

## RECRUITMENT AND RETENTION PROCEDURE

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<b>PROCEDURE SUMMARY</b>		
<p>The recruitment and retention procedure sets out the framework for the Trust's approach to the recruitment and retention of its workforce, ensuring the process is fair and consistent across the organisation. It confirms the processes and tools in place to enable the recruitment and retention of the right staff in the right job to support quality driven patient services. The procedure should be read in conjunction with the recruitment and retention policy.</p>		
<p><b>The Trust monitors the implementation of and compliance with this procedure in the following ways;</b></p>		
<p>Audits are performed regularly on this procedure by the HR Department and reported as required through HR Management Team Meeting. Where appropriate, any issues identified will be escalated to the relevant Senior Management Team and action will be taken to rectify.</p> <p>In addition regular checks will be undertaken to ensure the following:</p> <ul style="list-style-type: none"> <li>• Checks being carried out in accordance with NHS Employment Check Standards</li> <li>• Immigration and Professional Registration checks</li> <li>• Processes for following up those who fail to satisfy the checking arrangements</li> </ul>		
<b>Services</b>	<b>Applicable</b>	<b>Comments</b>
Trustwide	✓	

**The Director responsible for monitoring and reviewing this policy is  
Executive Director of People and Culture**

**ESSEX PARTNERSHIP UNIVERSITY NHS FOUNDATION TRUST**

**RECRUITMENT AND RETENTION PROCEDURE**

**CONTENTS**

**1.0 INTRODUCTION**

**SECTION 1: ANALYSING A REPORT**

- 1.1 VACANCY OR NEW POST**
- 1.2 JOB DESCRIPTION**
- 1.3 PERSON SPECIFICATION**
- 1.4 INTERNAL TRANSFER SCHEME**
- 1.5 SECONDMENT OR ACTING UP**
- 1.6 FIXED TERM CONTRACT**
- 1.7 REDEPLOYMENTS**

**SECTION 2: ADVERTISING A POST**

- 2.1 APPROVAL PROCESS**
- 2.2 ADVERTISING**

**SECTION 3: SHORTLISTING**

- 3.1 SHORTLISTING PROCESS**

**SECTION 4: THE SELECTION PROCESS**

- 4.1 ASSESSMENT**
- 4.2 INTERVIEW**
- 4.3 INTERVIEW PREPARATION**
- 4.4 MICROSOFT TEAMS BUSINESS INTERVIEWS**
- 4.5 DISABILITY IN EMPLOYMENT**

**SECTION 5: OFFER STAGE**

- 5.1 OFFER OF APPOINTMENT**
- 5.2 STARTING SALARY FOR NEW APPOINTMENTS**
- 5.3 RECKONABLE SERVICE**
- 5.4 RELOCATION EXPENSES**
- 5.5 CONDITIONAL OFFER LETTER**
- 5.6 PRE EMPLOYMENT CHECKS**

**SECTION 6: CONFIRMATION & CONTRACT**

- 6.1 CONFIRMATION**
- 6.2 INDUCTION**
- 6.3 PROBATION**

**SECTION 7: DIRECTOR ROLES**

**SECTION 8: NOTICE PERIODS, LEAVERS AND REFERENCE WRITING**

- 8.1 NOTICE PERIODS**
- 8.2 LEAVERS**
- 8.3 REFERENCE WRITING**

**SECTION 9: USE OF TEMPORARY WORKERS**

**APPENDICES**

**APPENDIX 1 – INTERNAL TRANSFER SCHEME PROCEDURAL GUIDE**

**APPENDIX 2 – MICROSOFT TEAMS FOR BUSINESS INTERVIEW  
PROCEDURAL GUIDE**

**APPENDIX 3 –DISCRETION TO APPOINT MEMO**

**APPENDIX 4 AFC BAND 8C TO 9 STARTING SALARY BUSINESS CASE**

**APPENDIX 5 – VERIFICATION OF RECKONABLE SERVICE FORM**

**APPENDIX 6 – RELOCATION EXPENSES THAT MAY BE CLAIMED**

**APPENDIX 7 – CONSENT AND ACCEPTANCE OF CONDITIONS FORM**

**APPENDIX 8 – DISCLOSURE AND BARRING SERVICE ADDITIONAL  
PROCEDURAL GUIDE**

**APPENDIX 9 – TEMPLATE RESIGNATION ACKNOWLEDGEMENT LETTER**

**APPENDIX 10 – SUCCESSION PLANNING TEMPLATE**

**ESSEX PARTNERSHIP UNIVERSITY NHS FOUNDATION TRUST**

**RECRUITMENT AND RETENTION PROCEDURE**

**Assurance Statement**

This procedure sets out the Trust's approach to the recruitment and retention of its staff, ensuring the process is fair and consistent across the organisation. The aim of this policy is that no existing or potential employee receives less favourable treatment or is disadvantaged or discriminated against by conditions or requirements which cannot be shown to be justifiable.

It also aims to have in place the processes and tools to support the organisation in employing the right staff in the right job and retaining our workforce to support quality patient driven services.

**1.0 INTRODUCTION**

This procedure supports the recruitment and retention policy and outlines the process when recruiting to a post in line with the NHS Employment Check Standards.

The Trust is committed to achieving and maintaining a workforce which broadly reflects the full diversity of the communities it serves. All job applicants will be treated fairly and in the same way at each stage of the recruitment process based solely on objective and job-related criteria, ensuring the Trust's Equality, Diversity and Human Rights at Work Policy and Procedure is adhered to. All adverts include the statement "*We are an equal opportunities employer*".

Our approach to recruitment is values based, it is not solely dependent on technical ability knowledge and experience, and this is reflected in our selection and assessment processes where equal weighting applies. Applicants must also be able to demonstrate the Trust's corporate values and behaviours. These values are in being:

- Open
- Compassionate
- Empowering

In demonstrating these behaviours and values, supporting the achievement of its strategic priorities to:

- To continuously improve service user experience and outcomes through the delivery of high quality, safe and innovative services.
- To be a high performing health and care organisation and in the top 25% of community and mental health Foundation Trusts.
- To be a valued system leader focused on integrated solutions that are shaped by the communities we serve.

Celebrities appointed by the Trust will be subject to all the recruitment checks outlined in this procedure.

Any staff recommending the appointment of an applicant with whom they have a close relationship with will be required to withdraw from the process to ensure impartiality and independent decision making of the panel.

The Deanery is responsible for certain medical staff recruitment checks, where applicable.

Medical staffing recruitment is undertaken by the Trust's medical staffing department and they have in place nationally agreed processes which are followed for all recruitment processes and are in line with the NHS Employment Check Standards.

