



**HR Policy No. 3**

# RECRUITMENT AND SELECTION POLICY

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## **1.0 INTRODUCTION**

- 1.1 Silverline Care and its associated Companies recognise the importance of employing the best people, with the best skills, abilities, potential and who share our values and strive to provide excellent standards of care. Silverline Care aims to be a great place to work for our employees as well as a great place for our residents to live.
- 1.2 All documents and letter templates referred to in this policy can be accessed in electronic format in the Standard Documents - Recruitment and Selection folder.

## **2.0 SCOPE**

- 2.1 This policy applies to the recruitment and selection of all employees across Silverline Care and aims to reflect current best practice taking account of safer recruitment practices defined by relevant employment legislation and regulatory bodies.
- 2.2 Where agency staff are used, only agencies whose employment practices reflect the content of this policy will be engaged.

## **3.0 POLICY**

- 3.1 Silverline Care is committed to ensuring safer recruitment practices in line with Care Inspectorate, SSSC and CQC guidelines.
- 3.2 Silverline Care is committed to creating a working environment that values everyone and recognises the real benefits that can be achieved through embracing and celebrating diversity. Therefore, its recruitment and selection methods are intended to ensure equality of opportunity, fairness and to eliminate unlawful discrimination in accordance with the Equality Act (2010).
- 3.3 Selection will be made on merit: considering values, experience, knowledge, skills and ability.
- 3.4 Upon request, application forms can be made available in a range of formats e.g. large print.
- 3.5 Applications may be submitted in a range of formats and will seek to obtain information relevant to the vacancy being filled.
- 3.6 All job applicants and candidates will be treated courteously, and all procedures will be followed without undue delay.

## **4.0 CONFIDENTIALITY**

- 4.1 Confidentiality will be maintained throughout the recruitment and selection process, including the secure administration and storage of data in accordance with the General Data Protection Regulations (GDPR).
- 4.2 Data relating to unsuccessful candidates will normally be retained for 6 months then destroyed in a secure way.

## **5.0 RECRUITMENT**

- 5.1 All vacancies will be reviewed as they arise to determine:
- The purpose of the role and whether adjustments need to be made within the organisation structure.
  - Key areas of responsibility – does the job description need to be reviewed.
  - Competencies required for the role – does the person specification need to be reviewed.
  - The available budget in line with the workplace staffing profile.
- 5.2 All vacancies should be supported by a job description and a person specification.
- 5.3 Authorisation to recruit additional roles within the workplace must be obtained from the Head of Operations.
- 5.4 Applicants will normally be advised to apply online via the Silverline Care website, by submitting a Curriculum Vitae. Successful applicants must complete Silverline Care's Application Form.
- 5.5 Vacancies should be advertised on internal notice boards within each workplace, via Silverline Care's website or any other appropriate advertising source agreed by the Head of Operations. Each position is advertised clearly stating the key details relating to the vacancy and closing date (if applicable).
- 5.6 When advertising vacancies externally, consideration will be given as to the most effective methods of advertising, e.g. job boards, social media, open days etc. Approval must be sought from the Head of Operations for any additional costs incurred.
- 5.7 Recruitment agencies will normally only be approached to assist with filling vacancies when Silverline Care's own website and other tried methods and media options have failed to produce suitable candidates. As agencies will apply a fee for sourcing and introducing candidates, the decision to approach recruitment agencies will lie with the Head of Operations.

5.8 Agencies with whom Silverline Care has agreed terms of business are stored centrally by the HR Team.

## **6.0 SELECTION**

6.1 Whilst a vacancy is active, the HR Team receive all new applications into HR mailbox. Normally HR will shortlist applicants and will forward to the recruiting Manager for agreement to invite to interview.

6.2 Recruiting managers will be responsible for reviewing all applications received and compiling a short-list of candidates for interview based on the role description and person specification. The short-listing process should ideally be completed within 2 working days of the application being received, or after the closing date (if applicable).

6.3 Candidates will receive confirmation from the HR Team of the outcome of the shortlisting process, ideally within 2 working days, advising whether they have either been unsuccessful or selected for interview. Candidates selected for interview will be sent an invitation; confirming the date, time, location of the interview, details of any presentations or competency test they may be asked to undertake.

