

Appointment of staff policy

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1. Document summary

1.1 What is this policy about?

This policy explains how the trust recruits people for jobs. It helps staff recruit people in a fair, safe and consistent way.

The policy covers the full recruitment process. This includes approval to recruit, reviewing the need for a post and the team's skill mix, preparing the job description and person specification, advertising vacancies, shortlisting, interviewing and assessing candidates. It also explains guaranteed interview arrangements, reasonable adjustments, interview scoring and the checks that must be completed at interview.

The policy also covers contracts, induction, fixed term and probationary appointments, bank and agency workers, volunteers and international recruitment. It sets out the responsibilities of recruiting managers, the Recruitment team and Procurement, together with the training required for staff involved in recruitment.

1.2 Who must use it?

Recruiting managers, interview panel members, the Recruitment team, Human Resources, Procurement and staff who help with recruitment must follow this policy.

1.3 Before a job is advertised

The manager must get approval to recruit. They must check that the job is needed and that the job description and person specification are correct and up to date.

1.4 Choosing who to interview

At least two people should shortlist applicants. They must compare each application with the person specification and record their decision in Trac. Some applicants are entitled to a guaranteed interview if they meet the essential requirements.

1.5 Interviews and assessments

The interview panel must assess everyone fairly. The panel must agree the questions and scoring before the interviews. Candidates must be asked if they need any reasonable adjustments. Notes and scores must be kept for at least six months.

1.6 Checks before someone starts work

The successful candidate will receive a conditional offer. The trust will then complete the checks needed for the job. These may include identity, references, work health, qualifications, professional registration, criminal records and the right to work in the UK.

A successful candidate will receive a conditional offer while the required pre-employment checks are completed. These may include identity, employment history and references, work health, professional registration and qualifications, criminal records and right to work in the UK. A final offer and start date can normally be confirmed only when the required checks are satisfactory. Managers must seek advice before withdrawing an offer or allowing someone to start before a required check is complete.

1.7 Where to get help

Use the [recruitment toolkits](#) and appendices with this policy. Contact the Recruitment or Human Resources team if you are not sure what to do.

2. Introduction and aim

Good recruitment helps the trust attract skilled people who share our values and can provide high-quality patient care. We aim to use fair, inclusive and accessible recruitment processes so that our workforce better reflects the communities we serve.

This policy sets the standards the trust must follow when recruiting staff. These standards are designed to:

- meet NHS Employers standards and relevant employment law
- prevent unfair bias and discrimination
- make recruitment and selection fair, inclusive and clear

This policy describes the usual recruitment process. The trust may also use other fair and lawful approaches to widen access to jobs for communities that are underrepresented in our workforce.

3. Procedure

Use the safe and [inclusive recruitment toolkits](#) with this policy to support a fair and consistent process. Appendix A summarises the recruitment process, and appendix B sets out the recruiting manager's and Recruitment team's responsibilities at each stage.

3.1 Stage 1, advertising a vacancy

3.1.1 New vacancy request approval process

Before advertising, filling a post or changing a post's title the recruiting manager must submit a new vacancy request through the Trac recruitment system and obtain approval.

3.1.2 Skill mix review

Before starting recruitment, the recruiting manager must review the service need with the relevant clinical or professional lead. They should decide whether the vacancy needs to be filled, whether the team's skill mix should change and whether an apprenticeship would be suitable.

3.1.3 Job description or person specification

The job description and person specification must be separate documents. Before the post is advertised, a manager or professional lead who understands the role must check that both documents are accurate and up to date.

The job description explains the duties, responsibilities and level of the post. The person specification lists the essential and desirable qualifications, training, knowledge, skills and experience. These documents must be used to prepare the

advert, shortlist applicants, write interview questions and make the selection decision.

All new job descriptions or person specifications and where significant changes have been made to an existing job description and person specification must be submitted to an Agenda for Change Job Matching Panel. Additionally, if your job description is over 3 years old it should be submitted for a quality assurance review. For further information on this process refer to the [Agenda for Change job matching and evaluation process procedure](#).

A job description or person specification template can be found at appendix C.

