

Recruitment Policy





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Introduction

This policy sets out the process to be followed in the recruitment of all staff at Riverside Surgery and Trent View Medical Practice.

Applicability

The policy applies to all employees involved in recruitment, and applies to recruitment for new posts and replacement staff, applies for permanent, fixed term or temporary contracts, and applies to both full-time and part-time posts.

The Policy

- The practice will select the successful candidate on the basis of the best person for the job.
- The practice will invest time and care in the selection process to give all candidates the initial opportunity to progress equally through the recruitment process.
- The practice will ensure that its recruitment process is free from discrimination and follow the principles and ethos of the Equality Act 2010.
- At least one member of the interview panel will have completed their recruitment and selection training on TeamNet.

The Procedure

- Preparation of a job description for the vacancy.
- Agreement of the job description and person specification by the line manager and Business Manager.
- Agreement of the advertisement with the line manager and Business Manager.
- Advertising the vacancy for a reasonable length of time, depending on requirement.
- Briefing for the Team regarding the vacancy and procedure for handling of enquiries.
- Shortlisting to be completed by the line manager against the criteria established in the person specification.
- Issue of written interview invitations, by letter or email.
- Interviewing by an appropriate panel consisting of no less than two people.
- Interview questions and scoring documents to be completed by all members of the panel.
- Consideration of the need for second interviews.
- Selecting or re-interviews.



- Verbally offer the job to the most suitable candidate, subject to the receipt of satisfactory references and DBS and health clearance.
- Request permission from the candidate to approach their referees, one of whom must be the current or most recent employer.
- Confirm the offer of appointment, in writing, to the successful candidate, detailing job title, starting salary, hours of work, annual leave, including a potential start date, by letter or email.
- Follow up on references, DBS, and Occupational Health clearance.
- When satisfactory references, DBS and health clearance have been received, confirm the job offer to the candidate and agree a start date. In certain circumstances employees may start if references or occupational health clearance are delayed.
- Inform unsuccessful interviewees.
- Advise non-interviewed candidates; either by letter or email. This is dependent upon the post.

Guidelines For Interviewers

Introduction

These guidelines are designed to brief interviewers on specific areas to avoid when talking to job candidates to comply with both legislation and with best personnel practice. The principles will apply for all contacts with job applicants as well as in formal interview.

The basis of candidate evaluation is to select the best person for the job, and questioning will concentrate on establishing the candidate's ability to do this. Questions not directly related to ability to carry out the tasks to the required standards will be avoided.

You should not ask questions on the following subjects

- Children: childcare or childcare arrangements and / or future plans for family
- Family commitments
- Race or ethnic origin
- Religious beliefs
- Marital status
- Pregnancy or maternity status
- Husband / Wife / Partner lifestyle or occupation
- Husband / Wife / Partner career or career aspirations or plans
- Sexual orientation / Gender
- Age and age-related topics, or make comments which suggest that age of candidates or existing staff is a relevant factor
- Travel arrangements to / from work
- Health, or sickness absences



Where a candidate mentions any of these aspects the information can be accepted but there should be no further questions asked which enlarge on these points. The information offered should be excluded from your assessment of the candidate and your final choice. Where the candidate asks a question specifically related to these areas this can be answered, however in the event of doubt you may reserve your answer for a later response.

Questions should relate to the ability of the candidate to “do the job” only – the aspects of their private “out of work” life as listed above are not to be asked and must be omitted from the assessment procedure if offered voluntarily.

Equality Act 2010

The Act makes it illegal to discriminate on the grounds of “protected characteristics”. These are:

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

Age Discrimination

Age discrimination legislation is encompassed within the Equality Act 2010, mostly taking effect from October 2010, which makes it illegal to discriminate on the grounds of age in recruitment, training and promotion, and in employment rights and benefits, unless this can be justified – this is a proportionate measure in achieving a genuine and legitimate employment aim. Direct or indirect age related questions should not be asked. Age must not be taken into account when selecting candidates for interview, or in the final selection for a job offer.

Specifying minimum experience levels or making reference in interviews to experience levels (which may be seen to favour older candidates) may be discriminatory.

Avoid stereotyping based on perceived age.

Questions which relate to either the age of the candidate or the relative age of existing staff should not be asked. For example a question posed as “how do you think you will fit in with our existing staff who are generally slightly older than you?” would normally be seen as discriminatory.



Disability

You are only permitted to ask questions related to disability prior to making a job offer if this relates to any reasonable adjustments which the candidate may require in order to attend interview. Any other issues will be the subject of an occupational health assessment post conditional offer stage.

The Equality Act has made it much easier for a candidate to qualify as disabled and can include physical or mental impairment likely to impact substantially on their day to day activities over a long term period. The definition of day to day activity excludes activity at work, as this is subject to separate assessment and the need to make reasonable adjustments.

You must not comment on any other aspect of the relevance of the disability to the job or to any adjustments which may be required – this will be subject to a more detailed investigation and assessment later, and will comply with best recruitment practices and the requirements of the Equality Act.

Recruitment Qualification Checking

Introduction

This policy is intended primarily for the recruitment of health professionals who require registration with an appropriate body in order to practice.