Executive directors and directors appointed by the Trust will be subject to all the pre-employment checks outlined in the procedure and those included in the fit and proper persons test.

## **SECTION 1: ANALYSING A POST**

### **1.1 VACANCY OR NEW POST**

1.1.1 When a post becomes vacant or a new post is proposed this provides an opportunity to consider the following:

- Is the post necessary or can the work be changed and re-allocated?
- Could a secondment or acting up opportunity be considered?
- Could this be a potential development or promotion opportunity for internal consideration?
- Do you currently have any internal transfer scheme applications that could be considered?
- Are the hours and the duties appropriate?
- Are there any changes/consultations ahead which may affect the future of the post?

1.1.2 The next stage is to review the job description and person specification using the template documents on the Trust's Intranet, which can be found under the directorate responsible for Human Resources.

### **1.2 JOB DESCRIPTIONS**

1.2.1 A job description must be written and/or reviewed. The job description must accurately reflect the responsibility and duties of the role and include the Trust's values and behaviours that are expected. The job description will form part of the job pack.

1.2.2 The job description is also used to measure performance, carry out appraisals and identify training plans. It is therefore essential that it is accurate.

- 1.2.3 If major changes are made to a job description it should be submitted for job evaluation, this will be checked by the resourcing team.

### **1.3 PERSON SPECIFICATION**

- 1.3.1 A person specification must include the skills, experience, knowledge, qualities and values required to effectively perform the role and must define the essential and desirable requirements of the post. This will form part of the job pack.
- 1.3.2 The person specification is the tool to make shortlisting and interview decisions. An applicant must only be shortlisted if they meet all the essential requirements of the person specification. Where a job attracts a large number of applicants, the desirable section should then be used for the shortlisting and interviewing stages.
- 1.3.3 Applicants with a disability or currently at risk of redundancy who meet the minimum essential criteria of the person specification will be guaranteed an interview under the disability confident scheme
- 1.3.4 Where it is not possible to measure criteria from the application form and it clearly states on the specification this is where it will be measured, the applicant should not be shortlisted.

### **1.4 INTERNAL TRANSFER SCHEME**

- 1.4.1 To support staff retention whilst also offering staff the opportunity to develop their career an internal transfer scheme is in place to allow internal staff the ability to move sideways more freely across the organisation.
- 1.4.2 This scheme is currently open to all bands 5 and 6 substantive/fixed term registered nursing staff.
- 1.4.3 All applicants must have been employed by the Trust for a minimum of 6 months prior to application and have successfully completed their probation period.
- 1.4.4 Recruiting managers should consider any internal transfer applications they currently have logged for vacancies in their service before they initiate any internal/external advertising.
- 1.4.5 Pre-employment checks will be minimal to avoid duplicating data as the transferee is already an existing employee of the Trust.
- 1.4.6 Please refer to the internal transfer scheme procedural guide at appendix 1 for further details of the scheme.

## **1.5 SECONDMENT OR ACTING UP**

- 1.5.1 An internal secondment or acting up arrangement can offer the Trust, employees, service users and departments a range of benefits including increased motivation and a greater flexibility in workforce planning.
- 1.5.2 Once the need for a secondment or acting up vacancy has been identified a selection process must be established with the opportunity being offered out to all appropriate employees, this will be via expression of interest or internally on Trac jobs in the first instance to ensure that all employees are given the opportunity for development. Before an employee can accept a secondment/acting up position they must seek permission from their current line manager to be released.
- 1.5.3 An agreement will be issued, however their substantive terms and conditions will be retained. Temporary terms such as pay and salary progression, pension rights and annual leave will be dependent on the post seconded or acted into.
- 1.5.4 If any terms are changed as part of the secondment/acting up, the seconding manager is responsible for notifying Human Resources using the staff change form available on the Intranet. If an employee moves to a higher band from a lower band this may be subject to an increase in notice period that should be considered for the duration of their secondment/acting-up.
- 1.5.5 During the secondment/acting up the receiving line manager should ensure an effective and supportive induction is provided followed by supervision, including performance and clinical supervision. There may be occasions where the substantive line manager may also continue to appraise the member of staff on secondment of issues and changes that may affect their substantive role throughout the secondment/acting up period.
- 1.5.6 When the secondment/acting up is reaching its conclusion it must be reviewed at least one month in advance of the end date with the individual. If the arrangement is to be extended this must be agreed with the substantive line manager prior to any agreement being finalised. If extended the line manager will be responsible for completing a staff change form otherwise the individual will automatically revert to their substantive post. If an acting up post is for shorter than 1 month, no review is necessary.
- 1.5.7 If the secondment is to cease a staff change form must be completed moving the individual back in to their substantive role. If this is not possible due to the length of time of the secondment or organisational changes that may have taken place, they will normally be offered a suitable comparable post.
- 1.5.8 The same conditions and rules will apply for external secondments with the addition of a secondment agreement being provided by the organisation offering the secondment opportunity and informing finance in a timely manner of any cross charging arrangements which need to be set up. A copy of this agreement can be obtained from Human Resources.

- 1.5.9 Any worker seconded in to the Trust from another employer should refer to their employing organisations secondment arrangements.

## **1.6 FIXED TERM CONTRACTS**

- 1.6.1 Where a post is fixed term it will clearly state this in the advert and where possible the reason why.
- 1.6.2 Fixed term workers will have the same access to all Trust opportunities, including access to permanent vacancies and training and development.
- 1.6.3 The ESR Workforce Team will contact the line manager not less than one month before the end of the agreed fixed term contract date to determine whether the contract is to be renewed/extended or if the individual is to be provided with confirmation of the expiration of their fixed term contract.
- 1.6.4 If there is a service requirement and the budgetary capability for the post to become permanent then the post will have to be advertised as a permanent position in the internal vacancy bulletin. The line manager is responsible for informing the fixed term worker of the impending advertisement and the need for a permanent position. The fixed term worker will have the opportunity to apply in open competition with other internal candidates in accordance with the organisation's principles on equal opportunities.

If there is a service requirement and the budgetary capability for only a limited period, the fixed term worker will be offered an extension to the existing fixed term contract by the line manager and will be provided with a copy of the completed staff change form.