3.1.4 Placing an advert

The recruiting manager must submit the advert through Trac as part of the new vacancy request. After approval, the Recruitment team will check and publish the advert on NHS Jobs and, where suitable, in other media. The Recruitment team will only process an advert when the vacancy is approved and the job description, person specification and confirmed interview date have been provided.

To reach our ambition of being an employer of choice we are committed to creating a culture where flexibility is welcomed. All vacancies are advertised as a flexible working opportunity, and managers are asked to consider all flexible options when recruiting to a post.

3.1.5 Apprenticeship first

The trust is committed to improving opportunities to enter employment via apprenticeships. Our apprenticeship first approach means that all band 2 and 3 vacancies are advertised as an apprenticeship opportunity. This approach will support widening participation of underrepresented communities in our workforce.

3.1.6 Advertising options

All vacancies are advertised on the NHS Jobs website. An advert template can be found at Appendix D. There are three options to consider when placing an advert:

- external recruitment: the vacancy will be advertised via the NHS Jobs website and all associated employability sites, for which anyone can apply.
- internal recruitment: the vacancy will be advertised via the NHS Jobs website, but applications will be limited to employees internal to the trust
- expression of interest (EOI), to be used for time limited vacancies including:
 - short term vacancies where the post holder will be returning to work (for example, acting up, internal or external secondments, long term sickness, maternity or paternity leave) of up to 6 months
 - short term funded vacancies of up to 6 months
 - where there are financial constraints, for example, the position of the person appointed may not be backfilled, and therefore any additional costs within the directorate or team are kept to a minimum

Alternative advertisement methods should only be considered in exceptional circumstances and authorisation sought from the service manager before proceeding.

Further information on advertising options can be found in the safe and inclusive recruitment toolkit 3: advertising a role.

3.2 Stage 2: shortlisting

At least two people must shortlist applicants, normally including the line manager. Wherever possible, the same people should sit on the interview panel. They must assess each application against the criteria in the person specification and record the decision in Trac.

3.2.1 Guaranteed interview schemes

A recruiting manager will guarantee interviews to applicants who meet the essential requirements of the person specification in the following circumstances:

- applicants who disclose a disability
- applicants from the armed forces
- applicants who indicate they are care leavers
- internal candidates who are deemed "at risk"

3.3 Stage 3: interview

Candidates are invited to interview by the Recruitment team via the Trac recruitment system using the details provided by the recruiting manager.

3.3.1 Interview panels

An interview panel must have at least two members and enough professional or operational knowledge to assess candidates fairly. The panel should include people with different backgrounds and perspectives wherever possible. The lead interviewer must have completed safe and inclusive recruitment training so that they understand how to reduce bias.

The lead interviewer should be of a higher band than the post being recruited to and other panel members of equivalent or higher band to that of the post being recruited to. You may have an additional independent panel member who can be of any banding that will add experience to your decision-making.

3.3.2 Assessment methods

A range of assessment methods for both the essential and desirable criteria of the role should be considered as part of the interview process. This could include presentations, situational judgement tests, clinical assessments and psychometric assessments. Assessments must be administered by appropriately trained and experienced staff and should be relevant to the role.

Further information on different assessment methods can be found in the safe and inclusive recruitment toolkit 4: interview and selection.

3.3.3 Reasonable adjustments

Ask every candidate whether they need reasonable adjustments for the interview or assessment. If an adjustment is requested, contact the Recruitment team for advice on how to provide it.

3.3.4 Scoring

Before the interviews, the panel must agree the questions, assessment methods and scoring criteria. Panel members must understand what evidence they expect candidates to provide. An interview scoring sheet is available at appendix E.

Panel members must record the main points from each interview and use these notes when scoring against the agreed criteria. The recruiting manager must keep the interview notes and scores for at least six months.

