



HR2 Recruitment and Selection Policy and Procedure

Contents

1. Purpose and Scope
2. Roles and Responsibilities
3. Legislation
4. Assessment of risk
5. Definition of terms
6. Associated Documents

DRAFT HR2 ELHAP Recruitment and Selection Policy and Procedure

Policy Statement

ELHAP recognises that staff are fundamental to its success and firmly believe in ensuring that best practice techniques are applied in the recruitment and selection of staff. This is in order to ensure that a fair appointment is made of the most suitable candidate with the appropriate level of experience and competence (as determined by the Job Description and Person Specification), which will enable them to make a positive and innovative contribution to the values and aims of the organisation.

Therefore, all those involved in the recruitment and selection process must pay close attention to the ELHAP Equal Opportunities Policy and all relevant legislation, to ensure that applicants are dealt with in a fair and consistent manner.

Advice and support is available at all stages of the recruitment process from the ELHAP Human Resources Sub-Committee.

1. Purpose and Scope

- 1.1 This policy and procedure sets out the ELHAP principles in recruiting and selecting new staff, in order to comply with legal requirements and best practice, and to ensure a consistent and equal approach to recruiting for posts within ELHAP.
- 1.2 This policy and procedure applies to all applicants/potential employees of ELHAP, plus all staff involved in the recruitment process.
- 1.3 This policy and procedure applies to external consultants, recruitment agencies or external experts who assist in the recruitment process and must act in accordance with this and associated policies.
- 1.4 Key areas covered in this policy are:
 - 1.3.1 Review of a vacant post to determine whether job content needs to be amended in the light of changed service needs or financial Circumstances (see HR2/W1).
 - 1.3.2 Definition of the requirements of the post (see HR1/W1)
 - 1.3.3 Initiating recruitment (see HR2/W1).
 - 1.3.4 The selection process, including shortlisting, interview arrangements, selection tests and non-appointment (see HR2/W1).
 - 1.3.5 The appointment process (see HR2/W1).
 - 1.3.6 Internal recruitment and selection process (see HR2/W1).
 - 1.3.7 Initial Induction Process (see HR2/W1, HR2/W3 and HR3)
- 1.4 This policy also clarifies for managers and staff the process and timescales applied when recruiting to a vacant post (see HR2/W2).

- 1.5 This policy and procedure should be referred to when clarification is required as to how to approach recruiting and appointing to vacant posts, and will be regularly reviewed to ensure it remains up-to-date and relevant to needs of ELHAP.

2. Roles and Responsibilities

- 2.1 In order to have in place a recruitment and selection procedure, ELHAP recognises that all the parties involved in recruiting have a responsibility to ensure that this process is carried out according to ELHAP policy and in line with legal requirements. These roles and responsibilities are as follows:

2.2.1 Board of Trustees have a responsibility to ensure that:

- the policy and procedure remains up to date in terms of legal requirements as well as implementing an approach that complies with good practise.
- new posts have appropriate and relevant job descriptions, written in the approved style and format.
- staffing levels are up to date, communicated to all relevant parties and always consulted prior to recruitment.
- they approve the creation of new positions/ replacement positions for senior staff
- they approve the appointment of candidates to senior positions
- they approve the salary level for all staff
- they approve all contracts greater than £15,000 per annum
- they approve membership selection panels for post of Centre Manager or equivalent positions.
- there is direct Trustee Committee members representation and involvement when recruiting to senior posts
- advertising costs are approved according to budget availability.

2.2.2 Human Resources Sub-Committee Member(s) will ensure that:

- advice and support is made available to staff and managers regarding the review and redesign of job descriptions, person specifications and interview questions
- advice and support is made available to staff and managers regarding job grades and job re-grades.
- systems are in place to track/monitor applications throughout the process
- advertisements are drafted according to the current job description/person specification, and are approved by appropriate members of management.
- They approve the creation or replacement and sessional positions
- They approve the appointment of candidates for replacement and sessional positions
- They approve all employment contracts less than £15,000 per annum
- They approve membership of all selection panels, except positions of Centre Manager or equivalent positions
- They ensure that any consultants, recruitment agencies or external experts involved in the recruitment process adhere to ELHAP's Recruitment policy and procedure.

2.2.3 Centre Manager(s) have a responsibility to ensure that:

- they are fully conversant with the recruitment and selection policy.