- 1.6.5 Where a fixed term worker completes four years' continuous employment, under a series of consecutive fixed-term contracts, they will acquire permanent status when that final contract is due for renewal – unless there are objective reasons for continuing the relationship on a fixed-term basis, such as budgetary constraints. The process for each option is:
- The fixed term worker will be written to, where an automatic transfer to a permanent contract of employment is necessary.
  - Should the decision be made that the worker remains on a fixed term basis then the line manager will set out the objective reasons in writing to the worker for the continued use of fixed term contracts beyond the four year period. Unless there is an expressed variation with the worker's consent, the terms of the fixed-term contract will remain the same.
- 1.6.6 Where a fixed term contract will not be renewed, the line manager will arrange to meet with the worker and explain to them the reason for the non-renewal. The worker will where possible be provided with 5 working days' notice of the meeting and be given their right to representation of an accredited Trade Union Representative or Trust work colleague. Notes should be taken of the meeting.

- 1.6.7 Following the meeting, the line manager will write to the worker within 5 working days confirming their discussion. The worker will be given their right of appeal against the decision. Should the worker decide to appeal the decision to terminate their fixed term contract of employment, this will be heard under the organisation's Appeals Procedure.
- 1.6.8 Where there is a requirement to end a fixed term contract earlier than the fixed term end date, the line manager will arrange to meet with the worker as soon as they are aware, and explain to them the reason for the non-renewal. The individual must be issued with contractual notice if the fixed term contract is ending earlier. The worker will be provided with 5 working days' notice of the meeting and be given their right to representation of an accredited Trade Union Representative or Trust work colleague. Notes should be taken of the meeting. Following the meeting, the line manager will write to the worker within 5 working days confirming their discussion and providing them with their period of notice. The worker will be given their right of appeal against the decision. Should the worker decide to appeal the decision to terminate their fixed term contract of employment, this will be heard under the organisation's Appeals Procedure.

## **1.7 REDEPLOYMENT**

- 1.7.1 The Trust recognises that there may be occasions where it is necessary for employees to be redeployed and it is committed to providing employees with suitable alternative employment that will enable their skills and experience to be retained within the Trust
- 1.7.2 When an employee is put 'at risk' the employee and HR support will be responsible for keeping up to date with current vacancies within the organisation and potential opportunities for redeployment.
- 1.7.3 When a vacancy is deemed as a potential suitable alternative the post will not be advertised and will be put on hold enabling the individual 'at risk' the opportunity to be redeployed.
- 1.7.4 Within these cases the individual 'at risk' will be asked to complete a skill/experience matrix and will have an informal interview/meeting with the recruiting manager to assess suitability.

## **SECTION 2: ADVERTISING A POST**

### **2.1 APPROVAL PROCESS**

- 2.1.1 The approval process must be followed at all times at the beginning of the recruitment process. The recruiting manager will upload their vacancy on to Trac Jobs with all relevant documents for advertising, whilst following the vacancy approval process guidance allowing electronic authorisation to be obtained from the designated Director and Financial Accountant for that area. The resourcing team will then electronically publish the vacancy on Trac jobs, feeding through to a number of additional advertising sites including NHS Jobs.

- 2.1.2 When necessary, there will be a vacancy review process in operation to support any organisational change processes that may be in place.
- 2.1.3 If there are staff that the organisation is seeking redeployment for and a post is considered as a suitable alternative the post will not be advertised until an internal process has been followed.

## **2.2 ADVERTISING**

- 2.2.1 Where recruiting managers have logged internal transfer applications, these should be considered before formal advertising commences.
- 2.2.2 Where posts are deemed as hard to recruit into or could be seen as developmental or opportunity for promotion an expression of interest advert may be considered. Further guidance should be sought from the resourcing team prior to recruiting via an expression of interest.
- 2.2.3 Adverts should create a positive and professional image of the organisation and include a brief outline of the role and some of the essential skills and experience required of the postholder. They will include a promotional header and footer, hours, band, service/specialty and relevant benefits/incentives.
- 2.2.4 The interview date must be included in all adverts.
- 2.2.5 Once published on Trac Jobs the appointing manager will receive confirmation of this in the form of an email from Trac Jobs.
- 2.2.6 All posts will be advertised on Trac Jobs internally and if requested, they can also be advertised externally at the same time. The manager should be clear how they want the advert advertised when adding the vacancy on to Trac Jobs and contact the resourcing team to discuss any potential external advertising options
- 2.2.7 All clinical posts advertised externally will be automatically placed on the Universal Job Match website opening up the application process to job seekers requiring UK sponsorship

## **SECTION 3: SHORTLISTING**

### **3.1 SHORTLISTING PROCESS**

- 3.1.1 The day after the closing date the appointing manager will receive an email from Trac Jobs via outlook informing them their vacancy is ready for shortlisting. The email will contain a link directing you straight to your Trac jobs account.
- 3.1.2 Shortlisting should be carried out on Trac Jobs by the appointing manager and the shortlisting panel indicated at advertising stage.
- 3.1.3 Any applicants with a disability or currently at risk of redundancy who meet the minimum essential criteria of the person specification must be guaranteed

an interview; this is highlighted on the NHS Jobs and Trac jobs system next to an applicant's reference number. This is in accordance with the Trust's commitment to the Employment Service "Positive about Disabled People" standard and the Trust's Organisational Change policy and procedure.

- 3.1.4 The Trust holds the Employers recognition scheme silver award for supporting ex veterans and reservists in the workplace and recognises the skills that these individuals can bring to the NHS. You should ensure that any barriers to recruiting members of the armed forces community are removed, such as flexibility with interview slots and taking in to consideration that applicants from this group may have had many different roles within a short space of time due to the nature of the roles.
- 3.1.5 The appointing manager and shortlisting panel should score each applicant as directed on the Trac Jobs system using the scoring criteria available on the system. Applicants should be assessed against the requirements outlined in the person specification. This can be done together or separately.
- 3.1.6 Once all applications have been scored the appointing manager is required to evaluate the scores and move the individuals to interview via Trac jobs. Once moved to interview the appointing manager will then send the resourcing team the interview schedule to allow invitations to be sent to those that have been successful at shortlisting stage. Additional interview guidance can be found on Trac jobs under 'support – user guide' if required.
- The appointing manager must ensure they include details of any additional information in the invite to interview expected of the applicant i.e. presentation, assessment, venue and time and any documents they are required to bring with them.
- 3.1.7 Where possible a service user or carer or a BAME representative should be on interview panels. A service user or carer can be sought from the volunteers department. It may not be possible for a service user/carers or BAME representative to attend every interview panel but it should always be considered for all posts.
- 3.1.8 If you are recruiting to a post that is Band 8a or above there is a mandatory requirement for BAME representation to be in attendance on the panel if BAME candidates have been shortlisted. If you struggle to meet this requirement please contact the Resourcing Team for further guidance who can put you in contact with volunteers.
- 3.1.9 Applicants can liaise and confirm attendance through the Trac Jobs system.
- 3.1.10 If an advertised job receives no applications then the manager should liaise with the resourcing team on whether they want to re-advertise or consider other options available to them, i.e. internal secondment/acting-up, or if they would like to close the job down and consider advertising at a later date.
- 3.1.11 For senior, medical and other specialist posts it may be appropriate to include an external assessor in the shortlisting and interview process.