3.3.5 Mandatory checks to be completed at interview

The following mandatory checks should be completed at interview for all candidates:

- an initial photographic ID check
- check any essential qualifications required for the role
- check professional registration required for the role (if applicable)
- check that references detailed on the application form are appropriate and cover the last 3 years of employment
- explore any gaps in employment
- explore any declared information regarding previous criminal offences

3.4 Stage 4: initial conditional offer of employment

Following interview, the recruiting manager will notify the Recruitment team of the successful candidates via the Trac recruitment system. The Recruitment team will then send a conditional offer of employment to the successful candidates detailing the conditions under which the offer has been made, and any pre-employment checks required prior to commencing employment, which will be completed in line with the [NHS employment check standards](#).

There are limited conditions under which a conditional offer of employment may be made:

- subject to verification of identity
- subject to satisfactory references
- subject to satisfactory work health assessment
- subject to successful completion of training and associated achievement of required qualifications
- subject to Disclosure and Barring Service (DBS) clearance, including barred lists as appropriate
- subject to continuing accuracy of declaration form
- subject to confirmation of and ongoing entitlement to work in the UK

No other form of conditional offer is permitted by the trust without the explicit approval of the trust's Human Resources team.

Pre-employment checks must follow data protection requirements. Do not complete checks routinely for every applicant or use them to shortlist candidates. If information is needed before a preferred candidate has been identified, the recruiting manager must be able to explain why this is necessary, for example to protect patients or staff, and must discuss it with the candidate.

A final unconditional offer of employment cannot be issued until all pre-employment checks have been undertaken. Should the pre-employment checks not be satisfied, the candidate will not progress to an unconditional offer of employment. Guidance on the process for following up those who fail to satisfy the pre-employment check requirements can be found at appendix F.

All agency workers are recruited via employment agencies approved by the NHS workforce alliance and as part of the contractual agreement with the trust are required to adhere to the NHS Employers employment check standards.

3.4.1 Employment check consent form

The successful candidate must be told that documents relevant to the post will be checked and that appointment depends on satisfactory pre-employment checks. They must give consent through Trac before the checks begin.

3.4.2 Unsuccessful candidates

Unsuccessful candidates should be dealt with courteously and sensitively. The recruiting manager is responsible for contacting candidates after interview to communicate the outcome of the interview and to offer the opportunity for feedback about their performance in the interview process.

Further information on providing feedback can be found in the safe and inclusive recruitment toolkit 4: following the interview.

3.4.3 Withdrawing an offer of employment

An offer may only be withdrawn after advice from the Recruitment or Human Resources team. The reason must relate to a condition of the offer, be clearly recorded and be confirmed to the candidate in writing.

3.4.5 Verification of identity

Verification of a prospective employee's identity will be undertaken in line with the [NHS employers identity check standard](#).

Copies of the original relevant documentation should be checked for authenticity, copies taken, signed and dated and kept on the personal file in a secure place. Identification should again be verified via an approved form of photographic identification (ID) on the employees first day of employment.

The identification of any bank and agency workers must be verified by the provider in line with the NHS Employment check standards. A photographic identity document (for example, ID card) must be checked by the manager on duty or an appropriate delegate on the bank or agency workers first attendance for duty.

3.4.6 Employment history and reference checks

Employment history and reference checks will be undertaken in line with the [NHS employers employment history and reference checks standard](#).

Where an applicant is an existing NHS employee a standard reference request will be issued and additional checks regarding employment dates will be verified through the electronic staff record (ESR) using the inter authority transfer (IAT) functionality.

Explanations must be sought during the interview stage in relation to any missing or unsuitable references and any gaps in employment. For the purposes of checking employment history, references must provide details on dates of employment and the position held.

If there are any difficulties obtaining references in line with the NHS employers standard advice should be sought from the Recruitment team.

3.4.7 Employment work health assessments

The candidate must undergo an appropriate work health (occupational health) assessment in line with the [NHS employers work health assessment standard](#). All checks must take into account the requirements of the Equality Act (2010). If the assessment indicates that adjustments may be required to undertake a role, recruiting managers must contact the Recruitment team or Equality, Diversity and Inclusion team for advice on the suitability of adjustments or restrictions required. As part of the work health assessment, appointees will also be required to provide documentary evidence to the occupational health department in relation to immunisations for positions which involve patient or service user contact.

