

HR

Policy Name	Recruitment & Selection Policy
Version number	1
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Authorised by	Keith Rowley
Issued on	12 th May 2018
Review date	April 2020

Revision status

Each document has an individual record of amendments. The current amendments are listed on this page.

On issue of revised or new pages each controlled document should be updated by the copyholder in the department.

Amendment Number: Date	Issue no. Discarded	Insert Issue no	Page	Section(s) involved	Amendment
12/05/2018			All	All	Keith Rowley
12/05/2018			All	All	Karen Wise

Governance

This policy will, when subject to review will be consulted upon with CPP employees and will also be required to be approved by the Board. Any issues regarding matters of policy should there be any concerns regarding this policy will be considered by the CPP Operational Board.

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1. Purpose

The Collaborative Procurement Partnership (CPP) recognises that its employees are fundamental to its success. CPP therefore needs to be able to attract and retain employees of the highest calibre and a strategic, professional approach to recruitment is essential to do this.

The purpose of this policy is to provide a sound framework for the recruitment and selection of employees based upon the principles outlined below, which also meet the requirements of CPP, ensures that it meets its duties under Equalities legislation (specifically, [the Equality Act 2010](#)) and all other relevant employment legislation.

2. Scope

This Policy applies to all employees on CPP contracts of employment. It may not apply to individuals who have joined CPP as the result of a TUPE transfer and who have preserved terms, or to staff who work within CPP in the provision of services to CPP clients but who are not CPP employees and secondees

3. Procedure

Identifying a Vacancy:

Vacancies arise for many different reasons, these can include (but are not limited to) general leavers, retirement, creation of a new post due to increased demand/workload or additional funding, temporary/project staffing, secondment and dismissal.

Before deciding to fill a vacancy and progressing to the next stage of the recruitment process, there are a number of questions which should be considered:

- Can the work itself be eliminated?
- Can the work be absorbed by reorganising existing resource?
- Is there still a job to be done?
- Is it the same job that was done previously?
- Can skill mix be considered as an alternative?
- Will the job be permanent or temporary?
- Can the vacancy be covered with a temporary secondment?

The next step will be a review of the post to consider:

- The purpose of the job;
- Key result area for the job;
- Competencies required for the job.

Job Description and Specifications:

A Job Description is an important part of the recruitment and selection process. A Job Description describes the main tasks and responsibilities of the role and must include the job title, role summary, and main duties of the role. A Job Description ensures that managers are clear about the job content and that applicants understand the duties and content of the role.

A Person Specification provides details of the essential and desirable qualifications, skills and experience, personal qualities and knowledge required to fulfil the duties identified in the Job Description. The Person Specification is a key part of the recruitment process and is used to compile the job advertisement, assist with shortlisting and the interview questions. The criteria must be categorised as either essential (the minimum standards required to perform the job adequately) or the desirable (the standards which will enable the person to perform the job more effectively). The criteria used should be competency based to enable candidates to demonstrate at interview how they have used particular skills previously. These criteria on the Person Specification must be used to filter candidates at the shortlisting stage.

When a vacancy is advertised, the job details must include, as a minimum, an up to date Job Description and Person Specification. HR will not allow a vacancy to be advertised without a valid Job Description.

Advertising a Vacancy:

Prior to posts being advertised, using the CPP template Job description/person specification, approval must be sought from the Tower Director. If the role is a pre-agreed role in the CPP establishment the Tower Director and Finance Manager will approve the role. Any new roles to be added to the establishment must be accompanied by a business case that is submitted via the Tower Director to the Managing Director and Financial Manager for approval. Advertisement of a new post must not take place until approval has been granted by both the Managing Director and the Finance Manager. Where a new senior management post is being sort then the Managing Director must seek approval from the Members Board in addition to approval by the Finance Manager.

Vacancies will always be advertised internally to ensure opportunities for internally mobility are available to employees. Decisions regarding whether a post is to be advertised as internal only or internally and externally will be made by the recruiting manager in conjunction with the Human Resources Business Partner.

Each advert is normally run for a minimum of 2 weeks, although depending on application numbers can be extended or in exceptional circumstances reduced. If a role is likely to be filled by an internal candidate requiring a visa then it will need to be advertised for a minimum of 4 weeks to satisfy labour market tests. Each position is listed with a unique job reference, closing date and key details relating to the vacancy for candidates to view.

Where external advertising is appropriate, the recruiting manager should establish the most effective method of advertising, e.g. newspaper, professional journal etc, in conjunction with the HR team.

