

## Recruitment and selection policy

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<b>POL reference</b>	HTA/POL/007	<b>Approved by</b>	SMT
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<b>Author(s)</b>	Diane Galbraith	<b>Review Date</b>	August 2018
<b>Owner</b>	Head of HR	<b>Distribution</b>	All HTA Staff

### Purpose

1. The aim of this policy is to ensure all recruitment and selection carried out by the Human Tissue Authority (HTA) adheres to current employment legislation and best practice. It is also to ensure a fair and transparent processes to attract the right people, for the right role, at the right time. This means that appointments are to be made on merit on the basis of fair and open competition.
2. Any recruitment by exception, for example, not on merit on the basis of fair and open competition, should be for a time-limited period of no more than two years, extendable only in exceptional circumstances.
3. As and when vacancies arise, recruitment will be overseen by HR. However recruitment is a critical activity, not only for HR, but also for the line manager. Managers should discuss with HR before carrying out any recruitment activity to ensure that they are using the most up-to-date documents.
4. This policy does not form part of part of any employees' contract of employment and may be revised or withdrawn by the HTA at any time at its absolute discretion.

## Responsibility

5. The Head of HR is responsible for ensuring that managers and staff have access to this policy. All those involved in recruitment should be equipped with the appropriate knowledge and skills. HR will arrange for training to support recruitment where this is required, to ensure managers understand their role and responsibilities in recruitment and selection.

## Recruitment process

### *Job analysis*

6. When a post becomes vacant, or the post-holder is absent, the line manager should consider the action required.
7. Each line manager should have a contingency plan in mind in the event of key members of staff leaving the HTA, or being absent. Potential actions are set out below. Actual action will depend on current work and plans, and the nature and length of the absence. For example, there are likely to be different responses for short-term predicted absence and for longer-term unexpected absence. Therefore the contingency plan may change over time.
8. The potential actions for managing an absence are:

<b>Short Term</b>	<ul style="list-style-type: none"><li>• Considering which of the activities need to continue</li><li>• Postponing or ceasing lower priority pieces of work</li><li>• Re-allocating work</li><li>• Appointing a temp</li></ul>	<ul style="list-style-type: none"><li>• Re-allocating work</li><li>• Redeploying staff</li><li>• Postponing or ceasing lower priority pieces of work</li><li>• Using an inward secondee</li><li>• Outsourcing</li><li>• Appointing a temp</li></ul>
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<b>Long Term</b>	<ul style="list-style-type: none"> <li>• Considering which of the activities need to continue</li> <li>• Postponing or ceasing lower priority pieces of work</li> <li>• Re-allocating work</li> <li>• Redeploying staff</li> <li>• Using an inward secondee</li> <li>• Outsourcing</li> </ul>	<ul style="list-style-type: none"> <li>• Considering which of the activities need to continue</li> <li>• Re-allocating work</li> <li>• Redeploying staff</li> <li>• Postponing or ceasing lower priority pieces of work</li> <li>• Changing working practices, so that the work is done more efficiently</li> <li>• Using an inward secondee</li> <li>• Outsourcing</li> <li>• Recruiting for a permanent replacement</li> <li>• Recruiting for a fixed-term contract replacement</li> </ul>
	<b>Unexpected</b>	<b>Predicted</b>

9. In the event of an unmanageable level of staff absence, the business plan would be reviewed and the efforts of all remaining staff would be focussed on meeting the HTA's statutory or business critical duties.

10. Where it is decided that the post is required, or that a replacement is necessary, a business case that includes the job description, should be submitted to SMT by the Director or CEO.

11. Once the approval to recruit has been obtained from SMT, it is important to invest time gathering information about the nature of the job. HR will meet with the line manager to discuss the key tasks and purpose of the role. This will help to inform the job description, person specification and advertisement text.

### **Job description and person specification**

11. Following the initial discussion with HR, the line manager should draft a new job description, or amend an existing one. This helps the recruitment process by providing a clear guide about the requirements of the job. It does not describe the personal attributes required of the successful candidate.