## **SECTION 4: THE SELECTION PROCESS**

### **4.1 ASSESSMENTS**

- 4.1.1 Where possible assessments should be carried out for all recruitment processes to ensure the right person, with the right skills is being appointed to the right job.
- 4.1.2 Assessments can be used as a two stage process; applicant to undertake an assessment and if successful then called in for an interview. If unsuccessful then the applicant will be informed. This can reduce the number of applicants appointing managers interview and also provides a more robust selection process when going through the selection process.
- 4.1.3 Assessments can also be undertaken on the same day as an interview, before or after their interview and the scores used to make final decisions after all assessments and interviews have taken place. This again provides a more robust selection process.
- 4.1.4 The assessment to be used will be dependent on the post being advertised. For an administrative / secretarial role the appointing manager may decide that a typing test/paper exercise is to be undertaken.
- 4.1.5 Other examples of assessments that can be used are; presentations, scenario exercises where the applicant is required to produce a report and/or a written test; an example a Human Resources post may require an applicant to answer employment legislation questions.
- 4.1.6 If the two stage approach is to be used the Trac Jobs system is set up for the appointing manager to arrange two interview dates. If it is to be done on the same day, again Trac Jobs allows the appointing manager to include an exercise/assessment in the interview invite.
- 4.1.7 Where assessments are used, the applicant will be required to sign a declaration in relation to the accuracy of information provided to the Trust in support of their application.

Further guidance in relation to what type of assessments to apply can be sought from the Workforce Development and Training team.

### **4.2 INTERVIEW**

- 4.2.1 The purpose of the interview is to establish which of the applicants most closely meets the criteria of the person specification. It should also be used to provide a positive impression of the Trust and a clear understanding of the job to the candidate and discussing gaps or areas of concern on the application form.
- 4.2.2 An interview panel must have at least two members and ideally no more than four depending on the post that is being recruited to i.e. senior and medical posts may have larger panels. At least one member of the panel must have completed the E-Learning Recruitment and Selection module and a service

user, carer or BAME representative should be in attendance where possible.

4.2.3 If you are recruiting to Band 8a and above there is a mandatory requirement for BAME representative to be in attendance on the panel if BAME candidates have been shortlisted. If you struggle to meet this requirement please contact the resourcing team for further guidance who can put you in contact with volunteers.

4.2.4 The appointing manager is responsible for ensuring that a selection of value based/Trust values questions are used during the interview. The Trust's competency framework is aligned to our values of being *Open, Compassionate and Empowering*. A competency is the combined observable and measurable knowledge, skills, abilities and personal attributes that contribute to enhanced employee performance & organisation success.

It is important to identify behaviours and attitudes as well as skill, knowledge and ability at interview. The competency framework applies to all current and potential employees within or being recruited by the organisation. The level of competency expected has been split into three levels foundation for Bands 1-3, Intermediate for Bands 4-7 and Advanced for Bands 8 and above, including medical and dental professional groups.

The six competencies for all staff are:

#### **Leadership & Management**

Focuses on people's ability to lead and manage their own workload or the work of others depending on their role or level. Promotes the values and overall objectives of the organisation by effectively leading & managing the organisation, its people and its processes. Responsible for establishing clear direction and priorities for the trust and ensuring that those within supporting functions are committed and focused on delivering a first class service.

#### **Service Improvement & Quality**

Service improvement is all about learning from what has worked as well as what has not. Focusing on individual's abilities to improve services (public, e.g. patients, clients & carers or organisational e.g. finance, property management) in the interests of the users of the services and the public as a whole. Maintaining high quality in all areas of work and practice, including the important aspect of team working, reflecting the values of quality and working together.

#### **Service User Focus**

Applies to individual's ability to understand how their role helps to support the needs of the Trust's services users. Focusing on an individual's ability to maintain resilience under pressure and be open to feedback, while displaying integrity and actively demonstrating the organisations values. Individuals understand the impact of their own area of expertise on the organisation as a whole.

### **Solutions Focus**

Looks at an individual's ability to use thinking skills to break down problems and develop solutions. People are able to make decisions based on sound judgement with lasting positive impact. It focuses on the recognition of problems, gathering information, asking questions to check assumptions and weighing up alternative options to make reasoned judgment.

### **Communication**

Focuses on an individual's ability to communicate effectively in formal and informal settings, being sensitive to others communication needs and is able to alter style to suit the needs of the recipient. Looks at individual treating others with compassion and empathy as appropriate, making a positive impression on others acting as an ambassador for the organisation.

### **Teamwork**

Demonstrates the ability to work effectively with others towards achieving common goals. Works collaboratively, sharing information appropriately with patients/clients/families and others, and building supporting, trusting & professional relationships across the organisation.

As such behavioural competency questions based on the Trust's values have been formulated for the three levels to be asked at all interviews and can be found on the Trust's Intranet.

## **4.3 INTERVIEW PREPARATION**

4.3.1 It is the appointing manager's responsibility to:

- a) Ensure privacy, no interruptions, that any reasonable adjustments have been made where required and that someone is available to welcome candidates
- b) Ensure that the interview panel has agreed the interview format and questions
- c) Agree who the chairperson is
- d) Ensure that the same questions are asked of all candidates, based on the person specification and value based/Trust values questions, which should then be recorded on the Interview Record Form. This can be found on the Trust's Intranet page under the directorate responsible for Human Resources.
- e) Agree the method of advising candidates of the outcome and inform them at the end of their interview
- f) Provide an opportunity for candidates to question the panel
- g) Ensure all panel members sign the interview record forms for each candidate.
- h) To ensure candidates are asked what their notice period is at interview for workforce planning purposes.
- i) Ensure there are facilities and time on the day to take copies of ID/Qualifications for those attending.

4.3.2 The criteria used for selection during the interview process must match that described in the person specification and candidates must be considered solely on their ability to do the post.

