewell Southwest who have a contract of employment or workers who have a NHS Professionals/Agency Agreement and others who may be involved in the recruitment and selection process. The Policy defines advertising protocols and recruitment procedures.

3. Definition of terms

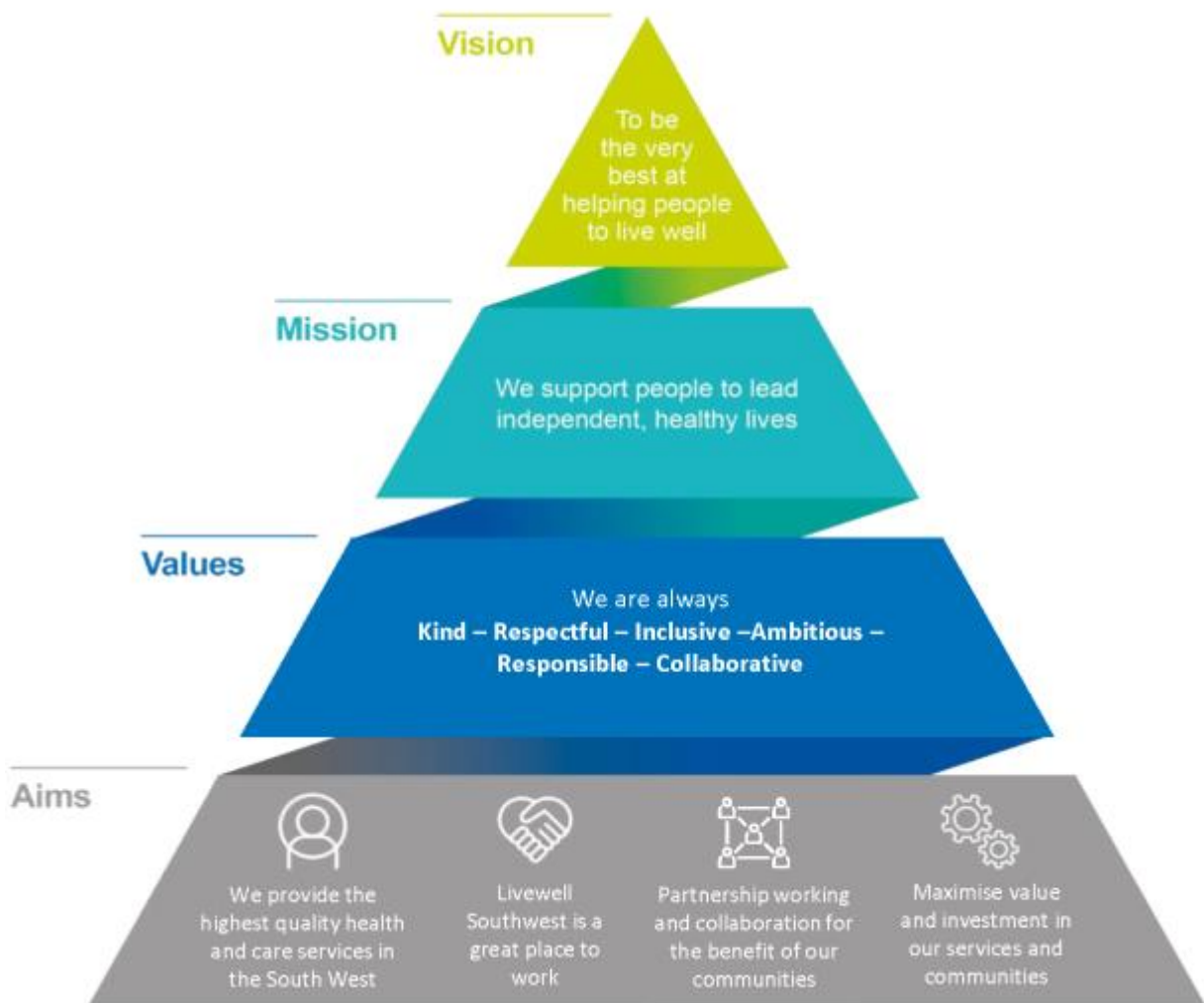
- 3.1 Employees with contracts of employment with Livewell Southwest and have 'employee status' (with regard the Employment Rights Act 1996 and The Agency Workers Regulations 2010 (SI 2010/93)). This includes employees on permanent, temporary, full-time, part-time, or fixed term contracts.