3.4.8 Professional registration and qualification check

Where a professional registration or specific qualifications form part of the essential requirements for the position being applied, these will be checked by the recruiting manager at interview, in line with the [NHS employers professional registration and qualification check standard](#).

Where recruiting managers struggle to verify qualifications, advice should be sought from the Recruitment team.

3.4.9 Criminal record check

The trust must satisfy itself that there are no issues of this nature, either past or current, which would compromise the applicant's suitability for appointment. Therefore, where appropriate, a criminal record check will be undertaken via the Disclosure and Barring Service (DBS) in line with the [NHS employers criminal records check standard](#).

All new employees to the trust will require a new Disclosure and Barring Service check where they are applying for a position within a regulated activity. Where a new employee has subscribed to the Disclosure and Barring Service update service, permission will be sought to conduct an online check, provided the new position does not alter the type or level of check required.

Appendix F lists the appropriate level of disclosure for each occupation group and service area.

In exceptional circumstances, recruiting managers may make a risk-based decision to allow an individual to take up their role before the outcome of their Disclosure and Barring Service check is known. However, this decision should be made in conjunction with human resources advice and the new employee restricted to non-regulated, supervised activity until the outcome of the check is known.

Previous disclosures from other organisations are not acceptable to the trust. Any candidates who have spent a consecutive period of six months or more outside the UK will need to provide evidence of an overseas police certificate or certificate of good conduct (also known as a certificate of clearance) from the relevant country or countries in addition to the normal Disclosure and Barring Service check. For such cases advice should be sought from the Recruitment team.

Any candidates who have declared that they have been serving in the military can be requested to provide an extract from their military service record which would include any offences they may have been charged with whilst serving in another country. This may negate the requirement for, obtaining an overseas police certificate or a Disclosure and Barring Service check.

A new Disclosure and Barring Service check will not be required where an existing member of staff changes role within the trust and their roles and responsibilities of the new job do not change the type or level of Disclosure and Barring Service clearance required. The trigger for a new check is where:

- they have never had a Disclosure and Barring Service (DBS) or Criminal Records Bureau (CRB) check before and are moving into regulated activity which requires an enhanced disclosure, which may also include a check against the children's list and or adults (as applicable)
- they have previously only had a standard level disclosure and are moving into regulated activity which requires them to have a higher-level disclosure
- there has been a break of service for more than three months between leaving the old position and taking up the new position or in flexible retirement cases where the employee has not previously had a Disclosure and Barring Service or Criminal Records Bureau check or a Disclosure and Barring Service or Criminal Records Bureau check at the appropriate level
- it has been over 3 years since last Disclosure and Barring Service check carried out by the trust

There will be instances where periodic checks will be undertaken in line with contractual or governing body regulations.

Where it is declared that an applicant has been convicted of a criminal offence contact the Recruitment team for guidance on how to proceed.

Recruiting managers must also ensure that they are satisfied that any agency workers have the appropriate level of DBS check before commencing work in any service area. This will be verified by the relevant employment agency prior to the agency worker commencing in post.

3.4.10 Self-declaration forms

Applicants who apply for any positions which are exempt from the Rehabilitation of Offenders Act (1974) will be required to complete a self-declaration form. This is in addition to completing a disclosure and barring service (DBS) check. Self-declaration forms can be found at appendix H.

3.4.11 Entitlement to work in the UK

When checking an applicant's identity, their right to work in the UK will also be checked in line with the Immigration Act (2016), following the [NHS Employers right to work checks standard](#) and the [Home Office employers guide to right to work checks](#). All successful applicants must have their right to work documentation validated by a government approved identity service provider or a member of the Recruitment team.

A record must be kept of every document checked. This can be hardcopy or a scanned copy in a format which cannot be manually altered. A record of the date on which a check was made must be retained, either by making a dated declaration on the copy or in a separate record, held securely.

The trust holds a sponsorship licence and can act as a sponsor if a successful candidate requires additional documentation to work within the UK. Should the trust believe the candidate meets the requirements for a skilled worker visa, they are required to issue a certificate of sponsorship (Cos) which the candidate will use to support their application. In this instance, advice must be sought from the Recruitment team. The candidate will not legally be able to commence employment until the certificate of sponsorship and visa applications have been approved and authorised documentation validated.

