POLICY NAME	**Recruitment & Selection**	**VERSION NO.**	*1*
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Version	Date	Page Number	Details of Change	Author

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- **The Purpose of this Policy Guideline is:**

To confirm Milewood's approach to the recruitment, selection and retention of employees who have the values, attitudes and behaviours to provide person centred support aligned to the needs of our service users.

- **Policy Statement:**

Millewood's recruitment and selection procedures aim to ensure that the most suitable candidate is chosen for the job and that all applicants receive fair and equitable treatment during the recruitment and selection processes. These processes will adhere to relevant employment law practice, guidance issued by the Care Quality Commission (CQC) and the Department of Health (DoH). We are also mindful of the changes within the Equality Act 2010, and acknolwedge that robust safe recruitment and selection are essential for the safeguarding of our service users. We are proud to be a Disability Confident employer and to commit to their 5 actions

It is important to recognise that the recruitment and selection of staff is directly linked to the safeguarding of the people using services. It is essential that the process allows the right people to be recruited and that it filters out those who are unsuitable to work within a regulated activity. It is therefore important that the following principles are adhered to:

- All legal and regulatory requirements regarding Regulation 19 are met
- All potential applicants are aware of the employer's obligations to the welfare and safeguarding of Service users
- The organisation is satisfied that each applicant has demonstrated their suitability for the post and that they are of good character
- Every stage of the recruitment and selection process is completed to the highest standard
- The organisation is satisfied with the applicant's identity and qualifications and where necessary revalidation processes are checked
- The above principles should be in place and anyone involved in the recruitment and selection process must be fully aware of these principles and must adhere to this policy

- **Recruitment Process**

People and Remuneration Committee

The People and Remuneration Committee has been established to provide consistency, transparency and additional governance to recruitment, organisational design, retention, remuneration and all other people related changes and practices.

Review of Vacancy & Job Role Profile

Whenever a vacancy occurs, the appropriate service/department head will decide on whether to proceed to fill it, alter it or in some instances leave the position vacant. All new posts which aren't in budget or which are changed significantly must be authorised by the People and Remuneration Committee. A ***Job Role Template*** will need completing detailing the responsibilities of the new role.

A recruitment plan should be created for the process and the ***Recruitment Plan Template*** *can be used to assist*, detailing the method of advertising e.g internal only or internal and external, the interview process e.g number of stages, and an estimated timeframe for the process. A job role will need to be selected from the generic Job Roles or a new one will need to be created using the ***Job Role Template*** clearly and concisely describing the responsibilities of the role and detailing the qualifications, knowledge and experience that are required to fit the post which will need to be authorised by the Head of People.

Job Advertisement

Generally, notices of all vacancies will be advertised internally, though the company reserves the right to not post a particular opening, in exceptional circumstances or for succession planning purposes. Posts may be restricted to internal advertising only, when they are deemed to provide promotion opportunities for existing employees or where an employee is at risk of displacement.

To be eligible to apply for a posted job, an employee must be performing competently in their present position and have held it long enough to make a significant contribution.

The organisation encourages employees to talk with their manager about their career plans and managers are encouraged to support employees efforts to gain experience and advance within the organisation.

An applicant's manager should be contacted to account for an employees performance, skills, and other factors relevant to any application they might make. Any staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

All roles should have a role profile, which clearly details the requirements of the role.

Alongside the internal posting of any vacancies, jobs may be advertised externally using ***Job Advert Template*** through a range of communication channels such as local newspapers, job centres, social media and other media means such as job boards. This is to ensure that diverse methods are used and so that the organisation benefits from as wide a pool of prospective employees as possible.

The job advert will be written in an accessible and inclusive way and all efforts will be made to provide it in alternative formats where required e.g large print, and the job will be described accurately using the role profile to ensure that candidates are clear as to exactly what is required for the job. Whilst an advert may state a preferred method of application, alternative formats will be accepted, unless the method is a requirement of the job role itself, in order to encourage applications from a wider pool. The advert must include details of the relevant Disclosure and Barring Service (DBS) clearance level required.