4. Policy statement

- 4.1 Livewell Southwest is a social enterprise and as such recognises its responsibilities towards all sections of the community. Livewell Southwest is committed to:
 - Promoting Livewell Southwest as an employer of choice
 - Ensuring that the recruitment and selection procedure promotes a positive image of the organisation
 - Recruiting skilled people to enable Livewell Southwest to achieve its aims and objectives
 - Promoting objective, fair and transparent recruitment practices throughout Livewell Southwest

- Ensuring that selection decisions are based on objective and justifiable criteria
 - Ensuring recruitment methods are cost effective and efficient
- Ensuring that we follow the most up to date Safer NHS Recruitment/ documentation standards as instructed by NHS Employers, NHS England, The Home Office and Counter Fraud.

4.2 The following table shows the organisation’s strategic pyramid, setting out its vision, mission, values and four strategic aims.



4.3 Livewell Southwest aims to design and implement policies that meet the diverse needs of our service and workforce, ensuring that none are placed at a disadvantage over others, in accordance with the Equality Act 2010.

5. Duties (Roles and Responsibilities)

5.1 Recruitment Team is responsible for:

- 5.2 Upholding the provisions within this policy in accordance with employment legislation, best practice and NHS Employer's, NHS England, The Home Office and Counter fraud guidelines.
- 5.3 Providing training, materials and guidance to Heads of Service, Team Managers and wider teams through online or face to face or seminar initiatives.
- 5.4 Providing recruitment statistics to the Board and Executive teams as and when required and for putting into practice any resulting recommendations.
- 5.5 Liaising with NHS Jobs through the updated platform and other advertising medium (upon receipt of completed and authorised Approval to Recruit (ATR) forms.

6. Training and support

- 6.1 Livewell Southwest provides guidance to all existing and new employees to help them understand their rights and responsibilities under this policy through verbal, telephone or Healthnet access for more information email Livewell.Recruitment@nhs.net or look on the Livewell Southwests Intranet hub.
- 6.2 Seminars will be provided to managers to enable them to carry out effectively the recruitment and selection process, see contact details as in 6.1.

7. Monitoring compliance with the policy

- 7.1 The effectiveness of this policy will be monitored through the HR Policy Group for more information email Livewell.HR-Livewell@nhs.net or look on the Livewell Southwests Healthnet page.

All policies are required to be electronically signed by the Lead Director. Proof of the electronic signature is stored in the policies database.

The Lead Director approves this document and any attached appendices. For operational policies this will be the Head of Service.

The Executive signature is subject to the understanding that the policy owner has followed the organisation process for policy Ratification

Title: Director of People and Professionalism

Date: 31st May 2022

Appendix A

Process for Recruitment and Selection

1 Introduction

- 1.1 During this process, consideration of the Devon Integrated Care Partnership (ICS) opportunities will be checked, consideration should be given to the ICS clearing house vacancy management procedure. Please seek advice from an HR representative.

2 Identifying a vacancy

The occurrence of a vacancy is an opportunity to review the necessity for the post and its duties, responsibilities and grade.

Where the duties of a post have changed significantly the appointing manager must seek advice from the workforce team as to whether the role needs to be re-evaluated via the job evaluation process.

When a vacancy arises, consideration must be given to colleagues where their current post is 'at risk' in line with the Organisation's Redeployment and Redundancy Policy.