The advert must give a brief summary of the job and should include its location, salary as well as essential qualifications and experience to encourage suitable applicants to apply and to allow unsuitable applicants to self-select out of the process.

Applications:

All applicants are required to submit their applications via HR via the CPP recruitment email box. CVs will be accepted as applications along with any additional information that a candidate or the agency representing the candidate wishes to submit.

Shortlisting:

The shortlisting criteria used by the selection panel must be the essential criteria of the Person Specification. The criteria stated in the Person Specification will be used rigorously in the determination of the shortlisted applicants.

Applicants who identify themselves as wanting to be considered under the 'Disability Confidence' scheme will be offered an interview if they meet the essential shortlisting criteria of the post.

Shortlisting scoring should be recorded to ensure records can be kept of all decisions. This information should be provided to the HR Department for monitoring purposes.

Interviewing:

All shortlisted applicants will be contacted via HR to attend an interview. The invitation will ask applicants to inform CPP of any adjustments that may need to be made to attend the interview and outlines the appropriate documentation to bring along to the interview.

Interviews will be carried out in line with best practice i.e. two interviewers. Wherever possible, one of the interviewers should be the prospective line manager of the vacant role.

The interview questions must access the information highlighted in the Person Specification of the job role.

All Applicants must be asked the same core questions. Discriminatory questions, e.g. questions related to childcare arrangements, sickness, etc must not be asked. If unsure if questions are appropriate, please contact HR.

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.

Salaries, if discussed, should follow HR Advice following the salary review and the appropriate rate of pay for the role.

A structured scoring mechanism should be applied consistently for all candidates and interview notes should be recorded on the interview scoring form and retained following the interview of each candidate. Subjective opinions or feelings about applicants must not form part of the decision-making process.

CCP, unless expressly outlined prior to attend, will not reimburse any expenses incurred by candidates in relation to attending an interview and/or other selection processes.

Notification of Outcome:

Following the selection process, the recruiting manager must contact all applicants to advise them on the outcome of the post and, where applicable, make a conditional verbal offer of employment to the successful candidate, subject to pre-employment checks. The HR team will then contact the successful candidate regarding next steps and are responsible for pre employment screening, pre employment health checks and formal offers of employment.

Feedback:

Verbal feedback should be made available to all applicants if they request it at all stages of the recruitment process. Feedback would normally be provided by the interviewer.

Pre-Employment Checks:

All pre-employment checks will be undertaken in accordance with the provisions below, and commencement of employment cannot be undertaken by any individual with CPP until the appropriate checks have been fully completed satisfactorily.

All documentation required as part of the pre-employment checks as set out on the sections below must be presented as the original documents which are then copied and verified. A copy of the checklist for the Employee's Personnel File can be found at Appendix 1.

Verification of Identity:

The purpose of undertaking identity checks is to minimise the risk of employing or engaging a person in any activity within CPP who is an illegal worker, or a person that is impersonating another. Verifying someone's identity is the most fundamental of all employment checks. It should be the first check performed, as any other checks will be invalid if the person's identity cannot be proven.

Verification of Identity Checks applies to all applicants for all positions (prospective employees) and employees in ongoing employment. This includes permanent employees, employees on fixed-term contracts, temporary employees, volunteers, students, trainees, contractors and highly mobile employees including those on honorary contracts and those staff supplied by an agency.

For details of the identity checking process and the list of acceptable documents, please see Appendix 2.

Identity Checks for Agency Workers

Identity checks for agency workers are carried out by the agency, and CPP can request written confirmation of a satisfactory verification of identity check for each individual.

Right to Live and Work in the UK:

The Immigration, Asylum and Nationality Act 2006 (amended 2008) makes it a criminal offence for employers who knowingly employ illegal immigrant workers and reinforces the continuing responsibility on employers of immigrant workers to check their ongoing entitlement to work in the UK.

CPP risks breaking the law if they do not check the entitlement to work in the UK for all prospective employees before they start employment. No assumption should be made about a person's right to work or immigration status on the basis of their colour, race, nationality, ethnic or national origins, or the length of time they have been in the UK. Failure to check could result in a civil penalty of up to £10,000 per illegal worker. For employees in ongoing employment, the checks that should be undertaken before amendments made to the Immigration, Asylum and Nationality Act on 29 February 2008 will depend on when the employee was recruited.

Right to Work Checks apply to all applicants for CPP positions (prospective employees) and employees in ongoing employment. This includes permanent employees, employees on fixed-term contracts, temporary employees, volunteers, students, trainees, contractors and highly mobile employees supplied by an agency. Providers of agency staff are required to ensure that they comply with these checks.