12. The person specification states the essential and desirable criteria for selection – such as relevant experience and the qualifications needed to perform the job to the required standard. These will be based on a set of competencies that have been identified as necessary for the performance within the role.

13. It is important that both the job description and person specification do not include unnecessary requirements, which might impact adversely on applicants. For example, the criteria should not set out the minimum number of years' experience

required. For further information on the HTA's commitment to equality, please refer to the HTA Equality, Diversity and Human Rights Policy.

## **Job evaluation**

14.As outlined in the HTA remuneration policy, from the 1<sup>st</sup> August 2016, line managers are required to complete the 'Additional Information Sheet' (AIS) for a job evaluation to be completed prior to the post being advertised. Please refer to the remuneration policy for more information.

## **Attracting applications**

### ***Internal methods***

15.The HTA recognises that providing existing employees with opportunities for development and career progression increases staff engagement and retention. Therefore, SMT may make the decision to advertise a post internally only via the staff newsletter. This will be decided on a case by case basis, taking into account the skills and experience required by the post and the skills and experience already within the HTA at that time. All staff are encouraged to apply for vacant posts if the post is of interest to them and they have the appropriate qualifications, experience and skills.

16.When a post is advertised in the staff newsletter it will outline if a post is being advertised internally only or if it will also be placed on external websites due to a need for external competition.

### ***External methods***

17.The HTA is required to advertise within the public sector before advertising externally (if necessary). HR will arrange for the vacancies to be published on the Civil Service jobs website, NHS jobs, HTA website and social media sites, such as linkedin.

18.If the role is not successfully offered at this stage, HR will make the necessary arrangements to commence advertising on non-public sector websites and will contact recruitment agencies as appropriate. Media will be selected based on the position, the target audience and advertising costs.

## **Selection process**

### ***Application***

19.The HTA ask all candidates, internal and external, interested in applying for a vacancy to do so through NHS jobs. This allows the HTA to manage applications through an online recruitment system and ensures consistent forms are used and consistent information is provided by each candidate therefore making it easier to objectively assess all candidates in a systematic and fair way.

20.If a candidate is unable to apply through the NHS jobs site, the HTA will provide an electronic application form which the candidate can complete and submit direct to the HTA.

### ***Short-listing***

21.All applications should be treated confidentially and only circulated to those individuals involved in the recruitment process.

22.HR will conduct an initial sift of the applications, to exclude any applicants that do not meet the minimum requirements for the role. Short-listing will then be carried out by at least one additional member of the interview panel. A short-listing form will be provided by HR, which the panel members are responsible for completing consistently. The selection criteria set out in the Person Specification should be fairly applied to all applicants.

23.Short-listing should be based only on the information contained in the application which should be applied equally to both internal and external applicants. Internal candidates should note that they will not be automatically selected for interview.

24.Short-listing decisions must be recorded and fully documented so that, where necessary, feedback can be provided and any complaints investigated.

25.Managers involved in the recruitment process must declare if they have any potential conflict of interest and HR will advise how to proceed.

### ***Interviews***

26.Interview panels should comprise a minimum of two people and will normally include a representative from HR. One to one selection interviews are not good practice. Selection methods most often used include:

- Panel interviews
- Practical/written exercises
- Selection assessments
- Presentations

27. Selection assessments will be used for all posts Head level and above. The assessment results assist with compiling interview questions and identifying development opportunities.

28. A combination of these methods may be used, but should always include a panel interview. The selection method(s) to be used should be decided at the start of the recruitment process, as should the location and provision of equipment. Recruitment and selection training and advice will be given by HR.