3 Approval to Recruit Process

- 3.1 All Livewell Southwest established posts must have been through a job evaluation process before an approval to recruit form is completed, where practically possible.
- 3.2 The appointing Manager is responsible for completing the recruitment process through the online NHS Jobs platform with the support of the recruitment team. This must be authorised by the Heads of Service or equivalent and the Management Accountant before any recruitment can commence.
- 3.3 In order to submit an approval to recruit, the appointing manager must email their completed application to:

PCHCIC.BudgetHolderQueries@nhs.net

4 Job descriptions and person specifications

- 4.1 See the Job Description and Person Specification Guidance available on the intranet.

5 Advertising

- 5.1 Livewell Southwest will utilise NHS Jobs, the e-recruitment system, for all vacancies, as well as requests by Managers to advertise locally, nationally and in key periodicals.

- 5.2 The Appointing manager will aim to place vacancies on NHS Jobs within one day (where practically possible) upon receipt of a fully completed and authorised ATR form and all the relevant documentation (i.e. Job Description, Person Specification and Advert). Requests for external media may take longer and will be determined by the Advertising agencies deadlines. The cost of external advertising will be deducted from the cost centre the ATR is aligned to.
- 5.3 When a vacancy has closed, the Appointing manager is responsible for updating on NHS Jobs those applicants that were shortlisted/ unsuccessful and appointed.

6 Drafting an advert

- 6.1 The Appointing Manager in conjunction with the Recruitment Team is responsible for preparing the advert. Previously used templates are available to recruiting managers via Recruitment Team. Adverts must be:
- Inclusive and non-discriminatory
 - Provide a brief summary of the job and highlight the required Key skills, attributes and experience for the vacancy being advertised.
 - Whilst all advertisements are reviewed by the Recruitment Team the Appointing Manager is responsible for ensuring the advert is accurate, reflects the vacancy adequately
 - To include a contact name with a telephone number/email from whom further information may be obtained by the applicant
 - Include the Disability Confident symbol – this is a pre-set on NHS jobs3 so will always be published.
 - A paragraph advising applicants that recruitment information is available in alternative formats including Braille and large font

7 Closing dates

- 7.1 All vacancies advertised in an external publication should run for a period of at least 10 days.
- 7.2 It is recognised that some jobs at Livewell Southwest attract a vast number of applicants. For those jobs a disclaimer may be included on our NHS Jobs advert which states: *“Please note that should this vacancy attract sufficient interest it may be necessary to close the vacancy at an earlier date. We therefore suggest that you apply at an early stage to avoid disappointment.”*

8 Application forms

- 8.1 Livewell Southwest in most cases accepts the NHS Jobs application form. However, in certain circumstances and following approval from the Deputy Director and/or The Recruitment Manager some vacancies may require CVs and/or other information.
- 8.2 All applications for employment at Livewell Southwest should be made online via NHS Jobs (this step-by-step guidance for recruiting managers and staff is found

in the recruitment tab or under the NHS J3 tab on Livewell Southwest's Intranet page or contact Livewell.HR-Livewell@nhs.net for guidance.

- 8.3 Livewell Southwest reserves the right to reject applications from former employees, workers, agency workers or contracted workers who have previously worked within Livewell Southwest and have been dismissed, had their agreement terminated or were subject to an investigation immediately prior to their employment ending, on the grounds of Gross Misconduct, Misconduct or Poor Performance. Also, in circumstances where a settlement agreement was reached.