6.4 Selection interviews will normally be carried out by 2 designated individuals at an appropriate level who have received training or have proven experience in carrying out interviews. In addition, a resident or relative/friend of a resident may be part of the interview panel.

6.5 Standard interview questions will be used for each candidate applying for the same vacancy to ensure consistency and fairness, and any questions deemed discriminatory, e.g. relating to childcare arrangements, sickness, disabilities, age, etc., should not be asked.

6.6 At interview, candidates will be asked to:

- Confirm details of their current and previous employment and provide explanations for any gaps in employment.
- Disclose any criminal convictions, cautions, reprimands or final warnings which would not be filtered in accordance with current legislation and guidance (see section 7).
- Disclose any involvement in disciplinary or grievance procedures and any live formal warnings.
- Confirm they hold the right to work in the UK (see Section 9).
- Confirm they hold the relevant qualifications and/or professional body membership.
- Confirm their notice period (if applicable).

- Provide dates of any upcoming pre-booked holiday commitments.
  - Disclose any reasons why they feel they may not be able to carry out the role they have applied for.
    - Confirm that they are not barred by Disclosure Scotland, the Disclosure and Barring Service, SSSC or any other safeguarding authority from working with vulnerable adults and children.
- 6.7 At interview candidates will also be advised that if they are successful and once they have accepted a verbal offer, that we will contact their current employer for a reference as well as one other previous employer.
- 6.8 Internal candidates who meet the essential selection criteria will be considered for interview. Internal candidates who do not meet the essential selection criteria will not be interviewed. If an internal applicant is unsuccessful at any stage of the recruitment process, they will be offered the opportunity to be given verbal feedback.
- 6.9 Successful candidates will be issued with an offer of employment, in the first instance the offer may be made verbally, however it must be followed up formally in writing within 5 working days of the interview taking place. Candidates will be advised that the following pre-employment checks will be carried out to ensure their suitability for the post:
- Essential qualifications.
  - Registration and membership of professional bodies.
  - Receipt of satisfactory references, including current or most recent employer (if applicable).
  - DBS (England) and PVG/Disclosure (Scotland) at the relevant level (if appropriate).
  - Health clearance.
  - Eligibility to work in the UK.
- 6.10 Upon request, all candidates will be given the option to receive feedback on their application.

**7.0 DISCLOSURE & BARRING SERVICE (DBS) ENGLAND  
PROTECTING VULNERABLE GROUPS SCHEME (PVG)/DISCLOSURE SCOTLAND**

- 7.1 Where a role requires a DBS or PVG/Disclosure Scotland check, this will normally be obtained prior to the candidate commencing work.
- 7.2 In exceptional circumstances a start date may be agreed prior to the certificate being received, subject to a risk assessment being carried out and the approval of the Head of Operations.

- 7.3 **DBS Applications (England)** - candidates will be required to complete a DBS application either online or via paper application form to obtain the level of check (Enhanced or Standard) deemed appropriate for their role.

Candidates applying for a DBS certificate must join the Update Service, which allows their certificate to be kept up to date online. DBS applicants can join the Update Service as soon as they receive their application form reference number or within 19 days of the issue date of their certificate. If a candidate has joined the Update Service they **must** give their written consent to the Home Manager before Silverline Care can carry out an online check of their Disclosure.

- 7.4 **PVG/Disclosure Scotland** – In the first instance a PVG check is carried out to confirm that candidates are not barred from working with children and/or protected adults. If they are barred, they will be refused PVG Scheme Membership. If they are not barred a disclosure search will be carried out to check for vetting information (e.g. convictions, cautions, children’s hearing findings, other relevant information from the police). Existing PVG Scheme and Disclosure Scotland members, prior to commencing of employment, will be required to update their Scheme Membership by completing the Existing Scheme Membership application form.

- 7.5 All candidates will be asked to disclose details of any criminal convictions, cautions, reprimands or final warnings which would not be filtered in line with current Rehabilitation of Offenders Act 1974 (Exceptional) Order 1975 or for a prescribed purpose as defined in the Police Act 1997 (Criminal Records) Regulations 2002, whether in the UK or in any other country.