3.4.12 Language competency

In line with the code of practice on the English language requirement for public sector workers, all public facing roles within the NHS require a proportionate level of English language proficiency for written and verbal communication.

Recruiting managers must ensure that applicants have the necessary linguistic skills to undertake the type of role they are appointing to. If recruiting managers have any concerns in relation to language competency, they should contact the Recruitment team or Equality, Diversity and Inclusion team for further advice.

3.4.13 Relocation or removal expenses

New employees who are required to relocate for the purpose of taking up their new employment with the trust may be eligible to apply for relocation or removal expenses. The new employee should refer to the eligibility criteria detailed within the [relocation or removal expenses procedure](#).

3.5 Stage 5: final unconditional offer of employment

When all required pre-employment checks have been completed and the terms of the conditional offer have been satisfied an unconditional offer of employment will be sent to the candidate by the Recruitment team confirming the offer, start date and stating the main terms and conditions of employment.

In the event that pre-employment checks have not been satisfied, the Recruitment team will notify the recruiting manager and discuss next steps. Any other circumstances in which an offer is to be withdrawn should be discussed with the recruitment team.

3.5.1 Contract of employment

A contract of employment will be issued to the recruiting manager prior to the candidate's first day of employment. The recruiting manager is responsible for ensuring the contract of employment is accurate and is issued to the candidate no later than their first day of employment.

The new employee will have access to the trust employment handbook and the Agenda for Change terms and conditions of service handbook which can be found on the trust website.

3.5.2 Induction arrangements

On completion of the selection process and once a start date has been confirmed, the Recruitment team will make the appropriate arrangements for formal trust induction of the new employee.

The recruiting manager will make arrangements for the new employee's first day of employment including a local induction process.

3.5.3 Fixed-term contracts

Fixed term contracts should only be used where there are operational requirements that restrict the offer to a specific period of time, for example:

- cover for extended absence from work such as maternity or sick leave
- management of organisational change
- time limited project
- short term funding

Any member of staff appointed on this basis must be kept informed about their contractual position, its reason and likely duration.

Recruiting managers should undertake a careful review of the duration of fixed term contracts on a regular basis to maintain a proper balance between the interests of the employer and those of the employee.

Extensions to fixed term contracts must be agreed through the new vacancy request approval process (see section 5.1). It is not appropriate to use successive fixed term contracts unless there is a clear and justifiable reason for doing so and should only be issued for a maximum of 4 years.

Where an employee has accrued 4 years continuity of service on fixed term contracts with the trust or predecessor employers (where transfer of undertakings (protection of employment) regulations (TUPE) has applied) they will automatically acquire substantive status, unless there is an objectively justifiable reason that this should not be the case. In such instances advice must be sought from the human resources department.

Further information on fixed term contracts can be found via the [leaving employment policy and procedure](#).

3.5.4 Probationary contracts

Employment contracts for all new starters to the trust include a paragraph that confirms that the offer of employment is subject to a probationary period of six months. This does not apply for existing employees who are changing roles within the trust.

Guidance on probationary periods can be found via the [probationary periods procedure](#).

3.6 Use of bank, agency workers and volunteers

3.6.1 Bank and agency workers

The trust uses NHS Professionals to cover any service gaps that cannot be covered internally with bank workers. Where this is not possible, and agency workers are to be considered, the agency approval process should be followed

It is essential that persons whose services are hired by the trust, and who are not employees of the trust, are subject to checks that are no less rigorous than for substantive employees. It will be for the trust to satisfy itself that the other party carries out the necessary checks.

3.6.2 Volunteers

It is essential that persons whose services are recruited by the trust on a voluntary basis are subject to checks that are no less rigorous than for substantive employees. Further information on volunteers is contained in the volunteers policy.

3.7 International recruitment

Where the trust chooses to engage in international recruitment practices to recruit in to 'hard to recruit to' posts, this will be done in line with the UK code of practice for international recruitment and in full adherence to the NHS employers employment check standards.