- job descriptions, person specifications and interview questions are regularly reviewed, kept up-to-date and agreed by the appropriate committee member
- any necessary recruitment is initiated as promptly as possible, taking account of seasonal fluctuations in the expected level of response (e.g. it is not advisable to advertise vacancies during late July/August due to the holiday period and the general lack of interest in job-hunting.)
- they approve the appointment of candidates for sessionsal staff only.
- they are fully involved in the design of an advertisement and sign off the final draft for publication via the Human Resource Sub-Committee.
- all necessary paperwork is completed throughout the recruitment process.
- an interview panel with appropriate staff representation is arranged, preferably staff who are trained or experienced in interviewing and involving a Human Resources Sub-Committee member as appropriate.
- short listing/interviewing is conducted in a consistent manner, giving constant consideration to equal opportunities and best practice requirements, by using a scoring method similar to that used at interview.
- That any offer of employment is made subject to sight of satisfactory references and disclosure (previously known as *Police Check*) from the Criminal Records Bureau in accordance with the requirements of the Care Standards Act.
- Job application packs are distributed effectively and records kept of applicants.
- Correspondence relating to interview arrangements is organised, and references requested as appropriate, prior to interview if necessary
- Where necessary/appropriate, that there is HR representation as part of the interview panel
- That requests for disclosures from the Criminal Records Bureau are made promptly following selection in order to avoid delay in securing a start date.
- On appointment, that all relevant paperwork is followed through at the earliest opportunity e.g. offer letters, references, health checks, work permits, etc
- References and occupation health information is chased up with the assistance of project staff where necessary
- Old paperwork will be disposed of (in accordance with the Data Protection Act, and any relevant Care Standards requirement)

2.2.4 Chair of the Selection Panel have a responsibility to ensure that:

- they are fully conversant with the recruitment and selection policy.
- the selection process is transparent and equitable
- the interviewed is well managed
- the successful candidate is given both verbal and written confirmation of their offer of employment
- all candidates interviewed receive feedback from their interview
- all paperwork is completed in the recruitment process, including the reasons for selection/rejection of each candidate and is provided to the ELHAP Human Resource Sub-Committee

3. Legislation

3.1 ELHAP recognises the importance of complying with current employment legislation whilst ensuring that a fair and equitable approach is taken to recruitment throughout the organisation. In this respect, it is considered necessary within ELHAP to take account of the following pieces of legislation, particularly in relation to applying equal opportunities to recruitment and selection:

3.1.2 Sex Discrimination Act 1975 and 1986

3.1.3 Race Discrimination Act 1976

3.1.4 Disability Discrimination Act 1995 as well as the requirements under the *Framework Directive* (see Para 3.1.9 below) for employers to make *reasonable accommodation* for a disabled employee unless to do so would impose a *disproportionate burden* on the employer.

3.1.5 Equal Pay Act 1970 (and its amendments 1983)

3.1.6 Rehabilitation of Offenders Act

3.1.7 Data Protection Act 1998

3.1.8 Asylum and Immigration Act

3.1.9 Council directive 2000/78/EC of 27 November 2000 (known as the *Framework Directive*) and based on Article 13 of the Treaty of Amsterdam 1997. This framework provides a legal foundation for legislative proposals aimed at combating discrimination based on sex, racial or ethnic origin, sexual orientation, religion or belief, disability and age within Member States of the EU. Under this framework it is expected that discrimination on the grounds of sexual orientation and religion and belief will become unlawful by December 2003 and that discrimination on the grounds of age will become unlawful by December 2006.

3.1.10 Care Standards Act – which came into effect on 1st April 2002.

4. Assessment of risk

4.1 As part of the continuous quality audit process and the impact of the concept of *Professional Accountability*, ELHAP consider it is of paramount importance to assess the risks involved if the law and current best practice is not adhered to. With regard to the failure to comply the legislation given at paragraph 3, either wholly or partly, in the recruitment process within ELHAP, these risks are assessed to be as follows:

4.1.1 A discrimination claim (following unequal treatment) to an Employment Tribunal on the grounds of sex, race, disability, sexual orientation, Religion and belief or criminal conviction currently provides for unlimited sums of compensation. In recent years, nationally reported successful claims have been awarded sums in excess of £50,000. This will also include the grounds of age by October 2006.

- 4.1.2 Equal Pay Act also makes provision for a claim to be made by different job roles but considered to be of same value. This can be linked to sex or race discrimination if appropriate.
- 4.1.4 Failure to comply with the Data Protection Act could result in an individual making a claim to compensate for any damage suffered, up to £5,000.
- 4.1.5 Failure to comply with the Asylum and Immigration Act could result in a heavy fine.

5. Definition of terms

- 5.1 The key terms used throughout this policy and procedure are considered to be and are defined as follows:

5.1.1 Recruitment

The activity of attracting a pool of suitable candidates for a vacancy

5.1.2 Selection

The pool of candidates is assessed in order to make a choice

5.1.3 Shortlisting

Assessing candidate information by the interview panel against set criteria for the purpose of attending a selection interview

5.1.4 Equal Opportunities

Endeavours to ensure that working practices are free from all forms of discrimination.

5.1.5 Best Practice

Working practices that are developed in accordance with legislation and notable codes of conduct.

5.1.6 Non-appointment

When no applicants meet the requirements of the job.

5.1.7 Job analysis

Determining the parameters of the job.

5.1.8 Job Description

Describes the demands of the job in terms of responsibilities, accountability and reporting arrangements.

5.1.9 Person Specification

Outlines essential and desirable characteristics of the ideal candidate

5.1.10 Interview Panel

A panel of more than one person conducting an interview that has a Chair who ensures the selection interview is carried out in accordance with current policy and procedure.