9 Short-listing

- 9.1 Short listing must be undertaken by a minimum of two people, one of whom should be the Appointing Manager. The short-listers must be the same banding or above.
- 9.2 The Appointing Manager will be responsible for making a final decision where the short-listing panel is unable to make a unanimous decision.
- 9.3 Short listing must be carried out in a timely manner no later than three working days following the closing date, and should always be undertaken by both the Lead Short-lister and the additional person added to short-list using NHS jobs 3
- 9.4 The purpose of the short-listing process is to identify applicants who meet the essential criteria for the job. The short-listing criteria should include the behaviours and values as well as technical expertise and experience.
- 9.5 References should be sought after the interviews and must never be used as a means to shortlist.
- 9.6 Livewell Southwest follows the Disability Confident Employer Scheme which adopts the values that this scheme incorporates. Disabled applicants who meet all the essential criteria and select on their application form that they wish to be considered under the guaranteed interview scheme must be invited to interview, this also applies to the Armed Forces Covenant initiative.
- 9.7 All applicants who are unsuccessful after short listing will receive an email notification via NHS Jobs confirming that they have been unsuccessful. Each applicant must be given the opportunity to gain feedback from the short-listing panel, the lead short lister must state that they are happy for themselves to be contacted in this instance.
- 9.8 While it is best practice for it to consist of the same panel members involved in the short-listing process; this can be varied at the interview stage as long as the same interview structure and questions are adhered to.
- 9.9 The shortlisting team should disclose if they know the candidate (see Relationships at Work Policy).

10. Interviewing

- 10.1 All short-listed applicants will be contacted via NHS Jobs. Then sent an MS Team invite from the manager should this be required, when using online interviews.
- 10.2 The invitation will ask applicants to inform Livewell Southwest if any adjustments need to be made to attend the interview, advise if there will be any testing at interview, the type of test or assessment and remind applicants of documentation that they must present at interview in line with employment checks.
- 10.3 Interviews will be planned, structured and consistent for each candidate, taking reasonable adjustments into consideration. Dates should be selected to avoid major religious/belief festivals, and Friday to Sunday to be avoided if at all possible.
- 10.4 Interviews will assess the values of candidates as well as their skills, experience and competence. Values based recruitment will form a major part of the recruitment process.
- 10.5 Interview panels must consist of a minimum of three members and where possible be mixed gender and promote the diversity of the workforce. A chair must be appointed, who will be responsible for making the final decision where the panel is unable to make a unanimous decision. The chair should be of an equal or higher pay band than the band of the vacancy being recruited to. The additional panel members should be of the same banding or above for the post being interviewed.
- 10.6 People with Lived Experience (PWLE) are encouraged to form part of an interview panel as an additional participant in the interview process and may be act as the '3rd' person at interview if deemed suitable.
- 10.7 At least one panel member must have received Recruitment & Selection Training via the team or the Recruitment toolkit seminars. Other panel members should have familiarised themselves with the Recruitment Policy prior to interview. To ensure a fair and consistent process, one of the panel should be from another directorate/service area, and wherever possible the same panel members should interview all candidates, even if the interviews are over more than one day. Interviewers should also disclose if they know the candidate beforehand (see- Relationships at Work Policy)
- 10.8 The interview panel should meet prior to the interview and plan the sequence of the interview questions and the structure of the interview. Questions also serve to substantiate details from the application form and explore any gaps and anomalies.
- 10.9 To ensure transparency it is good practice for a declaration on the interview outcome form for the interviewer to declare whether they have/have not a personal relationship with the candidate. The declaration on the candidate interview form will provide transparency during the recruitment process