Managers planning international recruitment must contact the Recruitment team for advice and follow the current UK code of practice and NHS Employers employment check standards.

4. Responsibilities

4.1 Recruiting managers

Recruiting managers must follow this policy, use the correct recruitment process, complete the checks assigned to them and ask the Recruitment team for advice when needed.

4.2 Recruitment team

The Recruitment team manages the recruitment process from start to finish. It provides training, advice and updates to recruiting managers, including changes to NHS standards and relevant employment requirements. The team also monitors recruitment key performance indicators.

4.3 Procurement team

The Procurement team must make sure that employment agencies used by the trust are on the correct NHS Workforce Alliance framework. Agency agreements must require the agency to complete the NHS employment checks that apply to the worker.

5. Training

5.1 Recruiting manager

- Recruiting managers must complete recruitment and selection training once and attend updates when standards or requirements change.
- The length of training will depend on the manager's needs.
- Training may include one-to-one support, briefings, facilitated sessions and online guidance.
- The Recruitment team provides the training and attendance is recorded in the electronic staff record (ESR).

5.2 Human resources recruitment team

- Recruitment team staff must complete training when they join the team and when standards or processes change.
- Initial training normally lasts half a day and is supported by local induction, coaching and supervision.
- The Recruitment team provides the training and attendance is recorded in ESR.

5.3 Staff side or recruiting managers admin support staff

- Staff-side representatives and staff who provide administrative support to recruiting managers must receive relevant training when appointed and when standards or processes change.
- The length of training will depend on their role. The Recruitment team will provide briefings on the procedures they need to follow.
- Attendance is recorded in ESR.

6. Monitoring Arrangements

6.1 How the organisation monitors performance against set recruitment key performance indicators

- How and who by: monthly key performance indicator (KPI) reports by Recruitment team leader.
- Reported to: care group delivery review meetings and NHS England Improvement.
- Frequency: monthly.

6.2 Equality and diversity monitoring

- How and who by: equality diversity monitoring report via electronic staff record (ESR) by head of human resources (workforce and transactional services).
- Reported to: people and teams group.
- Frequency: annually.

The recruitment process and procedures follow the mandatory NHS Employment Check Standards and Equality Act (2010). The checks are in compliance with the Data Protection Act (2018), General Data Protection Regulations (GDPR) Part V of the Police Act (1997), the Rehabilitation of Offenders Act (1974) (Exceptions) Order (1975) (as amended) and the Protection of Freedoms Act (2012) (which amends the Safeguarding Vulnerable Groups Act (2006)).

7. Related documents and associated references

- [Safe and inclusive recruitment toolkit 1: what is Inclusive recruitment?](#)
- [Safe and inclusive recruitment toolkit 2: before advertising](#)
- [Safe and inclusive recruitment toolkit 3: advertising a role](#)
- [Safe and inclusive recruitment Toolkit 4: interview and selection](#)
- [Safe and inclusive recruitment toolkit 5: following the interview](#)
- Policy for the verification of employees professional registration
- Leaving employment policy and procedure
- Probationary periods procedure
- NHS Agenda for Change job matching and evaluation procedure
- Volunteers policy
- Policy for the management of local and corporate induction
- Relocation or removal expenses procedure
- [UK code of practice for international recruitment](#)
- Agency approval process
- NHS Employers Identity Check Standard.
- NHS Employers Employment History and Reference Checks Standard.
- NHS Employers Work Health Assessment Standard.
- NHS Employers Professional Registration and Qualifications Check Standard.
- NHS Employers Criminal Records Check Standard.
- NHS Employers Right to Work Checks Standard.
- Home Office Employers Guide to Right to Work Checks.
- NHS Workforce Alliance Framework.
- Equality Act (2010).
- Identity Documents Act December (2010).
- Immigration Act (2016).
- Regulated Activity (Adults), Department of Health August (2012).
- Protection of Freedoms Act (2012).
- Rehabilitation of Offenders Act (1974).
- Data Protection Act (2018).
- General Data Protection Regulations (GDPR).