Points-based Immigration System

Currently the Home Office operates a point-based immigration system governing how individuals from outside the EU and EEA work, train or study in the UK. There are currently five tiers:

- Tier 1: Highly skilled individuals to contribute to growth and productivity;
- Tier 2: Skilled workers with a job offer to fill gaps in UK labour force;
- Tier 3: Limited numbers of low skilled workers needed to fill specific temporary labour shortages;
- Tier 4: Students;
- Tier 5: Youth mobility and temporary workers – people allowed to work in the UK for a limited period of time to satisfy primarily non-economic objectives.

Work Permits

CPP will need to demonstrate that they were unable to recruit a resident worker before recruiting an individual from overseas. They will be required to provide details of the recruitment method used and give credible reasons why they did not appoint a suitably qualified resident worker. A 'resident worker' is a person who is an EEA national or has settled status in the UK within the meaning of the Immigration Act 1971, as amended by the Immigration and Asylum Act 1999, and the Nationality, Immigration and Asylum Act 2002.

A work permit can be valid for up to five years. After a continuous period of five years, work permit holders can apply for Indefinite Leave to Remain (ILR) which effectively grants permanent resident status. Limited Leave to Remain (LLR) is the permission an individual needs to stay in the UK and is granted in line with the duration of an individual's Immigration Employment Document (IED). An IED includes:

- Work Permits and Work Permits Approval Letters;
- Sectors Based Migrant Programme Approval Letter (SBS);
- Highly Skilled Migrant Programme Approval Letters (HSMP);
- Home Office Approved Training or Work Experience Scheme Permits and Approval Letters.

For details of the Right to Work checking process and the list of acceptable documents, please see Appendix 4.

Commencement of employment cannot be undertaken by any individual with CPP until their right to live and work in the UK has been verified in line with the standards set out by NHS Employment Checks Verification of Right to Live and Work in the UK guidance.

Right to Work checks for Agency Workers

Right to work checks for agency workers are carried out by the agency and CPP can request written confirmation either of the right to work in the UK for each individual.

Professional Registration and Qualifications:

The purpose of registration and qualification checks is to ensure that a prospective employee is recognised by the appropriate regulatory body and that they have the right qualifications to do the job.

CPP will make it clear to prospective employees that appointment to any position is conditional on satisfactory registration and qualification checks (where applicable), and that any information disclosed on the application form will be checked. Checks on qualifications should be appropriate and proportionate to the role and the opportunity to cause harm or damage in that post.

There are a number of groups of employees for whom registration with or membership of a professional body is an essential requirement in the person specification of their post (e.g. senior HR, finance, estates). This section details how registration checks are made during recruitment and details arrangements for verifying continued registration to ensure employees are allowed to practice legally.

Prospective employees will also be informed that any offer of employment may be withdrawn if they knowingly withhold information, or provide false or misleading information, and that employment may be terminated should any subsequent information come to light once they have been appointed. These checks apply to all applicants for specified roles (prospective employees) and employees in on-going employment. This includes permanent employees, employees on fixed-term contracts, temporary employees, students, and trainees where there is a requirement for professional registration and/or essential qualifications. Providers of agency staff are required to ensure that they comply with these checks.

Commencement of employment cannot be undertaken by any individual with CPP until their professional registration (where applicable) and qualifications have been verified in line with the standards set out in this policy.

Lapses in registration

If an employee's registration lapses or if he/she is subject to proceedings by their regulatory body in this country or abroad, or if an employee is removed from the register by the registration body, temporarily or permanently, they must inform their line-manager immediately. An employee who works whilst not registered may be subject to action under CPP's Disciplinary Policy and Procedure, which may include action up to and including dismissal.

If the registration of an employees has lapsed their manager must inform Human Resources immediately. If Human Resources become aware of a lapse of registration separately the employee's manager will be informed immediately.

If, for any reason, an employee's registration lapses, they will be placed on unpaid leave and not attend work until verification of their registration is received. In exceptional circumstances, where the lapse of registration was beyond the reasonable control of the individual, at CPP's discretion (as advised by the Head of Human Resources or nominated deputy), no change will be made to their pay.

Professional Registration/Qualifications checks for Agency workers

Checks for agency workers are carried out by the relevant agency.

Employment History and References:

The primary purpose of an employment history and reference check is to obtain information about an applicant's employment and/or training history in order to ascertain whether or not they are suitable for a particular position.

CPP has a duty of care to ensure that all reasonable checks are undertaken to identify any reason that, if known, would result in an individual not being employed or appointed to undertake any activity on its' behalf.