All checks will be carried out with due regard to the requirements of the Data Protection Act, and will be limited to those checks essential to the recruitment process. A record of the pre employment checks will be held on personnel files.

Purpose

The purpose of pre-employment qualification checks is to ensure that the candidate is properly qualified and currently registered with the appropriate governing or regulatory body to carry out the role applied for.

Basis

Any offer of employment, whether conditional or absolute, should have a clear statement to the effect that the offer may be withdrawn, or that employment may be terminated at any



time in the future, if the candidate knowingly withholds information or provides false or misleading information regarding their status or suitability for the position. Qualification and registration checks should only be carried out with the express consent of a candidate.

In addition, contracts should contain the clause that should an employee cease to become qualified or become “de-registered” at any time during their employment, that the employment will be deemed to have terminated.

Checks

The relevant checks for general practice:

- General Medical Council (GMC)
- Nursing and Midwifery Council (NMC)

The 3 main steps are to:

- Check registration for the role is current
- Check whether the candidate is subject to practising restrictions
- Check whether there are any investigations recorded against them

Where possible, original documentation should be checked. Where this is not available, alternative methods of verification may be considered based on the importance and relevance to the qualification to the overall role.

The following main organisations generally can provide an on-line checking facility, although some employer pre-registration may be required.

GMC

The GMC can confirm a doctor’s name and address, gender, qualifications, registration number along with registration status, and renewal date. They may also confirm any current conditions placed on the doctor, warnings or suspensions. On Line checking is available.

NMC

Registration information is available including renewal date, conditions of practice, registration status, cautions, and suspensions, however the on line system does not indicate current investigations, although this is available by written request.

Registration status is available on-line and changes to status are recorded, with Fitness to Practise decisions.



Check

- Original certificates and retain certified copies
- Original certificates back to application papers and identify and investigate discrepancies or omissions
- Contact awarding bodies to check grades, course details, dates and attendances where necessary

Recruitment Reference Requesting Protocol

Introduction

Effective referencing is an integral part of successful recruitment.

General

The information gathered as part of the recruitment process should be limited to the information necessary to make a prudent and robust recruitment decision. Information collected in this way becomes data as defined by the Data Protection Act and must remain secure and confidential.

In requesting information, considering information as part of a process, and in making a recruitment decision, the full process must be compliant with the Equality Act and discrimination law.

Protocol And Policy

- Under no circumstances will an unconditional offer of employment be made either verbally or in writing until all references have been received and assessed.
- All conditional offers will be subject to satisfactory employment, qualification and status checks, along with additional checks to verify the accuracy of other information stated on the application forms (e.g. illness absences).
- All offers of employment will contain a clause to the effect that it may subsequently be withdrawn if information is withheld or is misleading.
- One reference will always be the last employer.
- All references will be in writing on an employer's original letterhead. Where a fax or other confirmation is requested or received there must always be a follow-up original document.
- All references must state dates of employment and position held.
- Reasonable steps will be taken to ensure that referees and their organisations are genuine.



- References may be cross-checked on the telephone if considered appropriate – a permanent record of this must be made and retained with the recruitment papers.
- All qualifications will be checked using original certificates.
- References are to be regarded as a confirmation only of a recruitment decision, and are a part of a wider process.
- References will be requested from a university or other learning organisation where an applicant has been in full time education.
- References will be requested from abroad where the applicant has worked overseas.
- Confirmation of previous self-employment will be requested via the production of accounts or official documentation (e.g. Inland Revenue etc).

Disclosure And Barring Scheme

Introduction

The purpose of this policy document is to define the process for the identification of a past offender when recruiting, how such an application is to be dealt with, list the considerations involved in the balanced assessment of an application, and indicate the method by which an offender may be recruited or declined. The issue of an existing member of staff who offends will also be considered.

Basics

The first step is to state clearly in job application information that a DBS check will be required prior to a job offer, and that the position is an exception to the Act, therefore all convictions, both spent and unspent must be disclosed on the application papers.

A specific question will be included on the job application form (an example of a suitable question is included as Appendix C). Many job application forms allow a question to be left

blank if it does not apply. Consideration should therefore be given to providing a clear instruction to answer definitively. There should also be a clear statement to the effect that the practice will require a DBS check prior to the offer of employment. This in itself may well discourage some unsuitable applicants.

In dealing with applicants where a record is disclosed it is important that each case is considered individually, weighing up the merits of the applicant with the risk faced by the practice. This will allow a fair and reasoned decision to be made. The creation of a DBS policy with guidelines to follow in the recruitment process will help to prevent individual recruiters from making subjective decisions based on personal bias. In addition, clear guidelines will prevent potentially excellent candidates from being blanket - excluded from shortlists without a proper and reasoned assessment of their personal circumstances and suitability.



Legislation

The Rehabilitation of Offenders Act 1974 is the key legislation, designed to allow convictions to become “spent” after a rehabilitation period which varies according to the nature of the offence. With some exceptions, a job applicant is not required to disclose a conviction as part of a job application after this period.