8. Appendices

8.1 Appendix A recruitment flowchart

Refer to appendix A: [recruitment flowchart \(staff access only\)](#).

8.2 Appendix B recruiting managers checklist

Refer to appendix B: [recruiting managers checklist \(staff access only\)](#).

8.3 Appendix C example job description and person specification template

Refer to appendix C: [example job description and person specification template \(staff access only\)](#).

8.4 Appendix D advert template

Refer to appendix D: [advert template \(staff access only\)](#).

8.5 Appendix E interview scoring template

Refer to appendix E: [interview scoring template \(staff access only\)](#)

8.6 Appendix F following who fail to satisfy the pre-employment check

Category	Pre-employment check concerns	Current employment check concerns
Identity checks	Stop the recruitment process and contact the Recruitment team. Consider advice from the NHS Counter Fraud Specialist or the relevant professional body.	Contact the Recruitment or Human Resources team and follow the trust disciplinary policy where appropriate.
Right to work checks	Stop the recruitment process and ask the Recruitment team for advice. The team will advise whether any other organisation must be notified.	Ask the Recruitment or Human Resources team for advice before deciding whether the person can continue working. Evidence that a visa application is being processed must be checked by the Recruitment team.
Registration and qualification checks	Stop the recruitment process and contact the Recruitment or Human Resources team. If documents may be false, consider advice from the NHS Counter Fraud Specialist and the relevant professional body.	Contact the Recruitment or Human Resources team and follow the trust policy for checking professional registration. Consider advice from the NHS Counter Fraud Specialist.

Category	Pre-employment check concerns	Current employment check concerns
Employment history and reference checks	Meet the candidate to discuss any differences. If there is no satisfactory explanation, seek advice from the Recruitment team and consider withdrawing the offer. Suspected false references may need referral to the NHS Counter Fraud Specialist.	Meet the employee to discuss any differences and seek advice from the Recruitment or Human Resources team. Follow the appropriate trust process if concerns remain.
Work health assessments (occupational health checks)	Ask the Recruitment team for advice. If the assessment raises concerns, the recruiting manager must consider whether reasonable adjustments could enable the candidate to do the role.	Ask the Recruitment or Human Resources team for advice and follow the trust policy on supporting health, wellbeing and attendance. Consider reasonable adjustments.
Disclosure and Barring Service checks	Stop the recruitment process and contact the Recruitment team. Consider advice from the NHS Counter Fraud Specialist or the relevant professional body.	The Recruitment team will discuss any disclosure with the employee and line manager. The manager must consider whether it was previously declared, its seriousness and its relevance to the role. Follow the disciplinary policy if concerns remain.

8.7 Appendix G declarations, disclosures and checks required by occupational group

Refer to appendix G: [declarations, disclosures and checks required by occupational group \(staff access only\)](#).

8.8 Appendix H self-declaration form

Refer to appendix H: [self-declaration form \(staff access only\)](#).

8.9 Appendix I procedure on the recruitment of ex-offenders

Many trust posts involve contact with patients and require a Disclosure and Barring Service (DBS) check. Applicants must disclose the information required for the level of check, except information protected by DBS filtering rules. The trust will consider only information that is relevant to the role.

A preferred candidate must complete the trust declaration form and disclose any relevant cautions, convictions, police investigations or fitness to practise investigations.

Where the role requires it, the preferred candidate must also complete the DBS application process.

Applicants for posts that do not involve regulated and some controlled activities are covered by the Rehabilitation of Offenders Act (1974) and are therefore only required to declare criminal convictions that are not "spent".

8.9.1 Process statement

The trust treats applicants fairly and welcomes applications from people with criminal records. Selection decisions are based on the requirements of the post and the applicant's skills, qualifications and experience. A criminal record does not automatically prevent someone from working for the trust.

8.9.2 Principles

Recruitment decisions must protect patients, service users and staff while treating applicants fairly. A criminal record will not automatically prevent appointment. The recruiting manager must make a balanced assessment of whether the information is relevant to the role, and a DBS check must only be requested when the role requires it.