#### **4.4 MICROSOFT TEAMS BUSINESS INTERVIEWS**

- 4.4.1 Microsoft Teams business interviews can be used to support recruiting managers in being flexible interviewing applicants from across the UK and overseas.
- 4.4.2 By choosing Microsoft Teams to interview as the recruiting manager you will be giving yourself the opportunity to interview a wider range of applicants who are looking to relocate to your area.
- 4.4.3 A detailed guide on Microsoft Teams protocol for interviews can be found at Appendix 2

#### **4.5 DISABILITY IN EMPLOYMENT**

- 4.5.1 The Trust aims to ensure that recruitment is carried out on the basis of ability and that the 'protected characteristics' will not affect the individuals opportunities during the recruitment and decision making process.
- 4.5.2 Prior to employment and once the formal job offer has been made, managers are to discuss what needs, if any, the employee has in terms of reasonable adjustments. This may be as simple as an earlier or later starting time.
- 4.5.3 Advice must be sought appropriately from Occupational Health and/or the risk team and Human Resources departments when individual needs or equipment may be required.

### **SECTION 5: OFFER STAGE**

#### **5.1 OFFER OF APPOINTMENT**

- 5.1.1 Verbal offers can be made but must be subject to completion of all pre-employment checks to the satisfaction of the Trust.

At the discretion of the appointing manager, when a verbal offer is made a start date can be arranged prior to completion of pre-employment checks providing any risk has been mitigated. If a start date is arranged between the appointing manager and applicant at verbal offer this start date should be included on Trac when you move the successful candidate to offer pending. Any further advice can be sought from the resourcing department.

- 5.1.2 Unsuccessful candidates should also be contacted by the appointing manager or a member of the interview panel and informed of the reasons why they were not successful, any unsuccessful candidates that cannot be contacted verbally can be reached by email via the Trac Jobs system.
- 5.1.3 After you have spoken to the successful applicant and they have accepted the post it is the appointing manager's responsibility to move the applicant from interview to offer pending on Trac Jobs. You will need to complete the section confirming what you are offering the successful candidate. This information will be emailed to the relevant HR Officer for processing. All interview records

must also be sent by email preferably or by mail as soon as possible to commence the offer process. This must include details regarding any candidates that did not attend. Failure to move your applicant into offer pending on Trac Jobs may result in a delay in the conditional offer being able to be actioned. Copies of ID documents and/or qualification certificates must also be emailed/copied to the resourcing team.

- 5.1.4 Verbal references may be taken up by the appointing manager with permission of the applicant; however these will be followed up with formal references.
- 5.1.5 All unsuccessful job applications/interview packs will be retained by the resourcing team for a period of one year.
- 5.1.6 All successful applicants, personnel files will be created and held centrally.

## **5.2 STARTING SALARY FOR NEW APPOINTMENTS**

- 5.2.1 Salaries should not be confirmed prior to NHS service being confirmed and that it meets the requirements of the Agenda for Change Terms and Conditions. Incremental progression must not be given for the loss of previous high cost area supplements. All offers should be made at the minimum point of the salary band and the resourcing team will verify the individual's service.
- 5.2.2 A discretion to appoint memo, appendix 3 must be completed by line managers when submitting a proposal for an increase to a new employees starting salary under Agenda for Change (AfC). This should be returned to the HR Officer at the time you notify Trac Jobs of your successful candidate.
- 5.2.3 New staff joining from within the NHS without a 3 month break in service on local terms and conditions will have their basic pay from the previous role used to determine their salary, the actual salary offered should be equal but where this is not possible the next point on the pay band will be applied so that they are not left at a detriment. Staff will also retain their increment date where applicable. No consideration will be given to leads and allowances or any other additional payments paid in the former post.
- 5.2.4 New staff joining from within the NHS on the same pay band without a break in service and on Agenda for Change Terms and Conditions will remain on the same salary point with the same incremental date. If this is a promotion the pay will be set at either the minimum of the new pay band or, if this would result in no pay increase, the first point in the band which delivers an increase in pay, with a new incremental date being issued.
- 5.2.5 Should pay in a previous role be at a higher level, the newly appointed pay will be matched where possible or at the highest spine point of the new lower band so as to not leave the new staff member at a detriment.
- 5.2.6 Internal staff members moving to secondment or acting up positions will receive a promotional increase to the bottom of the higher pay band. When returning to their original role they will move back to their original pay point taking in to consideration any additional incremental increases they have

obtained while being away from the role.

- 5.2.7 New staff joining from outside the NHS and those that have had a break in service of over 3 months will normally commence on the minimum point of the pay band. However, relevant evidenced experience at a similar level of responsibility as the new post may be taken in to account when determining a starting salary. Only whole years' experience should be credited and advice should be sought from the resourcing manager to ensure a consistent and fair approach throughout the Trust. These staff will have an incremental date of the anniversary of their appointment.
- 5.2.8 EPUT bank staff moving into a same graded substantive role will have their bank salary and increment date matched to align both assignments.
- 5.2.9 Individuals moving from role to role at the same grade but a different specialty, for example clerical to clinical will have their salary and increment date matched in the new post to support staff development.
- 5.2.10 Newly appointed staff starting on AfC bands 8c, 8d and/or 9 must complete appendix 4 Starting Salary Business case when applying for an increase up the scale. This must be used as supporting evidence if a discretion to appoint is between 1-4 points up the scale. If a discretion to appoint is requested above point 1-4 on these bands then appendix 4 needs to be completed by line managers.
- 5.2.11 All salary/experience must be provided and verified within the first 8 weeks of appointment, requests made to alter salary after this time will not be considered.

### **5.3 RECKONABLE SERVICE**

- 5.3.1 An employee's continuous previous service with any NHS employer counts as reckonable service in respect of NHS agreements on redundancy, maternity, sick pay and annual leave as well as salary as detailed above.
- 5.3.2 Staff working on the bank within the organisation are unlikely to be entitled to reckonable service in line with this policy, unless they qualify as completing regular work at one specific location in line with Agency Worker Regulations.
- 5.3.3 On returning to NHS employment, a previous period or periods of NHS service will be counted towards the employee's entitlement to annual leave. In accordance with NHS Terms and Conditions, employers have the discretion to take into account any period or periods of employment with employers outside the NHS where these are judged to be relevant to NHS employment. The Organisation will not aggregate service within more than one employment when worked concurrently when determining length of service for the purposes of calculation of annual leave entitlement.
- 5.3.4 Where an employee has been directly employed on a NHS contract whilst undertaking full time training, the time which is spent training will be considered as NHS service. As such this will count towards calculation for annual leave, contractual sick pay, maternity pay or redundancy entitlement

and determining pay.