There are a number of job categories which are exceptions to the Act. **For the purposes of general practice recruitment all jobs are exceptions under the Act and therefore rehabilitation periods do not apply.**

Specifically, excepted jobs within general practice are

- Medical practitioner
- Nurse
- Midwife
- Any employment or other work which is concerned with the provision of health services and which is of a kind as to enable the holder of that employment or the person engaged in that work to have access to persons in receipt of such services in the normal course of their duties
- The staff or applicants may be subject to either Standard or Enhanced Disclosure or Enhanced with list checks disclosure.

As the rehabilitation periods are not applicable to GP surgeries they are not listed here.

Standard Disclosure

Duties involve regular contact with children and vulnerable adults. Disclosure shows both spent and unspent convictions and cautions and warnings from police records. It will show whether a person is banned from working with children.

Enhanced Disclosure

Duties involve regular care, supervision or sole charge of children or vulnerable adults, doctors, dentists and pharmacists. This shows the same information as a Standard Disclosure, plus additional non-conviction information from the police. It will show whether a person is banned from working with children.

Enhanced Disclosure with List Checks



This will show the same information as an enhanced disclosure plus a check of the appropriate DBS barring lists.

All DBS applications must have the express consent of the individual and contain their signature.

Practice DBS Recruitment Policy

- The Practice will seek to use Record information fairly, and not discriminate against candidates on the basis of unrelated criminal offences.
- A DBS check will be requested if the candidate is the preferred candidate based on skills, and a response will be received and assessed prior to an offer of employment being issued.
- Candidates for interview will be selected based on their skills, qualifications, and experience.
- Applicants will be given the opportunity to disclose convictions or other relevant information in complete confidence to the recruiter, in an open and constructive manner, and separately to the application process by confidential letter to a named individual.
- Applicants with disclosure will be advised of the confidentiality arrangements surrounding the use and storage of this information and the extent to which it will be released to others within the organisation.
- Disclosure information will be tightly controlled and released only to those involved in the recruitment assessment procedure – usually restricted to the Business Manager and the Partners only. This restriction will continue if the position is confirmed and the applicant is successful. After recruitment the information will only be released to
- Others if it becomes essential to the job, and the job holder is first advised of the proposal to release the information, why, and to whom.
- All disclosed information will be retained in a sealed envelope on the personnel file, signed across the seal by the Business Manager or a Partner.
- The practice will examine CVs/application forms for inconsistencies in the information provided.
- The practice will investigate gaps in employment, or periods where the applicant is unable to provide an employment history or reference, and seek to establish a full history from the applicant, if required, at an interview.
- All references will be taken up in writing and correlated to the original application information.
- Applicants will be given every opportunity to disclose records and provide additional information.
- Applicants will be advised that the policy of the practice is to assess each applicant on their merits and their suitability for the job. DBS information will be used in this



process but only in so far as the information provided in the DBS is relevant to the position, and they will not be discriminated against unfairly.

Existing Staff DBS Policy

Any DBS check is only valid on the day of the check. It is not practical to recheck staff on a regular basis, and no routine reason to do so. The practice policy is to commission a DBS check of existing staff every 3 years, or earlier for individuals if the Business Manager or Partners have a specific reason for doing so. Reasons for an early re-check may include a significant change of role, or serious allegations of misconduct against a staff member in relation to children or vulnerable adults.

Existing staff are required to report criminal offences to the Practice manager (excluding minor traffic offences).

DBS checks will be arranged through U Check.

Offence Consideration

When considering offences and how to deal with them the following applies both to existing staff and potential recruits (described as “jobholder” below).

The practice will consider the nature of the offence relevant to the role of the jobholder.

Advice and guidance will be obtained from the BMA employment advice service.

Employees will not necessarily be dismissed as a result of a relevant offence as each case will be individually considered in a fair and reasonable manner.

- Consider the level of access to sensitive information, personal data or health records, cash or financial records, members of the public, and other aspects of the role in relation to the offence.
- Consider whether the offence has been disclosed by the jobholder or whether this was “discovered”, and assess the attitude and responses of the jobholder.
- Carry out an employment risk assessment.

Discuss the issues with the job holder, and have the discussion witnessed and documented. Allow the jobholder to explain the issues and account for discrepancies in the information.

Where the information in the disclosure is disputed by the jobholder there is a mechanism whereby they may refer the matter to the DBS for correction. Where the circumstances are



indeed incorrect a further DBS disclosure will be issued which will confirm that the discrepancy has been eradicated.

Where a disclosure reveals a serious offence not previously declared by the jobholder they may become unsuitable for the role. The matter should be discussed in interview, witnessed and recorded, and it is possible that the offences are no longer relevant, e.g. committed as a teenager, or clearly not likely to recur. The interviewer should take into account

- The offence
- The context in which it occurred
- Whether it is old (e.g. teenage) or recent
- Whether it is a caution or a conviction
- Whether it is a single offence or repeat / multiple
- Juvenile or adult
- Related to the job
- Sexual / Violence / Drug or alcohol related, and the precise circumstances under which it was committed
- Attitude or mitigating circumstances.

Dismissal will not be automatic. Disciplinary procedures will be followed.

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