5.1.11 Selection Tests

Exercises that assess work-related skills

5.1.12 Establishment Levels

Pre-determined staffing levels for an establishment such as a scheme or department

5.1.13 Scenario exercise

Requires feedback to a typical working scenario.

5.1.14 In-tray exercise

Exercises, which reflect typical daily tasks of the role that, are undertaken within a specified time

5.1.15 Presentation exercise

Demonstrates presenting skills around a particular topic.

5.1.16 Area

For the purpose of this policy the term areas means the relevant ELHAP Service

5.1.17 Transparent/Transparency

Processes that are clearly defined, easy to understand and are open to scrutiny

5.1.18 Equitable

Must be fair and open to all without bias, whether systematic or unintentional, on the grounds of gender, marital status, pregnancy, race, disability, sexual orientation, gender reassignment, religions or cultural beliefs, age, irrelevant criminal record or trade union activity

5.1.19 Conflict of Interest

A conflict of interest may occur when a person involved in making a decision regarding an appointment has a non-professional interest in the outcome, e.g. a close personal or familial relationship with an applicant.

5.1.20 Recruiting Manager

The recruiting manager is the person seeking to fill a vacancy, and can be a Committee Member, Manager, or Senior member of staff.

6. Associated Documents

- HR2/W1 - Procedure for the recruitment and selection of posts
 - HR2/W2 – Recruitment Timescale Flow chart
 - HR2/W3 – Sample Job Description
 - HR2/W4 – Sample Person Specification
 - HR1 - Equal Opportunities Policy and Procedure
 - Induction and Probation Policy and Procedure
 - Grievance Policy and Procedure
 - Emergency and Contingency Planning Policy
- Quality Manual 2
- Quality Manual 3

7. Associated Forms

- HR2/F1 – Recruitment Request Form
 - HR2/F2 – Selection Interview Questions Proforma
 - HR2/F3 – Reference Request Proforma
- Quality Manual 2

HR2/W1

Procedure for the recruitment and selection of posts

1. Stage 1 – The review of a post/role

- 1.1 When a vacancy arises, the recruiting manager should take the opportunity to investigate whether the job content needs to be amended, and should consider the following:
- The strategic aims of ELHAP
 - Any foreseeable changes that might impact on the role or the area
 - Budget
 - Current Staffing structures and skills
- The recruiting manager should also consider the following:
- Is there a continued need for the work to be undertaken?
 - Can any of the work be re-allocated i.e. can the hours be reserved for sessional hours?
 - Could the job be done on a part-time, term-time only or job-share basis?
 - Is the post correctly graded/salaried?
- 1.2 Any decision to change a post should be done in consultation with the Board of Trustees and the Human Resource Sub-committee members.
- 1.3 When reviewing the needs for a post, there are a number of possible sources of information including:
- ELHAP strategies
 - Feedback from the outgoing appointee on their view of how the job description reflects the duties
 - Feedback from the relevant senior/supervisor on their view of how the job description reflects the duties
 - Feedback/consultation with users and funders

2. Stage 2 – Defining requirements

- 2.1 Job requirements should be defined through a process of job analysis, looking at key tasks and range of duties, ideally with the assistance of the current postholder and senior/supervisor.
- 2.2 The results of the job analysis should then be detailed to create a job description, which should be in the corporate ELHAP style (HR2/W4), and forwarded, with a copy of the person specification, to the ELHAP Human Resources Sub-Committee, who is responsible for reviewing the job description to ensure the post is correctly graded. The ELHAP Human Resource Sub-Committee will provide advice and guidance on any grading issues which arise and, where relevant, to ensure compliance with equal pay legislation.
- 2.3 An accurate job description allows applicants the opportunity to assess their suitability for the role and to decide whether to proceed with their application, thereby helping to minimise the number of inappropriate applications. It will also define the expectations of both the successful candidate and the manager and serve as a framework for the working agreement and an essential tool for induction, probation and appraisal.

- 2.4 Once the job description is complete, a person specification (HR2/W5) should then be created to describe the characteristic requirements (skills, knowledge, experience and qualifications)
- 2.5 A Human Resource Sub-Committee member is available to advise recruiting managers on both undertaking job analysis and drafting the resulting documents.