Shortlisting & Interview

All applications will be sent to the hiring manager who will shortlist by carefully assessing the application against the role profile. The most suitable applicants and all applicants who state that they are disabled who meet the minimum criteria for the post will be invited to interview by the manager. The method of invite will be dependant on the number of stages which may include:

- Telephone interview – log the discussion on the ***Telephone Interview Form***. This is used to quickly engage with a potential candidate, to check key facts such as criminal record and to ensure the applicant understands the job role. A successful candidate would then be invited to a formal competency based interview
- Face to face or online competency based interview which may include an exercise or presentation – Invite to this using the ***Invite to Interview Template***

Prepare interview questions using ***Interview Questions & Scoring Template*** or select a generic set of Interview Questions. Values based questions and scenerios should be used too

Under section 60 of the Equality Act 2010, pre-employment health questions are allowed to be asked during the interview process. Health questions are asked at interviews where the applicant is required to be fit and mentally able to undertake the tasks, and where those tasks are an intrinsic part of the job.

Interviews may be held face to face or online, and should have a panel consisting of the line manager of the post and at least 1 other staff member. The person chairing the interview should welcome the candidate and give some general information about Milewood and the vacancy, and details of how the interview will be constructed. At the end of the set questions/exercises, the candidate should be given the opportunity to ask any questions and be informed about the next steps in the process. E.g if there are further stages in the selection process, such as a second stage interview, a written or verbal assessment or a presentation etc.

The panel should make notes throughout the interview and will score the candidates using the ***Interview Questions & Scoring Template.*** The panel will then decide which candidate/s to progress to the next stage or make an offer to by making reference to the scores given. No candidate will be offered a role if they have not demonstrated that they have the competence required for the position as detailed in the role profile. In the event that the highest scoring candidate doesn't progress or receive an offer a full rationale must be documented on the ***Interview Questions & Scoring Template.***

Job Offers

The hiring manager should make a conditional verbal offer to the candidate, remembering that a verbal offer of employment is legally binding, as soon as a decision has been made. This should be done following the ***Conditional Offer Script***. The hiring manager should then use the ***Job Offer Template*** to send the offer to the candidate which will ask for the candidate to sign and return, ensuring a copy is kept on file. If the candidate negotiates the offer made, this would need authorising by the SLT and be ratified at the People and Remuneration Committee.

On receipt of an accepted offer, the hiring manager should arrange for all unsuccessful candidates to be informed using the ***Unsuccessful Interview Template,*** which will include the offer of providing feedback, which should be done if requested and which must be factual.

Along with the offer letter, the following documents should be enclosed:

- ***New Starter form***
- ***Health Questionnaire***
- ***HMRC New Starter Checklist***
- ***Pre-Employment Declaration form***
- ***Consent form*** – this gives consent to undetake a DBS check and collect references

- ***A copy of or a link to the Skills for Care Code of Conduct for Support Workers*** (Care Workers only)

Compliance

These are undertaken by the company and fulfil the requirements of Schedule 3 of the Health and Social Care Act 2008 (Regulation 2014). It is essential that the process is robust and obtains information to determine that the applicant is of good character, and where it proves difficult to obtain information, that a risk assessed approach is utilised. The following must be carried out for all staff, unless specifically referenced that it is only for those working in or managing someone in Regulated activity.

References

A request for a reference will always ask that the applicant is of "good character" and meets the "fit person" test required by the care regulations.

We require a minimum of 2 references which should be undertaken as follows:

- references covering a minimum of three consecutive years of continuous employment or training prior to any application made. So if the applicant worked for 3 organisations in the 3 year period prior to application we would need to attempt to acquire references from all 3 employers
- if it's not possible to validate three years of consecutive employment or training, then it's recommended that a reference is obtained from the last known employer and an additional character reference or personal reference (not a family member or anyone with a financial connection to the applicant) should be obtained to validate the required three-year period

For any applicant that has worked within Regulated acitvity before, satisfactory information about their ability to work within a regulated activity must be obtained through the reference process.

All efforts to obtain the required references should be undertaken, including at least 2 e-mail attempts along with telephone calls. All evidence of attempting to obtain references should be kept on file

References should be obtained using the relevant ***Reference Request Letter*** which can be sent via e-mail or post and it will include a blank ***Reference Template*** for the referee to complete, which includes asking about evidence of conduct for any previous employment involving children or vulnerable adults. The referee may ask for evidence of consent to provide a reference, so the ***Consent* form** which the employee should have completed should be sent.

Where a reference does not give sufficient information as requested, we will seek a third referee. References should be assessed, and dates and organsation names checked against the application form/CV. Where verbal references are sought these will be recorded and held on file until receipt of written references.