- 10.10 Any positive declarations should be reviewed by recruitment or Heads of Service to decide whether the conflict of interest places the interviewer in a position which risks, or appears to risk, conflict between their private interests and their organisations duties. A positive declaration may be construed as an unfair financial benefit to the candidate who may be potentially offered a position within the organisation.
- 10.11 All applicants must be asked the same questions and must not be of a discriminatory nature. Protected characteristics under the Equality Act 2010 are not reasons to turn down a suitable applicant. Livewell Southwest has a duty to make any reasonable adjustments that would enable an applicant to take up a post.
- 10.12 A structured scoring system will be used for selecting the most suitable applicants. Each applicant should be scored against each question asked during the interview. Each applicant should be scored against the same criteria. Notes should be written immediately after each interview. Subjective opinions or feelings about applicants must not form part of the decision-making process. If additional selection methods are used, these should be fed into the decision-making process at the end, and the candidate who best meets the selection criteria chosen.
- 10.13 The person chairing the interview must ensure that the information on the application form is checked with all applicants, where necessary ascertaining an explanation for any gaps in employment. Checks must also be made to ensure that the successful applicant has the professional or vocational qualifications which are essential for the role. This will be carried out by the Recruitment Team.
- 10.14 All applicants should be informed at the end of the interview when a decision is likely to be made and how this will be communicated to them. Unsuccessful applicants must be notified, ideally this should be by telephone but when this is not possible an email or letter should be sent. Applicants must be offered the opportunity for feedback. Any feedback is the responsibility of the Appointing Manager and must be handled sensitively.
- 10.15 Only once all shortlisted applicants have been interviewed can a decision to appoint be made and offers of employment are conditional pending all employment checks being satisfactory.
- 10.16 Interview expenses are not reimbursed and should not be offered unless in exceptional circumstances, where it has been proved difficult to attract suitable candidates. In this case consistency among candidates for the vacancy must be observed.
- 10.17 Consideration should be given for virtual interviews via MS Teams where short-listable applicants who live a considerable distance away. Where this is required all of the applicants will require a virtual interview to ensure that all applicants are treated equably. However, the gold standard is always face to face interviews

10.18 Recruiting managers must abruptly end an interview should they or the panel members have any concerns regarding external/third party interference during a video interview where a pecuniary advantage may be achieved (this includes any suspected Artificial Intelligence input that would advantage the candidate).

11. Other selection methods

11.1 Any test undertaken by an applicant (before or after short listing) must be relevant to the Person Specification requirements and free of bias and must be used in conjunction with an interview.

11.2 Tests should only be used to demonstrate skills and abilities which cannot be better tested with interview questions. These may include word processing, telephone or manual skills.

11.3 Psychometric tests can be used to measure specific ability e.g. verbal reasoning, numerical reasoning or personality testing. Psychometric tests are often used to test a particular job or career area. For further information please contact the HR Department.

11.4 Other methods of selection such as Assessment Centres consist of various selection methods including, but not limited to psychometric testing, work samples, group exercises, in-tray exercises and case study analysis. These selection methods could involve team members or service users. Assessment centres, other than for frontline roles, where Livewell Southwest have produced a specific assessment centre, may be used for more senior or specialist posts in addition to a selection interview. Assessment centres must be approved by the HR team. For posts banded 8a or above an external assessment organisation may be used to assist with selection testing. For further information please contact the HR Team.

12. Pre-employment checks

12.1 Types of pre-employment checks:

- Employment references
- Health screening
- Professional registration
- Qualifications
- Identity and Right to Work in the UK
- Criminal convictions / DBS disclosures
- Overseas DBS (where necessary)
- Registration Authority ID

12.2 References and Employment History

12.2.1 External applicants are requested to supply referees covering a full three to five year employment history (including educational and voluntary placement), one of which must be the current or last line manager. Further references may be required. Applicants from NHS organisations will require 1 reference from their

current employer(s), if they have been employed there for more than 3 years. Further reference(s) maybe requires as appropriate.

12.2.2 Internal applicants – one reference will be sought from your current Line Manager.

12.2.3 Volunteer and Honorary Contracts are required to supply character references who have known them for: 3 years for Honorary and 6 months for Volunteers and are listed on the persons of some standing from NHS Employers.

12.3 **Pre-employment health screening and Sickness Absence records**

12.3.1 Offers of employment for substantive, temporary, honorary and voluntary workers are subject to receiving a satisfactory health declaration. Applicants are required to declare any health issues that may have an impact on their ability to carry out the duties of the role; any reasonable adjustments that may be required will be considered.

12.3.2 Should an applicant state that they do have a health issue that may impact on their ability to conduct the duties of the role, and only after an offer of employment has been made, the Appointing Manager may request that the applicant undertake an Occupational Health & Wellbeing Assessment.