3. Stage 3 – Initiating recruitment

- 3.1 A recruitment request form (HR2/F1) should be completed by the recruiter and forwarded to the Human Resource Sub-Committee, together with any amendments to the job description/person specification
- 3.2 The Human Resource Sub-Committee will then seek Board of Trustees Approval before advertising the vacancy.
- 3.3 The Human Resource Sub-Committee will then advise on the creation of an advertisement, based on the current approved job description/person specification. The recruiter should be involved as much as is practicable in the creation of an advertisement to ensure that it reflects the local needs of the area.
- 3.4 The advert should always detail the basic duties of the role, essential requirements of applicants, salary, hours to be worked and at which location, giving information about the areas at which the vacancy is based.
- 3.5 The advert should also include the benefits of working for ELHAP such as development opportunities, pension arrangements etc.
- 3.6 A closing date giving a minimum of two weeks for the responses should be clearly given on the advertisement and where possible, an expected date for interviews (generally two weeks notice following the closing date allowing for the short listing process to take place and give sufficient notice to the candidates.
- 3.7 The recruiting manager and the Human Resource Sub-Committee member will determine the form of media chosen to advertise a particular vacancy. In this respect, reference should be made to previous response rates and the requirements of the Equal Opportunities policy (see HR1) to ensure that under represented groups are targeted through relevant publications such as the *Voice*.
- 3.8 In addition to media advertising, all advertisements will be displayed internally.
- 3.9 The Human Resource Sub-Committee member will monitor the response to advertisements, enabling the effectiveness of the chosen media to be judged.

4. Stage 4 – The selection process

- 4.1 Short listing should normally take place within a few days after the closing date of the advertisement. A minimum of two persons from the intended selection panel should shortlist applications.
- 4.2 The criteria used for short listing are listed on the person specification and should be consistently applied to all applicants.

- 4.3 All disabled applicants who meet the agreed short listing criteria will be invited to interview. This is a requirement ELHAP has to fulfil as Disability Symbol users. Reasonable adjustments will be made to meet the needs of disabled applicants.
- 4.4 The recruiting manager should complete a Short listing Form/Person Specification (HR2W5) and inform the short listed candidates by letter, ideally giving a minimum of eight working days' notice between short listing and interview.
- 4.5 Interview questions should be prepared in advance by the recruiting manager, based on the person specification for the role. A pro-forma such as that provided on HR2/F2 can be a useful tool in preparing questions in advance and thereafter using them to help with the scoring and selection process.

Please note: The changing legislation around flexible working arrangements and the concept of work/life balance should be referred to when summarising the terms and conditions of the post at the end of the interview. Please contact a Human Resource Sub-Committee member regarding this if a representative is not due to be a member of the selection panel.

- 4.6 Panel member should take time to collectively prepare the structure of the interview.
- 4.7 The recruiting manager will organise the interview panel packs, which should confirm arrangements and include copies of the candidates' application forms, person specifications and the Appointment Form.
- 4.8 All appointments at Manager/Senior level will require either Board of Trustee or Human Resource Sub-Committee member approval.
- 4.9 Every effort should be made to ensure that single sex/race interview panels are avoided.
- 4.10 If a member of the Human Resource Sub-Committee is not present at the interview they should provide information to the recruiter regarding relevant terms and conditions of service, prior to interview.
- 4.11 Candidates should not be asked questions about their personal circumstances or family commitments. The same questions should be asked equally of all those being interviewed, although flexibility in the follow-up and probing questions is acceptable.
- 4.12 The candidate should be invited to ask questions of the panel, and the interview should finish with them being informed as to when and how they should expect to hear of the panel's decision.
- 4.13 A variety of selection tests can be useful to assess candidates in other ways, such as written scenarios and feedback, in-tray exercises, budgetary exercises and presentation skills. The criteria applied to any tests must be job-related and relevant to the post.
- 4.14 If during the selection interview process (e.g. when carried out over more than one day) a member of the panel is unable to attend for part of that process, the Chair of the panel is to inform the remaining candidates of the situation

and give them the choice of proceeding on that basis or whether to rearrange when the full panel is available. Under no circumstances is a replacement panel member to be brought in part way through the process.

- 4.15 All necessary documentation (i.e. completed person specifications and appointment forms) should be returned to the Human Resource Sub-Committee member.
- 4.16 References support information given on the application form and should be seen as a means of checking and confirming the selection judgement, and only be sought with the permission of the candidate.
- 4.17 Recruiters should not feel obliged to make an appointment following interview. If there are no suitable candidates, it is more cost and time effective to re-shortlist or re-advertise than to make an inappropriate selection.
- 4.18 Similarly if two candidates score equally and both are appointable, then second interviews/testing should be organised.

5. Service User Participation

- 5.1 The Chair of every panel interviewing for posts working directly with Service Users should aim to build user participation into the selection process and must justify their reasons if they feel this is not appropriate. This can be achieved in a number of ways:
 - Service Users as part of the interview panel – the participant must have the ability and understanding to participate in and contribute to the interview process, so that their presence is not tokenistic.
 - Service User Interviews – candidates may undergo a second interview with a small group of Service Users, co-ordinated by a non-user, using prepared questions.
 - Facilitated visits – this takes the form of a planned visit to the area where Users will meet the candidate, show them around and have the opportunity to chat. This interaction will be overseen by a co-ordinator.
- 5.2 When Service Users are involved with interviews, special consideration will need to be given to the venue, the timing and the scheduling, so that varying needs are taken into account.