The reference and referee should be verified, ensuring that it has been provided in good faith and from a credible source e.g check to ensure the e-mail address provided is from a corporate e-mail address or has a company stamp

Where a second reference can't be obtained, if a reference highlights concerns or discrepancies, then a ***Risk Assessment – Work History*** should be completed and sent to the panel for a decision.
If the references prove to be unsatisfactory, the offer of employment may be withdrawn.

DBS Check

A DBS will be undertaken on the appropriate level for the role e.g Regulated role or managing someone in a Regulated Role will be at an enhanced level against the barred list, whilst for non-care roles it will depend on the responsibilities of the role. The level of DBS check can be determined by utilisng the Home Office DBS checking tool here - Find out which DBS check is right for your employee - GOV.UK (www.gov.uk) and by checking with HR.

The next steps will depend on whether the candidate is on the DBS Update Service or not. If they are, an online check should be done once consent has been obtained in writing from the employee along with a copy of the last DBS certificate they received, and all original identification documentation as set out by the DBS. Once the check has been completed, a copy of the online check should be kept on file.

For anyone not on the update service, or who can't provide the relevant documentation to evidence they are, a new DBS check will need to be undertaken. This is done by accessing the online provider and starting the check, which will inlcude verifying the ID documentation.

The candidate should provide the orginal copy of the DBS certificate once received, and then the ***DBS Evidence Form*** should be completed and held on file. In the event of the DBS not being clear, as per the Rehabilitation of Ex-Offenders Act, it will not automatically be rejected for the post for which they have applied. A decision to appoint or not will take into account the details of their convictions and the outcomes of a risk assessment which should be completed using ***Risk Assessment - DBS***, cross checking the information provided on the ***Pre-Employment Declaration form*** and then be sent to the panel to make a decision, considering whether an appointment would put people at risk. If an applicant is barred from working in Regulated activity or has indicated they have been referred to DBS, the Head of People must been informed immediately so that an assessment can be made, which may include Milewood making a referral to the DBS

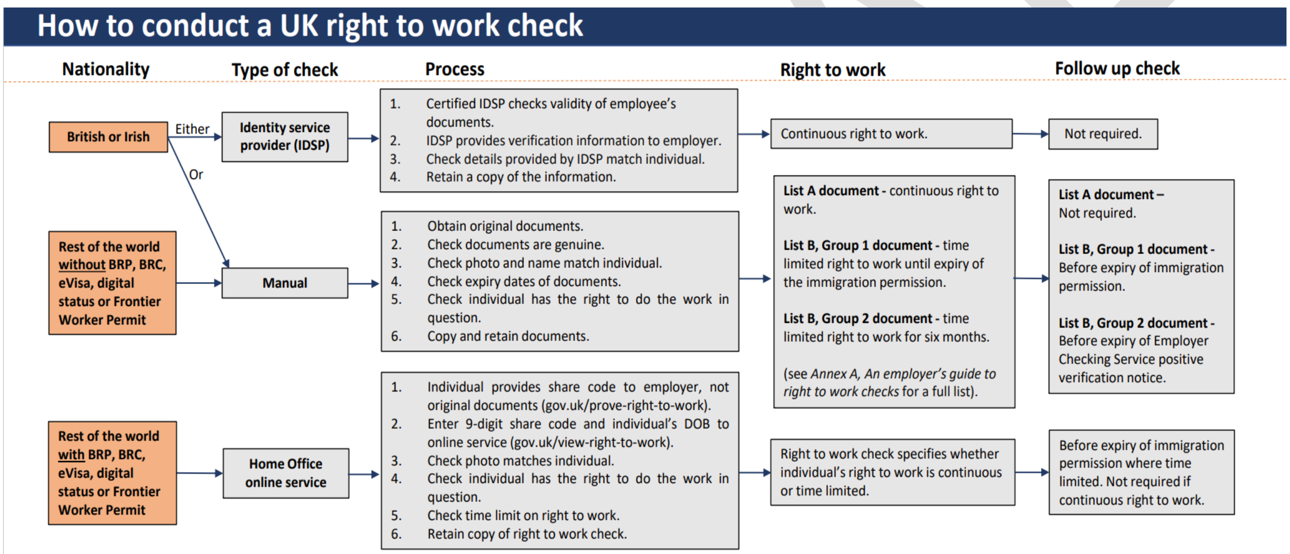
For any staff that have not been in the UK for over 6 months, a criminal record check (often called a certificate of good conduct) from their country of citizenship should be sought. Many applicants should already have one as part of their visa application process (this includes anyone coming through via a sponsorship route). However if they don't, contact HR who can support with this process, as the process varies per country. A DBS check should still be undertaken, as this covers the time spent in the UK, and there is an increasing link between the UK and the countries in terms of accessing criminal record information which can be provided on the DBS.