If the information provided by the candidate at interview differs from that given in the DBS or PVG/Disclosure Scotland certificate, this will normally be discussed with the candidate, before any further decisions regarding their suitability for the post are made.

- 7.6 If a DBS or PVG/Disclosure Scotland certificate is returned showing the candidate has received a conviction, caution, reprimand or final warning, a risk assessment must be carried out by the Head of Operations and Head of HR. Approval to continue with the offer of employment and agree a commencement date must be sought by the Head of Operations and Head of HR.

- 7.7 Employees may be asked to renew their DBS or PVG/Disclosure Scotland every 3 years. It is the responsibility of the Manager to advise the employee of this and ensure the individual completes and submits the relevant online or hard copy application form and provides the required renewal documentation. Employees who subscribe to the DBS Update Service (England only) will be required to present their original Disclosure certificate and give their consent for Silverline Care to undertake an online check of their Disclosure.

7.8 Where employees transfer to Silverline Care under TUPE, they will be required to update their Scheme Membership by completing an Existing Scheme Membership application form.

## **8.0 EQUALITY OF OPPORTUNITY**

8.1 Silverline Care is committed to the fair treatment of its employees, potential employees or users of its services, regardless of the following protected characteristics as outlined in the Equality Act (2010): age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to trade union membership or any other personal characteristic.

8.2 Silverline Care 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.

8.3 On the 29<sup>th</sup> May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure (Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975).

In addition, employers are not able to take an individual's old and minor cautions and convictions into account when making decisions.

All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.

8.4 When assessing candidates' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the DBS or PVG/Disclosure Scotland, Silverline Care complies fully with the relevant Code of Practice and undertakes to treat all candidates for positions fairly. Silverline Care undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

8.5 Silverline Care will only ask an individual to provide details of convictions and cautions that Silverline Care are legally entitled to know about. Where a DBS Disclosure or PVG/Disclosure Scotland certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and

where appropriate Police Act Regulations as amended), Silverline Care will only ask an individual about convictions and cautions that are not protected.

- 8.6 For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS or PVG/Disclosure Scotland will be submitted in the event of the individual being offered the position.
- 8.7 At interview, or in a separate discussion, the interview panel members or the HR Team will ensure that an open and measured discussion takes place on the subject of any offences or other matter 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.

## 9.0 ELIGIBILITY TO WORK IN THE UK

- 9.1 The law on preventing illegal working is set out in The Immigration, Asylum and Nationality Act 2006 (amended 2008) and makes it a criminal offence for employers to knowingly employ a worker who does not have the legal right to work in the UK. An employer may be liable for a civil penalty if they employ someone who does not have the right to undertake the work in question.
- 9.2 All offers of employment will be conditional upon evidence of eligibility to work in the UK and all candidates will be asked to provide evidence of their eligibility to work in the UK, regardless of their Nationality.
- 9.3 Appropriate original documentation in line with current Home Office legislation will be **obtained** as part of the recruitment process to establish whether a candidate can be employed in the role they have applied for.
- 9.4 Using the 'Home Office Right to Work Checklist' (can be found in Standard Documents – New Starters), documentation will be **checked** and examined carefully in the presence of the document holder to check that the documents are genuine and have not been tampered with, that the person presenting them is the prospective or existing employee, the rightful holder and they are allowed to do the type of work offered.

Documents presented will be **copied**. The copies will be signed and dated, including printed name and job role, by the person who examined the original documents and the following statement will be written on each copy: **'I certify that this is a true copy of the original (insert document name)'**. The signed copies will be placed on the employee's file.

- 9.5 Candidates who are working on a student visa or have limited leave to remain and work in the UK, must provide the appropriate original documentation to support

their eligibility to work in the UK at the time their employment commences and again when their current permit is due to expire.