6. Stage 5 – The appointment process

- 6.1 All offers of employment should be made subject to receipt of two references satisfactory to ELHAP, satisfactory health clearance, satisfactory work status (the right to work in England), and satisfactory disclosure from the Criminal Records Bureau (prior to appointment for those staff who will come into contact with vulnerable children/adults – this is in accordance with the Care Standards Act).
- 6.2 References can be requested at the point of selection for interview so long as permission is sought from the relevant candidates.
- 6.3 Ideally references should be in writing (using the standard pro-forma where appropriate – see HR2/F3) and one should be from the candidate's current/last employers. However, in exceptional circumstances, verbal references can be sought by the Human Resource Sub-Committee

member/Recruiting Manager although these must be followed up in writing.

- 6.4 Where references are slow to be received, the Human Resource Sub-Committee Member can arrange for the Recruiting Manager to contact the candidate directly in an effort to speed up the process.
- 6.5 All Unsuccessful candidates will be notified in the manner agreed at the interview of the outcome.
- 6.6 Once the above criteria have been satisfied, the relevant committee member (Board/HR Sub-Committee) will issue the candidate's Statement of Terms and Conditions of Employment, which under current employment legislation is required within eight weeks of appointment.

HR2/W2

Recruitment Timescale



HR2/W3

Sample Job Description

JOB TITLE: Activity Worker
SALARY RANGE:
BASE:
RESPONSIBLE TO:
ACCOUNTABLE TO:

Job Summary

To provide the service opportunities to meet the needs of adults with a learning disability who may also have a physical /sensory disability. To support individuals in accessing community activities which meet their needs and wishes.

Principal Duties and Responsibilities

1. To accompany service users to and from community based activities by means of ELHAP vehicles, public transport or walking.
2. To jointly participate alongside service users in their chosen activities.
3. At all times when with service users to pay the utmost attention to their safety and well being.
4. To seek to re-arrange suitable activities in the event of cancellations, often at short notice.
5. To participate in drawing up formal risk assessments with service users.
6. To participate in formal assessment with service users/potential service users.
7. To participate in the drawing up of service plans involving the service user, and where appropriate carers/advocates and other agencies.
8. To participate in the ongoing review of service plans.
9. To help each service user develop and maintain self confidence and self esteem and to facilitate opportunities for making choices.
10. To assist service users with all aspects of personal care.
11. To carry out key worker responsibilities.
12. At all times to work within the framework of ELHAP aims and objectives and the services mission statement.
13. To ensure the maintenance of good relationships with individuals, team members, relatives and the wider community.
14. Assisting in maintaining appropriate records relating to all aspects of the Service.
15. Participate and contribute to one's own appraisal and supervision sessions.
16. To attend and contribute to staff meetings.

17. It is expected that all staff who own a valid current UK driving licence will on occasions drive the service mini-bus. The company will provide training for this.

Additional Requirements

1. Full time hours equate to 37 hours by arrangement on a flexible basis determined by a staff rota. This may include weekends, evenings and bank holidays.
2. Provide cover for colleagues as directed by your manager.
3. Refrain from acting in a manner which in any way endangers yourself, fellow employees or the public.
4. Avoid any behaviour which discriminates against your fellow employees or potential employees on the grounds of their gender, sexual orientation, marital status, race, religion, creed, colour, nationality, ethnic origin or disability.
5. Safeguard at all times confidentiality of information relating to staff and clients.
6. Refrain from smoking in any area of ELHAP premises not designated a smoking area.
7. Behave in a manner which ensures the security of ELHAP property and resources.
8. Abide by all relevant ELHAP Policies and Procedures.

This list of duties and responsibilities is by no means exhaustive and the postholder may be required to undertake other relevant and appropriate duties as required.

This job description is subject to regular review and appropriate modification

HR2/W4 – Person Specification sample

Person Specification

Post: Activity Worker

Location:

Name:

PART A**PART B**

REQUIREMENTS	ESSENTIAL	DESIRABLE	MEASURED BY	NOT MET	MET	EVIDENCE
Qualifications NVQ Level 2 or 3 in care or Relevant Health/Social Care qualification		/	Application Form			
Experience - Experience of working with people with learning difficulties - Experience of working in a care setting, paid or voluntary - Experience of individual person planning		/	Application Form/Interview			
Skills & Knowledge - Ability to communicate effectively verbally and in writing - Ability to work effectively within a team - Ability to risk assess - Ability to use initiative - Ability to work imaginatively & flexibly to service users - Ability to design, organise and facilitate activities	/		Application Form/Interview			
	/		Interview			
	/	/	Interview			
	/		Interview			
	/		Interview			

PART A

PART B

REQUIREMENTS	ESSENTIAL	DESIRABLE	MEASURED BY	NOT MET	MET	EVIDENCE
<p>Other Factors</p> <ul style="list-style-type: none"> -Positive attitude to people with learning difficulties -Positive attitude to community integration -An understanding of the discrimination faced by people with learning and physical difficulties -Fitness to undertake duties of post -Ability to drive Mini Bus -Willingness/desire to develop -Satisfactory enhanced Disclosure Certificate from Criminal Records Bureau 	<p>/</p> <p>/</p> <p>/</p> <p>/</p> <p>/</p> <p>/</p> <p>/</p>	<p>/</p> <p>/</p>	<p>Application Form/Interview</p> <p>Application Form/Interview Application Form/Interview Interview</p> <p>Occupational Health</p> <p>Interview Application Form/Interview</p> <p>Human Resources</p>			
Overall Assessment						
<p>Drawn up by:</p> <p>Shortlist: YES / NO</p>			<p>Signed:</p> <p>Appoint: YES / NO</p>		<p>Date:</p>	
<p>Appointing Officer:</p>			<p>Signed:</p>		<p>Date:</p>	

HR2/W5

Storage, Handling, Use, Retention and Disposal of Disclosure and Disclosure Information

This Policy statement is to be included in all job packs to applicants for posts with ELHAP.