- 5.3.5 All previous service, with the transferring employer, will be recognised in a TUPE transfer. When employees who have been transferred out of NHS employment to a non-NHS provider return to NHS employment, their continuous service with a new non-NHS employer who provide NHS funded services, will be counted as reckonable in respect of NHS agreements on sick pay, annual leave and incremental credit.
- 5.3.6 An employee's continuous previous NHS employment with any NHS employer, including directly relevant employment in GP practices, will count as reckonable service in respect of NHS agreements on sick pay. When returning to NHS employment, a previous period or periods of NHS service will be counted towards the employee's entitlement to sick leave, where there has been a break or breaks in service of 12 months or less.
- 5.3.7 Reckonable service in respect of maternity leave and pay entitlements is as outlined in the Agenda for Change: NHS Terms and Conditions Handbook, (section 15). This states:
- For the purposes of calculating whether the employee meets the qualification set out in paragraph 15.7 (i) to have had 12 months of continuous service with one or more NHS employers, the following provisions shall apply:
  - NHS employers include health authorities, NHS boards, NHS trusts and the Northern Ireland Health Service;
  - A break in service of three months or less will be disregarded (though not count as service).

This means that a break in service of over 3 months will mean the staff member may not be entitled to occupational maternity pay but may be entitled to statutory maternity pay. Please see the Leave Policy; Maternity and Adoption, Paternity & Parental Leave Procedure (HRPG24b) for further information.

- 5.3.8 Reckonable service in respect of redundancy pay is as outlined in the Agenda for Change: NHS Terms and Conditions Handbook, (section 16). The Organisation has the discretion to recognise any period or periods of employment with employers outside the NHS, where these are judged to be relevant to NHS employment.
- 5.3.9 It will be the responsibility of the individual to produce satisfactory evidence of relevant service that they believe may be relevant when determining entitlement. This evidence should normally be produced within 8 weeks of initial appointment and where previous service has been recognised Appendix 5 Verification of Previous Service Form should be completed and signed by the new employee and the Manager and a copy retained on the personal file for future reference

## 5.4 RELOCATION EXPENSES

5.4.1 Relocation Expenses are promoted on the Trust's NHS jobs adverts and line managers are responsible for discussing relocation expenses with prospective employees, when making a verbal offer of employment.

5.4.2 Relocation expenses are available only to eligible employees who live more than 30 miles from their work base prior to taking up the post provided. The Trust will normally expect someone to relocate where they have to move in order to fulfil their contractual duties, however individual circumstances will be taken into consideration. Relocation expenses apply to the following:

- Directors
- Medical and Dental Staff
- Qualified Registered Nurses
- Qualified Therapists/Psychologists
- Corporate roles banded at 7 and above

The Executive Team (ET) may also grant special permission for expenses to be made for "hard to fill" posts.

5.4.3 In line with HMRC rules relocation costs of up to £8,000 exempt from reporting and paying tax and national insurance include;

- Buying or selling a home
- Moving
- Buying certain things for a new home
- Bridging loans

If HMRC rules apply around the limits or change, the Trust will be required to adopt the same rules.

A list of common expenses which may be claimed can be found at appendix 6. All expenses claimed will be reviewed against current HMRC guidance and taxed as appropriate. Further advice can be sought from the Trust payroll services.

5.4.4 Any expenses not on this list may be taxable and further advice can be sought from the Trust payroll services.

5.4.5 Prospective employees must claim for their relocation expenses on the Trust's e-expenses system. This has to be authorised by the relevant Service Director.

5.4.6 The Trust will require employees to repay all or part of the reimbursements and allowances made to them if they leave employment with the Trust within two years of commencement, or two years from the date of claiming relocation expenses if this occurs after the date of appointment refundable to the Trust by the employee on the following basis:

Within 6 months of commencement	100%
6 months to 1 year	75%
1 year to 18 months	50%
18 months to 2 years	25%

5.4.7 Should expenses be payable, the applicant will be asked to sign a consent and acceptance of conditions form, appendix 7 before any claim is approved on the e-expenses system.

5.4.8 All claims for reimbursement must be made before the end of the tax year after the one in which employment with the Trust commences, claims can only be made up to a maximum of one year after being in post. Claims must be submitted within the e-expenses system and all associated receipts and authorisation by the relevant Service Director.

## **5.5 CONDITIONAL OFFER LETTER**

5.5.1 The resourcing team will issue a conditional offer letter to the successful candidate either advising that the offer is subject to completion of satisfactory pre-employment checks being received and where relevant the Fit and Proper Person test being passed, or confirming the start date and commencement of pre-employment checks if the start date has been arranged at verbal offer.

5.5.2 The resourcing team will undertake pre-employment checks in line with the NHS Employment Check Standards as follows:

- References
- Work Health Assessment
- Identity Check
- DBS
- Right to Work
- Qualifications/Professional Registration

5.5.3 The resourcing team will identify any gaps in references and/or any other pre-employment check requirements and obtain the relevant information from the successful candidate.

5.5.4 If not already done so at interview the successful candidate will be invited to meet with the recruiting manager to provide their original documentation that is required as part of the pre-employment checks. Once the original documents have been seen and verified, copies will need to be sent to the trained personnel in the resourcing team.

5.5.5 If a start date has been arranged at verbal offer, managers must ensure that a copy of the right to work has been taken and provided to the resourcing team where start dates are imminent to ensure home office legislation has been met.

## **5.6 PRE EMPLOYMENT CHECKS**

5.6 The following pre-employment checks must be completed for all new appointments to the Trust and where possible prior to the commencement of employment.

### **5.6.1 References**

The resourcing team will check the successful candidate's previous employment history on the application form and referees recorded. Any gaps in the employment history will be addressed.

Factual based references for the last 3 years are a standard requirement of the NHS Employment Check Standards. If the successful candidate currently works for the NHS, one reference from the previous NHS employment can be sought with any further references being applied for at the manager's discretion including personal and references from a 'person of standing'. The resourcing team will obtain any details that are not included on the application form and if information cannot be supplied then the conditional offer of employment can be withdrawn at the manager's decision.

References will no longer be sent to the recruiting manager for approval unless there is information contained within them that would need to be risk assessed or brought to the appointing manager's attention. On receipt of all relevant references, the resourcing team will assess and sign for approval to help reduce time to get a start date. Any concerns raised on a reference will be highlighted to the appointing manager for their decision on how they wish to proceed, which could include conditional offers being withdrawn.

Where an applicant is advised that a reference was unsatisfactory, the manager may not discuss the contents of the reference with them. The applicant must be advised that they should discuss the reference content with the referee that wrote it.

References may be used by an interview panel as part of the selection process. If an appointing manager wishes to take up references prior to interview this must be agreed with the Resourcing Manager and/or Resourcing Team Leader, with authorisation from the candidate to do so.