In cases where it is not possible to obtain a full criminal records check before a person is due to start work, and in exceptional circumstances signed off by the Head of People and Director of Operations, to maintain adequate staffing levels, the service may apply for an Adult First clearance. It will then monitor and supervise (at all times) the person in line with official guidance including a structured induction programme and close monitoring of the work setting, until full clearance is obtained. Employees are made aware of the provisional nature of their appointment until all checks have been completed, and service users would be informed of the position regarding lack of confirming information.

Right to Work in the UK

A Right to Work check will be undertaken for all staff following the appropriate route. The type of Right to Work check will depend on the nationality of the applicant and which documentation they hold. For British or Irish applicants and Rest of the World applicants who don't have a Biometric Residence Permit (or others listed below in the flowchart) a manual check should be undertaken, whereby the documentation is verified and a copy is taken, signed, dated and stored on the personnel file along with a completed ***Right to Work Checklist.*** For Rest of the World applicants with a Biometric Residence Permit (or others listed below in the flowchart) then a Home Office online check must be undertaken. A copy of the check should be stored on file, along with a completed ***Right to Work Checklist.*** For anyone on a time-based visa, the ***Right to Work Log*** must be completed and reviewed on a monthly basis.

For situations whereby it is unclear which route to go down, or if there is an issue with the check, HR must be consulted immediately and no start date can be given. HR may be able to seek advice directly from the Home Office.



Health Questionnaire

In order to ensure that any reasonable adjustments can be considered, and to ensure that all applicants are able to perform the intrinsic parts of their role, a health questionnaire should be sent out to the applicant for completion once a job offer has been accepted. For anything declared on the health questionnaire, a ***Risk Assessment – Health*** should be completed and reviewed to look at any reasonable adjustments that can be made. The risk assessment should be shared with HR if any concerns are idenitified which can't be put in place or rectified through reasonable adjustments

Other checks which must be taken (it is highlighted which are only applicable for staff in a Care role

- Documentary evidence of relevant qualifications must be obtained, verified, copied and held on file
- Full employment history going back to leaving education must be obtained and recorded on the CV/Application form or ***Full Work History Form*** (Care Staff only)
- This includes understanding and documenting any gaps in employment (greater than 4 continuous weeks), which if the CV/Application form doesn't detail, should be recorded on ***Full Work History Form***

- The logging of and the verification of reasons for leaving previous employment in any care or regulated role previously worked in should also be undertaken. This should be recorded on the ***Full Work History Form*** (Care staff only)
- Up to date photograph of the employee

For any compliance areas which can't be fully completed or verified, or which indicate elements of risk, a relevant risk assessment must be undertaken. For any risks which aren't able to be assessed by the area specific risk assessment, use ***Risk Assessment – Other.*** This includes any potential conflicts of interest such as working with family members or a second job role within the sector.

Regular contact with applicants, sign-off compliance and onboarding

During the compliance process, it is imperative that regular contact is kept with the applicant,to keep them informed of progress. They can also help such as with obtaining references quicker if you ask them to chase their referees.

Once the compliance checks have been completed and verified, including utilising Risk Assessments, the hiring manager should ensure that everything is in place, and then put forward the checks for signoff to the Regional Manager or Head of Department. The manager signing off should check that all compliance documentation is in place and, if applicable, relevant risk assessments have been completed. If satisfied, the hiring manager can arrange a start date with the individual and the ***New Starter form*** should be signed and forwarded to payroll along with the HMRC New Starter form (or P45) to allow the employee to be setup. An employee should not be setup on payroll unless they have been signed off.

Audits

The HR team and Head of Department will undertake regular and unannounced audits of the recruitment process which will include staff files, vacancy information and job adverts.

Returning Employees

There may be situations whereby employees who have previously worked for Milewood wish to return. It is essential that a robust process is followed, so a discussion should be had with the Head of People to ensure appropriate processes and checks are carried out. Consideration will be given to the length of time that has passed since the individual last worked for Milewood, and the previous role they were employed in.