It is also to be made available to applicants and employees of ELHAP when making an application for a Disclosure from the Criminal Records Bureau.

General Principles

- As an organisation using the Criminal Records Bureau (CRB) Disclosure service to help assess an applicants' suitability for positions of trust, ELHAP complies fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it upon request.

Storage and Access

- Disclosure information is never kept on an applicant's personnel file and is always kept separately and securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties

Handling

- In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. ELHAP maintains a record of all those to whom Disclosures or Disclosure information has been revealed and we recognise that is a **criminal offence** to pass this information to anyone who is not entitled to receive it.

Usage

- Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given. This may include the disclosure being referred to in disciplinary matters (only where appropriate and relevant).

Retention

- Once a recruitment (or other relevant) decision has been made, ELHAP does not keep Disclosure information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.
- If, in exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six-months, ELHAP will consult with the CRB about this and will give full consideration to the Data Protection and Human rights individual subject before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

Disposal

- Once the retention period has elapsed, ELHAP will ensure that any Disclosure information is immediately suitably destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). ELHAP will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure.
- However, notwithstanding the above, we may keep a record (manually and within a centrally controlled computer system) of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

Compliance

- ELHAP will also take all reasonable steps to satisfy those to whom it is accountable that we will handle, use, store, retain and dispose of Disclosure information in full compliance with the CRB Code and in full accordance with this policy. We will also ensure that any body or individual, at whose request applications for Disclosure are countersigned, has such a written policy and, if necessary, will provide a model policy for that body or individual to use or adapt for this purpose.

HR2/W6 – Policy Statement Recruitment of Ex-Offenders

This Policy statement is to be included in all job packs to applicants for posts with ELHAP.

It is also to be made available to applicants and employees of ELHAP when making an application for a Disclosure from the Criminal Records Bureau.

- As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for positions of trust, ELHAP complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.
- ELHAP is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- We have a written policy on the recruitment of ex-offenders, which is made available to all Disclosure applicants at the outset of the recruitment process.
- ELHAP actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.
- A Disclosure is requested for all ELHAP employees, although the level of disclosure may depend upon their job role and the position concerned. Therefore, the level of disclosure required is to be made known throughout the recruitment process, starting with a statement on job adverts. A copy of this policy statement and other associated documentation such as ELHAP Work Instruction for applying for a CRB Disclosure will also be included in the job pack to all applicants.
- Where a Disclosure is to form part of the recruitment process, ELHAP encourages all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within ELHAP and we guarantee that this information is only to be seen by those who need to see it as part of the recruitment process.
- Unless the nature of the position allows ELHAP to ask questions about your entire criminal record, we only ask about "*unspent*" convictions as defined in the Rehabilitation of Offenders Act 1974.

- At interview, or in a separate discussion, ELHAP ensures that an open and measured discussion takes place on the subject of any offences or other matters that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- ELHAP makes every subject of a CRB Disclosure aware of the existence of the CRB Code of Practice and will make a copy available on request.
- ELHAP undertakes to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar an applicant from working with ELHAP. This will depend on the nature of the position and the circumstances and background of the offences concerned.

HR2/W7

Applying for CRB Checks

Instructions for applying for a Criminal Records Bureau Disclosure (CRB check)

1. What is a Disclosure?

- 1.1 A Disclosure is a document containing information held by the Police and Government departments. It can be used by employers such as ELHAP to make safer recruitment decisions regarding applicants who wish to work within the care and support sector.
- 1.2 Disclosures are provided by the Criminal Records Bureau (CRB), which is an executive agency of the Home Office.
- 1.3 There are three levels of Disclosure that can be applied for, which are:
 - Enhanced – for those who have a great deal of direct contact with vulnerable adults
 - Standard – for those who work with vulnerable adults but not on a sole working basis.
 - Basic – for all types of positions not covered by the higher-level disclosures
- 1.4 Generally, the enhanced disclosure will provide employers with more information about an applicant's background than the previous system of using Police Checks. This is because an enhanced disclosure includes information held on local police records as well as that held on the Police National Computer (PNC) and government departments.
- 1.5 Disclosures will provide details of an applicant's background including any convictions, cautions, reprimands and warnings.
- 1.6 It is also anticipated that the Department of Health (DH) will implement a list of those people who have had allegations made against them by their employer (for Managers this can be any allegation but for other groups of staff, the DH will only need to be notified of allegations involving abuse towards clients) and those who have been banned from working with children and vulnerable adults. Information from this list, once implemented, will also appear on an enhanced disclosure.