12.3.3 Further guidance on pre-employment health referrals can be found within the Occupational Health & Wellbeing section of the intranet.

12.3.4 Where relevant, sickness levels can be ascertained from a previous employer. For candidates moving between NHS organisations using ESR system, then it should be included that the electronic Inter Authority Transfer system (IAT, check in NHS Jobs user guide) is used and that the Occupational Sick Pay data is collected. If this data is not available electronically then the employing organisation should make enquires with the previous employer to establish the reason why and to obtain the absence details held for the candidate concerned (contact Recruitment Team on Livewell.Recruitment@nhs.net ref IAT system).

12.4 **Professional registration**

12.4.1 Where an advertised role requires a professional registration with a licensing or regulatory body in the UK or another country, all applicants should have entered their registration details on their application form. All shortlisted applicants must provide documentary evidence of their registration at the interview stage.

12.4.2 It is the Recruitment Team's responsibility to ensure that copies of all registration documents have been made.

- 12.4.3 Prior to making any offer of employment, the Recruitment Team must check with the relevant body e.g. NMC, GMC, GDC, HCPC, SW to determine that the registration is valid.
- 12.4.4 If a successful applicant does not have valid registration or there are conditions related to their registration, the Appointing Manager must be notified. Recruitment will be required to contact the applicant to enquire as to the circumstances surrounding their registration. If the matter cannot be resolved the applicant must be notified that we are unable to offer them employment due to these concerns.
- 12.4.5 Copies of registration documents, for the appointed applicant(s), must be sent to the Recruitment Team with the necessary New Starter documentation. HR/Payroll will enter the registration details onto the Electronic Staff Record (ESR). Copies will then be held on the employee's central HR file.
- 12.4.6 Copies of registration documents for unsuccessful applicants should be shredded after the interview, unless you are not offering to an applicant due to a reason associated with their registration.
- 12.4.7 Further information regarding registration checking can be found in the Professional Registration policy.

12.5 **Qualifications**

- 12.5.1 All short-listed applicants are required to provide original documentary evidence of the necessary qualifications, as stated on the Person Specification, at the interview stage.
- 12.5.2 It is the Recruiting Managers responsibility to check and take a photocopy or scan of all original documents. Managers should then send the copies to the Recruitment Team by email, who will archive the appropriate paperwork as required.
- 12.5.3 If an applicant claims to have a qualification but subsequently is unable to present documentary evidence it is the applicant's responsibility that evidence is provided, to confirm their attendance on the course, course details and grade awarded. Failure to provide evidence may result in any offer of employment being withdrawn.
- 12.5.4 Copies of original qualification documents will be made by the Recruitment Team. HR/Payroll will enter the registration details onto ESR. Copies will then be held on the employee's central HR file.
- 12.5.5 Copies of original qualification documents for unsuccessful applicants should be shredded after the interview. However, if the reason for not pursuing the application is for a reason associated with the qualifications, then the documents must be sent to the Recruitment Team with the remaining recruitment documentation.