1. The trust, in using the Disclosure and Barring Service (DBS) service to assess applicants' suitability for positions of trust will comply with the Disclosure and Barring Service's code of practice.
2. Every individual who is subject to a Disclosure and Barring Service disclosure will be made aware of the existence of the Disclosure and Barring Service code of practice.
3. The existence of this policy on the recruitment of ex-offenders will be notified to all disclosure applicants.
4. For those positions where a disclosure is required, there will be a statement included with application forms that a disclosure will be requested in the event of the individual being offered the position.
5. The resulting information received will inform the recruitment decision-making process in accordance with principles set out above.
6. Managers involved in the recruitment process will identify and assess the relevance and circumstances of any offences declared, as directed within the following guidance. Managers requiring additional guidance regarding the relevant legislation relating to the employment of ex-offenders, for example, the Rehabilitation of Offenders Act (1974) should contact the human resources department.
7. At interview, or separately, an open and measured discussion will take place on the subject of any offences declared or other matters that might be relevant to the position, in accordance with the following guidance.
8. Failure by the applicant to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment and, or, where employment has commenced, action under the trust's disciplinary procedures including dismissal.
9. The trust undertakes to discuss any matter revealed in a disclosure with the person seeking the position before withdrawing a conditional offer of employment.

8.9.3 Guidance for managers on the recruitment and selection of ex-offenders

There are 4 stages during the recruitment and selection process where an applicant may disclose information regarding previous criminal offences:

For all posts:

- application form: the applicant is asked to declare if they have ever been found guilty of a criminal offence
- interview: the applicant is questioned further about any offences declared

For posts exempt from the Rehabilitation of Offenders Act (1974), that is posts requiring a Disclosure and Barring Service (DBS) check:

- declaration form: the provisionally selected applicant is asked to complete and sign a written declaration of any previous offences
- Disclosure and Barring Service disclosure: information is received from the Disclosure and Barring Service detailing any previous offences of the provisionally selected applicant

At all four stages, the recruiting manager will need to make an assessment of the significance of any offence in relation to the post

Objective assessments will:

- focus on a person's abilities, experience and qualifications
- consider the nature of the conviction and its relevance to the job in question
- identify the risks to the organisation's business, service users, clients and employees
- recognise that having a criminal record does not always mean lack of skills, qualifications and experience
- note that high-quality training, leading to qualifications, is available in many prisons

Sometimes the link between an offence and the role will be clear. If it is not clear and the applicant meets all essential criteria, they should be shortlisted and the relevant information should be discussed fairly at interview.

You will need to take these issues into account:

- the seriousness of the offence and its relevance to the safety of other employees, service users, clients or property
- the length of time since the offence occurred
- any relevant information offered by the applicant about the circumstances which led to the offence being committed, for example, the influence of domestic or financial difficulties
- whether the offence was a one-off, or part of a history of offending
- whether the applicant's circumstances have changed since the offence was committed, making re-offending less likely
- whether the offence has been decriminalised by Parliament
- the country in which the offence was committed. Some activities are offences in Scotland and not in England and Wales, and vice versa
- the degree of remorse, or otherwise, expressed by the applicant and their motivation to change

An assessment of an applicant's skills, experience and conviction circumstances should be weighed up against the risk assessment criteria for the job:

- does the post involve regulated with children or other groups as employees, service users or clients?
- what level of supervision will the post holder receive?
- does the post involve any direct responsibility for finance or items of value?
- does the post involve direct contact with the public?
- will the nature of the post present any opportunities for the post holder to re-offend in the course of work?

Where a recruiting manager is satisfied that the details of an offence would not compromise the provisionally selected applicant's suitability for the post, the applicant should be offered the job provisionally, with the condition that the Disclosure and Barring Service disclosure does not reveal any offences not previously mentioned by the applicant. Whilst waiting for the disclosure to come back, the provisionally selected applicant should be asked to complete the relevant declaration.

There is a limit to the usefulness of information provided by a standard or enhanced disclosure. Where information is revealed, the disclosure will generally only provide the basic facts, the name and date of offences, for instance, and the sentence. It will not put them into context. There may therefore be a need for further discussions with the provisionally selected applicant.