2. Who needs to apply for a disclosure?

- 2.1 Disclosure information is only valid at the time of receipt and therefore, all applicants who are selected for a position with ELHAP, even if they already hold a CRB disclosure from their previous employment, should be required to make a disclosure application.
- 2.2 There is also a requirement under the Care Standards Act 2000 for all staff to be in receipt of a CRB Disclosure and therefore, during 2003/04, ELHAP will obtain the appropriate level of disclosures for its entire staff.
- 2.3 There may be a need from time to time, for ELHAP to apply for more than one Disclosure regarding a particular employee. This may be due to concerns about their conduct (e.g. if allegations are made that warrant police involvement or if reports are made concerning police action which has not been disclosed by the employee). If an employee refuses to comply with this request for an updated CRB disclosure, then the formal Disciplinary Policy and Procedure may be invoked and their future employment with ELHAP put at risk.
- 2.4 ELHAP has taken the policy decision that office based posts may require a greater degree of client contact and therefore, these groups of staff will also be required to apply for an enhanced disclosure.

- 2.5 All other groups of staff will need to apply for a standard disclosure.
- 2.6 Given the ELHAP client group and type of services provided to clients, it is not appropriate for any member of staff to apply for a basic disclosure.

3. Applying for a disclosure and payment

- 3.1 The Centre Manager will commence the process by sending job applicants (or where required – those already in post) the relevant Disclosure Application Form (**please note it is not for an individual to decide the type of disclosure to be applied for as this decision is taken by the Human Resources Sub-Committee and the Centre manager for each job role**).

- 3.2 It is important that when completing the Disclosure Application Form that the guidance notes provided by the CRB are referred to, particularly regarding the documentary evidence that must be attached to the completed form by the applicant. ELHAP will include a copy of these notes (entitled *Guidance for Disclosure applicants*) when the relevant Disclosure Applicant form is sent out to applicants and staff.

4. What happens when the Disclosure arrives – how will it affect my application or my current post with ELHAP

- 4.1 **When making an application for a job within ELHAP, applicants must ensure that they are open and honest in declaring any previous unspent convictions or cautions, however minor these may seem. This is because if there is any discrepancy between the information provided on the job application form and the CRB Disclosure, this may affect the final selection decision and whether a job offer is to be made.**

- 4.2 Where an unspent criminal conviction or caution is disclosed either through the application process or at the point of selection and by way of receipt of a CRB Disclosure, it is at the discretion of the recruiting Manager (in discussion with the Human Resources Sub-Committee) as to whether this information warrants the withdrawal of a job offer. **Having a criminal record will not necessarily bar an applicant from working with ELHAP. This will depend on the nature of the position and circumstances and background of the applicant's offences. For example, if an unspent conviction for some form of abuse was disclosed then it is unlikely that such an application would be pursued. For further guidance, please see the ELHAP policy statement on the recruitment of ex-offenders (HR2/W6 – Policy statement on the recruitment of ex-offenders) and the current Equal Opportunities Policy and Procedure (HR1).**

- 4.3 Where serious convictions are disclosed and have not been made known to ELHAP, then consideration would need to be given by the Centre Manager (in discussion with the Human Resources Sub-Committee) as to whether the formal Disciplinary Policy and Procedure should be invoked through the usual process.

5. Where will the disclosure information be kept and for how long?

- 5.1 ELHAP has a statutory duty to comply with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.
- 5.2 Therefore, ELHAP has written a policy on these matters (HR2/W5 – Policy Statement on the secure storage, handling, use, retention, and disposal of Disclosures and Disclosure information), a copy of which is to be attached to the Disclosure Application form sent out to candidates.
- 5.3 Once the disclosure application process is completed by the CRB, the applicant will receive their copy of the disclosure in the post. It is then their responsibility to keep this information secure.
- 5.4 A copy of the Disclosure will also be sent to the Lead Signatory of the umbrella body who will ensure that the Centre Manager will comply with CRB's Code of Practice in how the Disclosure is stored; who has access to the information and for how long it is to be held on file.
- 5.5 Generally, disclosure information is not to be kept on an employee's personnel file but in a separate file that is stored securely by the Centre Manager.
- 5.6 Access is to be strictly controlled to the following personnel within ELHAP:
- Human Resources Sub-Committee
 - Recruiting Manager and where concerns may arise, the Human Resource Sub-Committee
 - OFSTED (e.g. Inspection visits)
- 5.7 Disclosure information is only to be used for the purpose of improving the recruitment and selection process in ensuring that the staff employed by ELHAP to work with the users of its services are considered safe to do so.
- 5.8 Disclosure information may also be used from time to time to demonstrate compliance with the requirements of statutory bodies i.e. OFSTED, Care Standards.
- 5.9 Disclosure information will generally be retained by the Centre Manager for a maximum of six months (or until the new employee has completed their probation). Following which, the disclosure information is to be shredded in accordance with procedures for destroying confidential document.
- 5.10 ELHAP will also keep a record of the Disclosures they have seen sight off, making note of the Registered Body number, the Disclosure Form reference number and the documentary evidence supplied, which will enable the Disclosures to be destroyed without losing all evidence that they had been obtained.