Data Retention and Recruitment Process Record Keeping

Detailed, accurate and fair notes should be taken throughout the recruitment and vetting process.
This should cover both the information that was gathered and the decisions that were made.

For successful applicants, the recruitment and vetting information should form part of the personnel file and be stored in line with organisational personnel file retention protocols.

Milewood will retain recruitment records in order to demonstrate 'safer recruitment' practices for the purpose of safeguarding inspections/audits, and are legally entitled to retain recruitment and vetting information for as long as practicable.

For unsuccessful applicants, recruitment records will be kept in line with UKGDPR/DPA 2018 requirements, and will keep relevant information in case an applicant challenges the process from a discrimination perspective

Agency Staff

Milewood recognises that it is the responsibility of any employment agency who supplies staff to have carried out all the required compliance and good character checks such as DBS checks, however these need to be verified. The ***Agency Usage policy*** should be read and followed before utilising agency workers.

Addendum

Recruitment of Overseas Workers

Milewood currently hold a sponsor licence which means that due to the temporary changes to the health and care visa, which has resulted in social care workers, care assistants and home care workers being eligible to be included on the Shortage Occupation List, that we can offer sponsor to a limited number of peple each year.

In order to offer sponsorship, a request must be made using the ***Sponsorship Rationale Template*** which should then be sent to Regional Manager/Head of Deparmtent for initial signoff and then this will be considered at the People and Remuneration Committee. Any decision will be based on a number of factors including cost, service need, local recuitment market, individual's behaviour and performance (internal candidates)

It is important to regularly monitor the government website relating to employing workers from overseas which can be done by checking the guidance here - https://www.gov.uk/guidance/recruiting-people-from-outside-the-uk

Links to Related Legislation / Best Practice
Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 Regulation 19 - Regulation 19: Fit and proper persons employed - Care Quality Commission (cqc.org.uk) The intention of this regulation is to make sure that providers only employ 'fit and proper' staff who are able to provide care and treatment appropriate to their role and to enable them to provide the regulated activity. To meet this regulation, providers must operate robust recruitment procedures, including undertaking any relevant checks. They must have a procedure for ongoing monitoring of staff to make sure they remain able to meet the requirements, and they must have appropriate arrangements in place to deal with staff who are no longer fit to carry out the duties required of them Regulation 18 The intention of this regulation is to make sure that providers deploy enough suitably qualified, competent and experienced staff to enable them to meet all other regulatory requirements described in this part of the Health and Social

Care Act 2008 (Regulated Activities) Regulations 2014. To meet the regulation, providers must provide sufficient numbers of suitably qualified, competent, skilled and experienced staff to meet the needs of the people using the service at all times and the other regulatory requirements set out in this part of the above regulations. Staff must receive the support, training, professional development, supervision and appraisals that are necessary for them to carry out their role and responsibilities. They should be supported to obtain further qualifications and provide evidence, where required, to the appropriate regulator to show that they meet the professional standards needed to continue to practise.

Regulation 17

The intention of this regulation is to make sure that providers have systems and processes that ensure that they are able to meet other requirements in this part of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (Regulations 4 to 20A). To meet this regulation; providers must have effective governance, including assurance and auditing systems or processes. These must assess, monitor and drive improvement in the quality and safety of the services provided, including the quality of the experience for people using the service. The systems and processes must also assess, monitor and mitigate any risks relating the health, safety and welfare of people using services and others. Providers must continually evaluate and seek to improve their governance and auditing practice.

RELATED POLICIES AND OTHER REFERENCES

Agency Usage Policy

Safeguarding

Code of Conduct for Workers

People Committee Terms of Reference

Skills for Care Recruitment toolkit - Application and selection process (skillsforcare.org.uk)

Home Office: Employer's Guide to Right to Work Checks - Right to work checks: an employer's guide - GOV.UK (www.gov.uk)

UK visa sponsorship for employers - https://www.gov.uk/uk-visa-sponsorship-employers

Milewood
HEALTHCARE

- **Authorisation and Signature**

This Policy is the authorized version agreed by the Owners. The policy is also Authorized by the CEO of Milewood Health Care and their associated organizations. All employees are expected to follow this policy and failure to do so could result in disciplinary action.

Approved by Owner Head of People Signature:	
Date:	
Approved by Owner, Head of Quality: Signature:	
Date:	