### **5.6.2 Work Health Assessment**

All successful candidates will be emailed the link to their Work Health Assessment Questionnaire from the online portal. The successful candidate will be required to complete the form confidentially and return to the Trust's Occupational Health service via the online portal. All pre-appointment health checks are carried out in line with NHS Employment Check Standards and the Equality Act 2010.

For internal applicants, if work health assessment clearance has been received by the organisation for a similar post the employee will be asked to complete a self-declaration to confirm there has been no change to their health status since their last check, or alternatively complete a new work

health assessment following the process above.

### 5.6.3 Verification of identity

Verification of identity is the most fundamental of all pre-employment checks. It is one of the checks that until completed an application will not progress until satisfaction of a person's identity is proven in line with the NHS Employment Check Standards.

The trained resourcing team will verify/undertake checks once documentation has been received from the appointing manager at the interview/sign-on stage. This involves checking two elements of a person's identity:

- Attributed identity: the evidence of a person's identity that they are given at birth including their name, place of birth, parents' names and addresses
- Biographical identity: a person's personal history including registration of birth, education and qualifications, electoral register information, details of taxes and benefits paid by or to the person, employment history, interactions with banks and utilities providers.

The verification of identity does not cover the requirements to check an individual's legal right to work in the UK. Once the Trust is satisfied that a prospective employee is the person they say they are, a right to work check is also carried out.

### 5.6.4 Right to Work Check

Changes to the Immigration, Asylum and Nationality Act (2006), which came into effect on 29 February 2008, introduced a new criminal offence for employers to knowingly employ illegal migrant workers to check their ongoing entitlement to work in the UK.

There are three steps employers are to go through to confirm a prospective employee has the right to work in the UK:

1. Request right to work documents
2. Validate the documents
3. Copy and store

The eligibility of an individual's right to work in the UK is carried out by the resourcing team or recruiting manager verifying specified documentation from lists A and B provided by the Home Office in line with the NHS Employment Check Standards.

Assumptions must not 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.

Copies of the original documents will be taken and certified as seen. They will be retained on the employee's personnel file.

Some individuals may require a sponsor certificate and advice should be sought from the Resourcing Team as only certain categories of staff are eligible. Evidence needs to be provided in the application of a sponsor certificate which will be dealt with by the resourcing team. Individuals that require a sponsor certificate may not commence work until the sponsor certificate is received.

### **5.6.5 Registration and Qualification Checks**

The purpose of registration and qualification check is to ensure that a prospective employee is recognised by the appropriate regulatory body and that they have the right qualifications in order to do the job in line with the NHS Employment Check Standards.

The Trust makes it clear within the advertisement to prospective employees that appointment to any position is conditional on a satisfactory registration check and qualification checks, and that any information disclosed on the application form will be checked.

Prospective employees are also informed within the documentation that any offer of appointment may be withdrawn if any information is withheld, or provide false or misleading information, and that employment may be terminated should any subsequent information come to light once they have been appointed.

The necessary checks of professional registration, including the care certificate will be undertaken by trained members of the resourcing team and documentary evidence will be obtained at the individual's sign-on appointment.

Qualification checks verify information regarding educational or professional qualifications that a prospective employee provides on their application form. For non-health professionals, qualifications that form part of the requirements are also checked as requested by the appointing manager.

### **5.6.6 Disclosure and Barring Check**

The appointing manager is required to assess whether a post requires a DBS check, which will be checked by the resourcing team. The level of check required is dependent on the 'regulated activity' of the role. There are two levels of checks; Enhanced and Standard. Please refer to the Disclosure and Barring Service Additional Procedural Guide within appendix 8 for further details

All new starters are required to pay for their initial DBS Check that will be retrieved from their first month's salary. This information is included on all job adverts.

The successful applicant will be given details in their conditional offer letter regarding the process to complete a disclosure and barring check and will be given the relevant links for them to apply using the Trac DBS. The completion and return of DBS checks will be monitored by the resourcing team.

If a disclosure clearance is received that includes information of any convictions and/or cautions, the resourcing team will discuss this with the appointing manager and if necessary conditional offers may be withdrawn.

Applicants are also required to declare information on their NHS Jobs Application and Model Declaration form; this can be found on the Trust's InPut. The process outlined in the Disclosure and Barring Service Additional Procedural Guide at appendix 8 should be followed where information has been provided.

#### **5.6.7 Recruitment of those with or who have had substance misuse problems**

Standing Conference on Drug Abuse Guidelines (SCODA) refers to the fact that former drug users should be drug free for at least 2 years before being employed in a therapeutic capacity and refers to the need for training. This will form part of the Occupational Health Screening Questionnaire and Disclosure and Barring checks (if appropriate).

#### **5.6.8 Failure to meet NHS employment check standards**

If a successful applicant does not meet the required level for any of the above pre-employment checks, their conditional offer of employment may be withdrawn.

If an applicant starts before completion of pre-employment checks and once in post these completed checks are not then deemed satisfactory to the Trust, it will be the responsibility of the recruiting manager to manage this during the employee's probation with the support of their HR Advisor.

### **SECTION 6: CONFIRMATION and CONTRACT OF EMPLOYMENT**

#### **6.1 CONFIRMATION**

6.1.1 Once all pre-employment checks have returned as satisfactory the resourcing team will notify the manager that a suitable start date can be arranged if this hasn't already been agreed at verbal offer.

6.1.2 Once a start date has been agreed a Contract of Employment will be issued to the individual via email on or before their first day of employment, with any relevant information applicable to the start date requesting the individual signs and returns for their personnel file.

#### **6.2 INDUCTION**

6.2.1 All new employees must be fully inducted in to the values and procedures of the Trust and their new working environment.

6.2.2 The corporate induction course is mandatory for all new employees to the Trust. The resourcing team will book all new starters on to the next available induction date once pre-employment checks are received and satisfactory to the Trust. The induction date will be sent to all new employees separately via email and will include the appointing manager.

- 6.2.3 The resourcing team will notify to the Workforce, Development and Training/Workforce, Development and Education team of the new starter so that all other training can be booked. The team will also include on the notification if the new starter holds the Care Certificate if applicable to the role, and if the new starter is entitled to any recruitment incentive as part of any current Trust recruitment campaign.
- 6.2.4 All new employees are also required to attend the customer service observation course, the Workforce, Development and Training team will book all new starters on to the next available course date and information will be sent to the individual and their appointing manager.
- 6.2.5 A local induction must be completed for all new employees. A local induction checklist is provided to the appointing manager with their copy of the confirmation letter. Once complete a copy of the checklist should be retained on the individuals file within the operational department.
- 6.2.6 Where new employees have undertaken relevant, agreed courses with their previous employers within the agreed timescale the organisation may agree to accept these and the new employee may not be required to complete them again. Details of what has been completed will be required as well as an overview of the course content and dates by the Workforce, Development and Training team.