HR2/W8 Induction

1. Induction

- 1.1 The final step is to make plans on the new recruits arrival and induction. Lack of attention to the induction process can undo all the good work of a well-planned recruitment and selection process.
- 1.2 On their first day new members of staff will visit the ELHAP Administrator to provide evidence of qualifications and right to work in the UK (i.e. passport, Birth Certificate, Marriage Certificate, Work Permit etc.)
- 1.3 The final, and most important aspect of induction, is that provided at the specific ELHAP Service area. Induction at area level should focus on the employee's role, the structure of the area and how their role fits into the structure. His/her Line Manager retains ultimate responsibility for staff induction, although it is likely that the line manager or nominated member of staff will actually conduct the induction.
- 1.4 Induction is a continuous process of familiarising the new employees with their job, their area and ELHAP. A well planned induction will help staff adapt to their new role, whilst a poor induction can lead to confusion, errors and dissatisfaction.
- 1.5 Induction should not be limited to new recruits to ELHA, and an appropriate induction should be planned for existing members of staff when changing jobs – they will still need to learn their new roles and how they will contribute to the area and ELHAP.

HR2/F1 Recruitment Request Form

Please complete both Part A and B of the form before forwarding for signature.

PART A

Post:

Area:

Previous Postholder:

Newly Created/Re-graded Post: Y/N

Post Vacant From:

Has the post been reviewed and the job description/person specification updated? Y/N

Has the post been costed and approved by the Human Resources Sub-Committee? Y/N

Signed: _____ Dated: _____
Recruiting Manager

Signed: _____ Dated: _____
Human Resource Sub-Committee

Signed: _____ Dated: _____
Board of Trustees

Recruitment to this post can only proceed once this form has been signed by the Board of Trustees/Human Resource Sub-Committee.

Please also ensure that the current job description and person specification is attached or has been updated to avoid delay.

PLEASE NOW REFER TO PART B OVER THE PAGE

PART B

The following details will assist in advertising the vacant post. Please complete as appropriate:

Salary:

Hours: **Shifts: Y/N**

Permanent/Temporary (if fixed-term, length of contract and reason):

Flexible working arrangements considered (e.g. job share)? Y/N

Key aspects of post:

Informal enquiries to:

Telephone No:

Proposed Interview Date:

Internal only: Y/N (if yes, please give reasons)

External Suggested Media:

Name:

Position

Signature:

Date:

HR2/F2 Selection Interview Questions Proforma

POST TITLE:...../SCHEME:.....

Candidate's Name:

Panel Member:

Date:

Question	Asked by	Met	Part-met	Not met	Notes
Ice breaker/process to be applied – Chair					

Question	Asked by	Met	Part- met	Not met	Notes

**HR2/F3
Starter Checklist**

Post Title	Replacing
Name:	
Area:	Basic Salary
Hours Per Week	Full/Part Time
Perm/Sessional/Fixed Term	
Offer Letter Sent	Acceptance Rcvd:
CRB Forms Sent	Date Returned
CRB Sent for Processing	
CRB Disclosure Cleared:	
Signed:	
Reference 1 sent to:	Date:
Satisfactory Reference Received:	
Signed:	
Reference 2 sent to:	Date:
Satisfactory Reference Received:	
Signed:	
Satisfactory Medical Report Received:	
Signed:	
Contract Sent:	
Date and Time of commencement	

Where references/CRB/Medical need further investigation and agreement is made to continue the appointment a report must be included in the personal file.

HR2/F4 Employment Reference Request Form

Applicants

Surname:

Forename:

Date of Birth:

Organisation Address:

Postcode:

Applicant worked as:

Dates: From:

To:

Please can you confirm if the dates are correct: Y/N

If no, please give correct dates: From: To:

Please assess these performance criteria in relation to the above candidate

Please tick to indicate:	Excellent	Very Good	Good	Average	Poor
Reliability					
Punctuality					
Attendance					
Efficiency					
Relationship with clients					
Relationship with other staff					
Relationship with supervisor					
Relationship with Manager					

Would you re-employ this applicant: Yes / No

Please complete the following information

1. What was your professional relationship with this applicant?

2. Please can you provide a brief overview of the position the applicant held:

3. Did the applicant carry out their duties in a professional manner:

4. How was the applicants' judgement when working under pressure:

5. How did the applicant plan and prioritise workloads:

6. Did the applicant communicate clearly and appropriately at all levels, both orally and in writing?

7. Please can you provide details of any training the applicant undertook when they were in your employment:

8. How many days off sick did the applicant have in the last 2 years?

_____ (days) on how many occasions _____

**Implemented by the ELHAP Board of Trustees
18th April 2007**