- 9.6 Candidates who are working on a student visa must, in addition to presenting their student (Tier 4 General) permit, provide proof of the course they are studying, details of their academic provider and academic timetable for the duration of their course/studies detailing term and non-term dates.
- 9.7 Candidates and employees will be expected to advise Silverline Care should their leave status change at any time during the recruitment process and during the course of their employment. It is the candidate or employees' responsibility to ensure they submit the relevant application to extend their limited leave to remain and work in the UK or for indefinite leave/settlement prior the expiry of their current permit/visa. Failure to do so may result in unpaid suspension from duties whilst an investigation is undertaken to ascertain whether the employee maintains the right to work. If following an investigation, an employee is unable to provide the required proof of their legal right to work in the UK, in accordance with Home Office requirements, their employment may be terminated with immediate effect.
- 9.8 All migrant workers who hold limited leave to remain in the UK, will be retained on the relevant HR System. Managers must ensure that checks are carried out before an employees' limited leave is due to expire.
- 9.9 Managers will be responsible for asking the employee to present proof that they have applied for leave to remain in the UK prior to the expiry of their current permit/visa and that relevant right to work documents are **obtained, checked and copied**.
- 9.10 Right to work checks will be carried out for all employees who transfer to Silverline Care under TUPE.

## **10.0 MEDICAL CLEARANCE**

- 10.1 All successful candidates will be requested to complete a medical health questionnaire. If there are any concerns regarding any health matters disclosed on the health questionnaire, it may be appropriate to refer to our Occupational Health providers to assess and ascertain on behalf of Silverline Care that the potential employee is medically fit for the role they have been offered.
- 10.2 All the information on the completed medical health questionnaire will be treated in strictest confidence.
- 10.3 Any information provided which may be of concern will normally be discussed with the candidate and any recommended reasonable adjustments will be considered carefully before any decision is made regarding their suitability for the role applied for.

## **11.0 FALSE DECLARATIONS**

11.1 Silverline Care 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 Silverline Care's Disciplinary Policy and Procedure and Silverline Care may also refer a false declaration to the relevant regulatory body.

## **12.0 REFERENCES**

12.1 All candidates will be required to provide details of a minimum of 2 referees so that references can be sought. Nominated referees should be the candidate's current and last employer(s).

12.2 Where a candidate is unable to provide references from previous employers (i.e. students, school leavers or individuals returning to work following a significant career break) Silverline Care may accept alternative character or educational based references from appropriate nominated referees (e.g. college tutor, recognised professional, community member in a position of good stature).

12.3 Internal applicants need only provide one reference which should be from their current line manager.

12.4 Any references which do not meet the required standard by Silverline Care, will normally be discussed with the applicant before any decision is made regarding their future employment.

12.5 All references sent on behalf of Silverline Care must be completed and signed by a member of the HR Team. It is Company policy to provide a factual reference, which confirms the employee's name, employment dates and for existing employees their current position and for ex-employees the last position they held and reason for leaving.

12.6 Any unauthorised employee found to be providing an employment reference on behalf of Silverline Care (and/or on Company letter-headed paper) for an employee or ex-employee may be subject to disciplinary action.

## **13.0 REGULATORY BODY CHECK**

13.1 It is a condition of employment that all employees are fully registered with their professional Regulatory Body and checks will be undertaken with the relevant organisation prior to employment commencing.

#### **14.0 PROBATIONARY REVIEW**

- 14.1 The normal probationary period for most new starters is 6 months. Managers may increase this, by amending the relevant clause in individual contracts.
- 14.2 Silverline Care reserves the right to extend an employee's probation period. No extension will take the total probation period beyond 9 months.
- 14.3 If probation is extended the employee will be given objectives to meet within an agreed timescale, and a further review will be carried out prior to the end of the extended period.
- 14.4 Employees who do not successfully complete the probation period, will normally be spoken to, to explain why this decision has been made.
- 14.5 The disciplinary procedure does not apply during the probation period.
- 14.6 Silverline Care reserves to terminate employment during or at the end of the probationary period with one week's written notice, which can be paid in lieu.

#### **15.0 MAKING A COMPLAINT**

- 15.1 If you wish to make a recruitment related complaint, please contact our HR Team at [hr@silverlinecare.com](mailto:hr@silverlinecare.com) and they will direct you accordingly.

#### **16.0 POLICY REVIEW**

- 16.1 This policy will be subject to a general review as frequently as is needed in order to meet changes to operational, clinical or business practice, or to meet legislative or statutory requirements.