### **6.3 PROBATION**

- 6.3.1 All appointments will be subject to a probationary period. The contract of employment will clearly state that the first 6 months of the appointment will be treated as a probationary period. The probationary period does not apply to Fixed Term Contracts of 6 months or under, therefore this will not be included in these contracts of employment.
- 6.3.2 The probation period will provide an opportunity for the Trust to assess the new member of staff's performance, conduct and capability to undertake their role and to identify any problems or potential problems and address these quickly. This includes the successful completion of the Care Certificate for the appropriate employee group and attendance of the Trust's corporate induction within 3 months of their start date.

Managers should refer to the Trust's Probationary Policy and Procedure for further details about the Probation process.

## **SECTION 7: DIRECTOR ROLES**

- 7.1 All staff of providers registered with the Care Quality Commission must meet a Fit and Proper Persons Test. Specific requirements apply to all board level positions. Appropriate questions regarding the criteria under the "Fit and Proper Person Test" will be asked during interviews. In addition each Board Member will complete an annual declaration in line with the Fit and Proper Persons Test.

There are also specific additional pre-employment checks that will be carried out such as;

- Search for insolvency/bankruptcy
- Search for Disqualified Directors
- Evidence of Values Based recruitment from interviews
- Advertising, initial vetting and Reference requests to reflect Regulation 5 requirements
- Checks on the CQC website for publicly available information relevant to shortlisted candidates prior to interview
- Employment Letters to include 'compliance with the FPPT and termination if these are breached

7.2 A central database of directors holding the relevant information about qualifications and history is kept within the CEO office

7.3 Responsibilities and standards expected of the individual (e.g. clinical practice, professional standards, clinical safety, professional codes of conduct and the NHS Code of Conduct for Managers, health and safety responsibilities, Duty of Candour, and in line with Regulation 18 and 19 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 that all employees are fit and proper (namely of good character, have the requisite qualifications, be able by reason of their health (after reasonable adjustments) to carry out tasks intrinsic to their work).

**SECTION 8: NOTICE PERIODS, LEAVERS AND REFERENCE WRITING**

**8.1 NOTICE PERIODS**

8.1.1 All new employees joining the Trust will be issued with a contract of employment which contains minimum periods of notice.

**8.2 LEAVERS**

8.2.1 Employees who resign from their post should give written notice to their Line Manager in accordance with this procedure and the terms of their individual contract of employment.

8.2.2 The Line Manager should confirm acceptance of the resignation letter using the acknowledgement letter (appendix 9) within 5 working days (after seeking HR advice if appropriate) and should confirm the employees last day of service.

8.2.3 The Trust wishes to retain its workforce and holding exit interviews with employees can sometimes change the decisions our staff make. Therefore line managers must ensure they undertake an exit interview with the employee within 1 week of them submitting their resignation to understand their reason for leaving the Trust and if there is an opportunity to retain their skills and experience. An interview with a Director or member of the HR team may also be requested as an alternative and employees can request this through their exit questionnaire. A record should be made of the discussion, a

copy of which should be sent to HR to be held on the individuals personnel file. Any concerns raised during an exit interview should be addressed and if necessary advice from the HR team should be obtained.

- 8.2.4 The Line Manager should ensure a copy of the exit interview is retained and forwarded with a copy of the leavers form to [REDACTED] to be stored on the personnel file. Managers that do not submit this will be contacted by HR for follow up.
- 8.2.5 In addition to the exit interview a leaver will receive an exit call or a questionnaire will be sent upon receipt of the leavers form by the resourcing team. Exit questionnaires are returned directly to the HR department by the employee. These are monitored and analysed and any areas of concern will be raised with the Service Directors immediately.
- 8.2.6 The Line Manager should complete a leavers form as soon as possible after acknowledging the resignation letter, in accordance with the payroll schedule in order to avoid any over payment of salary. The leavers form should be sent by the appropriate authorised manager to the Workforce Team by email using [REDACTED].

### **8.3 SUCCESSION PLANNING**

- 8.3.1 The Trust recognises that we will need to manage 'talent' more effectively and managers should have in place a succession pipeline to ensure that they have the right staff at the right time, with the right skills.
- 8.3.2 Succession planning aligns with the organisational values and supports staff reach their desired career goals whilst also supporting overall recruitment and retention
- 8.3.3 Senior leaders should consider their team structures and potential gaps they may face in the future including scenarios such as clinical shortages and staff retiring and how they may plan for this to ensure they can still provide safe, well led services.
- 8.3.4 Line managers should identify and develop potential future leaders or senior managers within their teams/services using the succession planning template tool at appendix 10. Managers can collect this information through supervision and appraisal meetings and then put action plans in to place to support staff reaching their potential through coaching, mentoring and training.
- 8.3.5 Further guidance and support on succession planning can be sought from the Trust's HR Department.

## **8.4 REFERENCE WRITING**

- 8.4.1 Essex Partnership University NHS Foundation Trust receives many reference requests on a weekly basis, both from internal and external sources. It is therefore essential for there to be processes in place across the Trust to ensure that references are produced following good practice guidance.
- 8.4.2 In law there is no formal duty to provide a reference, however it could be seen that there is a moral duty to provide a reference, especially where it is normal practice to rely on references, as in the NHS. Choosing not to respond, or providing minimal information can reflect badly on an individual unnecessarily, which can have legal implications for the Trust and is therefore the Trust's policy to provide a full factual reference wherever possible.
- 8.4.3 It is Essex Partnership University NHS Foundation Trust's policy that employment references appertaining to the Trust's current or former employees may be given only by HR departmental staff who will link with the relevant manager as necessary, or senior medical clinicians in relation to medical staff. References cannot be provided by managers or other staff in this instance.
- 8.4.4 References will always be made in writing using the Trust's Confirmation of Employment form. This template will include only factual based information and will not include any vague or opinion based statements
- 8.4.5 Any reference requests for financial information (e.g. for mortgage applications) or home office references should be passed on to the HR administration team to respond to this request.

## **SECTION 9: USE OF TEMPORARY WORKERS**

- 9.1 If the situation arises whereby a vacancy is to be temporarily back filled whilst the recruitment process is completed this must be carried out in conjunction with the Trust's policy and procedure for the use of temporary workers.

**END**