12.6 Checking identity and right to work in the UK

- 12.6.1 All applicants are asked to bring to the interview, evidence to confirm their identity and right to work in the UK. These requirements are two-fold:
- 12.6.2 Individuals must supply evidence to confirm their identity in order to comply with the NHS “Verification of identity employment check standard” (available to download at www.nhsemployers.org).
- 12.6.3 Under Section 8 of the Asylum & Immigration Act 1996 it is a criminal offence to employ a person aged 16 or over who is subject to immigration control. The individual is responsible for providing evidence of their right to work in the UK in accordance with current Home office guidance.
- 12.6.4 All applicants who are interviewed online will be asked to scan the required ID docs and qualifications to the recruiting manager, who will send an MS Teams invite to view all of the original documents, which are then emailed to the recruitment team. The candidate should be told to retain these documents as they will be required to present these to their manager on the first day of duty, ensuring that we comply with the Home Office/Counter fraud verification of Identity documents standards.
- 12.6.5 All applicants who undertake face to face document checks with the recruiting manager are expected to provide the original documents, photocopies cannot be accepted. These should be scanned and emailed to the recruitment to save/action as appropriate.
- 12.6.6 All documents that are sent by email for a successful applicant, should have the following statement listed within the email, so that we are compliant with the current legislation set by The Home Office in regards to the retention of ID documentation; **‘The date this right to work/ID/qualification check was conducted was on (date) and I can confirm that the attached ID/Quals were formally and physically verified in-person by (name)’**.
- 12.6.7 Pre-employment/engagement checks will begin once the recruitment team have received the correct Right to Work documents (passport, visa, Home Office Share code (with DOB), name change documents and evidence of the national Insurance Number from an official source) and address documents from the recruiting manager.
- 12.6.8 Only applicants who can provide the necessary identification and right to work documentation (as highlighted in the “Identity” Employment Check Standards and “Right to Work” Employment Checks Standard) will be able to commence employment with Livewell Southwest. All applicants must provide original documentation.

- 12.6.9 Copies of identification and/or right to work documents for unsuccessful applicants should be shredded after the interview, unless the reason for not making an offer to the applicant is for a reason associated with these documents in which case the documents must be sent to the Recruitment Team with copies of the remaining recruitment documentation.

12.7 Disclosure and Barring Service (DBS) Checks

- 12.7.1 If the role has access to or contact with children and/or vulnerable adults then a DBS disclosure must be obtained (the Recruitment Team hold a list of all jobs eligible for DBS checks). A DBS application must be completed using the sent link for our e-DBS service, this is then checked, and by The Recruitment Team after which it is submitted to the DBS for processing. The Recruitment Team is the gatekeeper of the information. A record of the DBS information outcome is held in ESR for Information Governance (IG) and data protection purposes.
- 12.7.2 Most posts within Livewell Southwest will require that a DBS check is obtained for successful applicants at either an enhanced or standard level. New employees who require a DBS check will not be able to commence employment without the satisfactory check of the DBS information outcome from the DBS website.

12.8 Registration Authority Checks

- 12.8.1 These checks are required for creation of an NHS Smart card which is used to access required systems. The checks are consistent with those required for right to work process. The NHS Smartcard contains a photographic ID; this will be taken at the pre-employment meeting by the ID checker.

12.9 Modern Slavery

- 12.9.1 This statement is made pursuant to section 54(1) of the Modern Slavery Act 2015 and constitutes part of Livewell Southwest's Modern slavery and human trafficking statement.
- 12.9.2 In relation to recruitment of staff, we provide assurance that all staff employed on a permanent or temporary basis are subject to checks to ensure that they are not the subject of modern slavery or human trafficking.

13 Appointment

- 13.1 Upon commencement in post, the Appointing Manager will complete an electronic Appointment form on the staff intranet.
- 13.2 Without all fully complete documentation, as detailed above, HR/Payroll will not set the employee up on the ESR system and an employee will not be paid.

14 Contract of employment

- 14.1 Upon input of all personal and role information into the ESR system, the Recruitment team will send a Contract of Employment to the new employee's home address once all the relevant information has been supplied by the Appointing Manager.
- 14.2 All Contracts of Employment will be sent prior to the start date. In order for The Recruitment Team to be compliant with current contractual legislation. Please can recruiting managers please supply The Recruitment Team with the start details at least 48 hours prior to the start date.

15 Confidentiality and record keeping

- 15.1 At all times, managers and employees involved in any aspect of this procedure must comply with the requirements of Livewell Southwest's Data Protection, Confidentiality, Caldicott and Safe Haven Policy and Procedure v1 and the principles of good record keeping set out in Livewell Southwest's Clinical Record and Note Keeping Policy.