29. Before the interview, the panel should agree appropriate questions, taking into consideration the following:

- Questions should be based on the competencies that are required to be successful within the role.
- Questions should encourage the candidate to talk about how their attributes meet those outlined in person specification.
- The questions should **not be discriminatory or unnecessarily intrusive.**
- How the questions will be allocated between panel members should be agreed in advance of the interview.
- That the panel members should reach agreement on an appropriate and fair rating system in advance of the interview.
- That the questions should be asked consistently of every candidate.

30. During the interview the panel should:

- Describe in more detail the job and responsibilities that the candidate would hold should they be successful.
- Assess each candidate's ability to perform in the role, using the standard interview assessment form and scoring in accordance with the agreed rating system.
- Outline the candidate details such as potential start dates, training provisions and employee benefits.
- Give a positive impression as a good employer, in line with the HTA corporate values.
- Ask each candidate whether they have any questions and provide appropriate responses.

31. On completion of the interviews, the forms and panel member notes will be collated by HR. These will be retained along with the original set of application forms for six months.

## Access to interviews for people with a disability

32. In line with equal opportunities best practice, any candidate with a disability who meets the essential criteria outlined in the person specification for appointment will be invited for interview. HR will seek information from candidates in advance to determine whether they have any special requirements to attend the interview, for example, induction loops or wheelchair access.

33. Any decision on whether a candidate is the most suitable applicant must be based on merit and their ability to undertake the job. The decision should exclude any consideration of the costs of adaptations or additional support that may be required.

## Applicants requiring sponsorship to work in the UK

34. The HTA holds a Tier 2 – general category sponsorship licence. There are a number of conditions that the HTA must comply with in order to sponsor a non-EEA skilled worker. Please refer to the Head of HR for further information regarding the sponsorship process including if the post you are recruiting meets the government set eligibility criteria.

35. The HTA may, at its discretion, reimburse some costs related to obtaining a visa for the purposes of commencing or continuing employment with the HTA, for example, the visa and processing fee cost. The HTA will not reimburse for generalised costs which may be associated with obtaining a work visa such as flights or accommodation.

36. The visa applicant may be required to pay back a proportion of these fees if they voluntarily leave the employment of the HTA within a specified period, according to the following schedule:

Leaving HTA employment	Pay-Back
Before commencement of employment if application successful	100%
Up to 12 months after commencement of employment	50%
More than 1 years after commencement of employment	0%

37. For further information please refer to the 'HTA Visa Application Fees Agreement' form.

## **Expenses**

38.The HTA do not reimburse candidates for expenses incurred in attending an assessment or interview related to the recruitment process.

## **Feedback to unsuccessful candidates and audit trail**

39.Due to the volume of applications received across all HTA vacancies, the HTA will not be able to provide individual feedback to applicants at application stage.

40.HR will coordinate arrangements to provide feedback to unsuccessful candidates who have attended an interview with the HTA. Internal candidates will generally be offered an opportunity to meet with the manager who led the recruitment process and/or a HR representative to obtain feedback.

41.An audit trail of all recruitment exercises will be maintained in the NHS jobs portal or within confidential hard copy HR files.

42.This will include details of all candidates, the stage at which they were excluded from the process and the reasons for excluding them. Line Managers are required to contribute to this audit trail as appropriate. In line with best practice guidelines, these documents will be retained for two years.

## **Pre-appointment checks**

43.It is the responsibility of the HTA to ensure that the potential new starter is eligible to work in the UK. Therefore, appropriate documentation to confirm their identity and eligibility will be requested, as soon as is possible.

44.All offers of employment are subject to receipt of satisfactory employment references covering the last 5 years of employment, confirmation of eligibility to work in the United Kingdom; and proof of qualifications (original certificates are required, a copy will be made and the original returned). Qualifications will usually only be required where they are needed to meet the minimum requirements of the role.

45.References are sought after a provisional offer has been made and not without prior permission from the potential new starter.

46.The HTA makes the final decision as to whether or not all these matters are satisfied.

47.A declaration of any potential conflicts of interest will be signed on the first day of employment.