These checks apply to all applicants for CPP positions (prospective employees) and employees in ongoing employment. This includes permanent employees, employees on fixed-term contracts, temporary employees, volunteers, students, trainees, contractors and highly mobile employees supplied by an agency.

Commencement of employment cannot be undertaken by any individual with the CPP until their references have been verified in line with the standards set out in this policy. For all new appointments, employers should validate a **minimum period of three years** continuous employment and/or training history by obtaining references. CPP is only required to obtain factual references (e.g. dates of service, post title, salary) The number of references may differ for each applicant, depending on how many episodes of employment or training they have had. In many cases, only one reference will be required.

If it is not possible to seek a reference from an applicant's previous employer because the organisation they have worked for has since ceased trading, the recommendation is that references are sought from their last known employer and sourcing a character or personal reference, preferably from a business acquaintance.

Where three years' employment references cannot be obtained (e.g. students, young people, individuals returning to work following a significant career break) then alternative references may be obtained (e.g. college tutor, recognised professional, community member in a position of good stature, etc) in such circumstances please seek the advice of Human Resources.

Employment History and Reference Checks for Agency Workers

The requirement for appropriate references in relation to agency staff rests with the agency. In providing an individual to work in CPP, their employing agency is confirming that they have undertaken appropriate employment checks including taking up references from previous assignments or employment. Agencies provide copies of career histories, CVs and references on request.

Occupational Health:

Occupational Health checks are often important in ascertaining whether an individual is able, on health grounds, to carry out a role to which they are being recruited to. Occupational Health checks also support CPP to make reasonable adjustments, where appropriate, for an individual in line with the Disability Discrimination Act (2010). However, in line with the Equality Act (2010), it is not permissible to mandatory health check all posts and, therefore, posts must be assessed in order to ascertain whether an Occupational Health check is compulsory.

Where a post is deemed as requiring an Occupational Health check, or a prospective employee notifies CPP they require a health check, commencement of employment cannot be undertaken by any individual until the check has been completed.

Unsatisfactory Pre-Employment Checks:

All offers of employment are conditional on a number of pre-employment checks, as set out in the sections above. Should one of these checks be considered unsatisfactory the Human Resources team will support the recruiting manager in investigating the matter further. Ultimately, if satisfactory pre-employment checks cannot be obtained then the offer of employment may be withdrawn by the Recruiting Manager.

If, after careful consideration, it is decided to withdraw the conditional offer of employment, the grounds for withdrawal must be very clear e.g. due to unsatisfactory references or other pre-employment checks and the conditional offer of employment rescinded in writing.

Process for those who fail to satisfy the Checking Procedures:

Checks undertaken may return information that is inconsistent with the details provided by the applicant and raises concerns. In this situation, CPP:

- Proceeds in a sensitive manner – there is often a reasonable explanation for apparent inconsistencies attempts to address concerns directly with the candidate. They may be invited to a meeting with a member of HR so that they can follow up with the relevant sources;
- If an unsatisfactory check is carried out and details cannot be verified, or there has been the withholding of, or providing of false information then no conditional offer of employment will be made;
- Where existing employees no longer have the right to work in the UK, this matter should be reported to the Home Office and their employment terminated as soon as practicable following advice from the Home Office and HR.
- Checks undertaken may return information that contradicts the details provided by the applicant and raises concerns. When CPP (the Recruiting Manager) is not satisfied that employment history can be satisfactorily confirmed or that the references provided are unsatisfactory, the conditional offer of employment is withdrawn. A letter is sent to the individual stating reasons for withdrawal. If the information provided is found to be fraudulent, CPP should then inform the local counter-fraud team, and where appropriate, advise the relevant professional registration body or other appropriate bodies/organisations.

False Declarations:

CPP considers a false declaration made by an applicant during any stage of the recruitment and selection process as gross misconduct. Gross Misconduct is addressed through CPP's Disciplinary Policy and Procedure.

Commencement:

Commencement of employment will only be confirmed once all pre-employment checks have been conducted and confirmed as satisfactory.

Once a start date has been agreed with the prospective employee by the Recruiting Manager, a final offer letter and contract of employment will be issued by Human to outline the relevant terms and conditions of employment.

4. Monitoring and Review

The policy will be reviewed on an ongoing basis to reflect changes in the law, demographics and internal business requirements.

In particular, the HR team will monitor the implementation of this policy by each protected characteristic, will review this policy in accordance with the results shown by the monitoring. If changes are required, HR will implement them.

Information provided by employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the General Data Protection Regulation (GDPR).