16 Counter Fraud

Counter Fraud – any concerns around the authenticity of evidence provided i.e. gaps in employment history, references then further guidance can be obtained from the Local Counter Fraud Specialist and the Fraud, Bribery & Corruption Policy.

17 Equality Act Section 60

Section 60 of the Equality Act describes the specific circumstances that an employer can legally ask questions about an applicant's health or disability prior to an offer of appointment (this applies whether the offer is conditional or unconditional). The purpose of Section 60 is to prevent disability or health information being used to sift out job applicants without first giving them the opportunity to show they have the skills to do the job.

18 Returning, storing and destroying recruitment documentation/ storing records

- 18.1 All recruitment documentation, including short listing and interview notes are to be returned to the recruitment team and are kept for a period of six months.

19 Subject Access Requests

- 19.1 Guidance is provided in the Data Protection, Confidentiality, Caldicott and Safe Haven Policy and Procedure.

20 Complaints

20.1 If an applicant believes that this Policy has not been followed they should write to the Recruitment Manager who will arrange for their complaint to be investigated. Wherever possible they will be given a written reply to their complaint within two weeks of receipt of their letter. If the complainant is not satisfied with the outcome, they should write to the Deputy Director of People. Existing employees should use the Organisation's Grievance Procedure.

21 Wilful Failure to Follow the Organisations Policy

21.1 Individual managers who wilfully fail to follow the Organisation's Policies in relation to recruitment and selection and equal opportunities are liable to disciplinary action under the Organisation's Disciplinary Policy.

Appendix B

Frequently Asked Questions

- Do I have to appoint the candidate with the highest interview score?
 - No, ordinarily it would be expected that the candidate with the highest interview score would be appointed. However, the Panel may feel that based on the overall performance, assessment feedback, team 'fit' and the depth and quality of knowledge in a particular critical area the highest scorer is deemed not to be the most suitable candidate for the post.
 - Remember you do not have to appoint whatever the score.
 - Advice can be sought from HR & Corporate Services.

- What if there is more than one candidate who is appointable?
 - Managers can request that the Recruitment Team keep these candidates 'on file' for up to four months in line with the ATR process.
 - The Manager should check with the candidate that they agree to this.
 - This may occur if the appointed candidate declines or a similar vacancy arises, e.g. band/grade, hours.
 - This is at the Appointing Manager's discretion.

- Do I always have to advertise a vacant post on NHS Jobs?
 - No, certain posts need not be advertised.
 - The redeployment database needs to be considered for all posts in the first instance. Please contact the HR Department.
 - Once the redeployment database has been considered and you are able to proceed to fill the vacancy/hours. Managers would then need to offer the opportunity to all eligible members of the team, to include staff on annual leave, sickness and maternity/paternity/adoption leave. Wider locality areas could be considered if existing team members decline.
 - Alternatively, you can apply to see the internal transfer and kept on file list.
 - This should be an auditable process.

- How do I cover an absence, i.e. maternity leave, career break?
 - You can advertise for a temporary post through the normal processes.
 - However, in the advert you can state that the length of the contract will be 'until the return of the current post holder'.

- What happens if a candidate cannot attend an interview on the stipulated date, do I have to offer an alternative?
 - No, Managers are under no obligation to offer an alternative date. If you do arrange another date, you must ensure as far as possible that the same Interview Panel and questions are used.

- Do internal posts have to be advertised on NHS Jobs?
 - Yes, they do to ensure that a fair and transparent process has been undertaken.

- Can I offer someone on a fixed term contract a comparable substantive post or

another fixed term contract?

- Yes, provided the internal process has been followed. This will include consideration of the redeployment database.
- Advice should be sought from HR Department.

- Do I need to have an approved ATR before any recruitment process can be started?

- Yes.
- An ATR is valid for four months from the date of approval at the Vacancy Review Panel.

- Can I advertise a post whilst the employee is still in post?

- Yes, if an employee has resigned and the resignation has been accepted in writing.