48.If it emerges that an applicant has not given accurate and truthful information that could have a significant bearing on the decision to select them, then the offer may be withdrawn. If the individual has already started working for the HTA they may be dismissed.

## **Disclosure of Convictions**

### ***Background***

49.The Rehabilitation of Offenders Act 1974 (“the Act”) provides that criminal convictions, cautions, warnings and reprimands in respect of certain offences are deemed to be “spent” after specified periods of time. Spent cautions and spent convictions will generally not need to be disclosed, except in certain specified circumstances. The Act is intended to help former offenders put spent convictions behind them without fear that these spent convictions will have to be disclosed to a potential employer which may damage their future employment prospects.

### ***Spent convictions***

50.The Act provides that certain previous convictions become spent after specified periods of time and do not need to be disclosed in answer to any questions from a potential employer concerning previous convictions. They do not need to be disclosed to anyone, subject to certain exemptions, and are regarded as spent. They are not admissible as evidence in most judicial proceedings and cannot be used as grounds for dismissal.

### ***Period after which a conviction is deemed spent***

55.The length of the rehabilitation period depends on the sentence imposed for the original offence and runs from the date of the conviction. The periods which are set out below are halved for people under the age of 18.

<b>Sentence/disposal</b>	<b>Rehabilitation period for adults (18 or over at the time of conviction or the time the disposal is administered.</b>	<b>Rehabilitation period for young people (under 18 at the time of conviction or the time the disposal is administered.</b>
Imprisonment or detention in a young offender institution for over 30 months (2 ½ years)	Never spent	Never spent

Imprisonment or detention in a young offender institution for over 6 months but not exceeding 30 months (2 ½ years)	10 years	5 years
Imprisonment of up to 6 months	7 years	3 ½ years
Fine	5 years	2 ½ years
Community sentence	5 years	2 ½ years
Conditional discharge	The period of the order, or a minimum of 12 months (whichever is longer)	The period of the order, or a minimum of 12 months (whichever is longer)
Absolute discharge	6 months	6 months
Conditional caution	3 months	3 months
Simple caution, reprimand, final warning	Spent immediately	Spent immediately

56.Rehabilitation periods are not allowed to offenders who have served:

- a life sentence;
- a term of imprisonment in excess of 2 years 6 months;
- preventive detention; or
- detention during Her Majesty's pleasure for life.

57.This means that convictions leading to these sentences never become spent.

### **The HTA's approach**

58.The HTA will not take spent convictions into consideration unless the role is of an exempted kind listed in Schedule 1 to the 1975 Exceptions Order. Of those listed the only roles relevant to the HTA at present would be a chartered accountant.

59.The HTA requires all applicants to disclose criminal convictions which are not spent. Similarly, it requires all staff to disclose any arrests whilst they are employed by the HTA.

60.Once an employee discloses a conviction, a decision on what further information may be requested relating to a conviction or arrest and the weight to attach to it, will be considered on an individual 'case by case' basis. The key is the role that the individual will be performing. For example, where an individual has a conviction for fraud, spent or unspent, a finance role, or one where they have control of monies, there will need to be careful consideration of suitability and further information concerning a previous conviction may need to be sought. For

unspent convictions involving dishonesty, we would need to take into account whether a member of staff would be required to visit establishments we license and consider the implications of this for the HTA.

### **Right of Complaint**

61. Any individual may complain to HR that the requirement for selection for appointment on merit on the basis of fair and open competition has not been met; or that any other aspect of the Recruitment Principles has not been complied with. The complaint will be handled as per the HTA Complaints Procedure. Complaints should be lodged within 12 months of the closing date for applications.

### **Equality Statement**

62. The HTA recognises the benefits of having a diverse workforce and aims to achieve this. The importance of diversity will be taken into account at each stage of the recruitment process.

63. The HTA is committed to ensuring that all people management policies, and their application, are free from any form of discrimination on the grounds of: race; disability; gender; gender identity; religion/belief; age; sexual orientation or any other protected characteristics. Further information can be found in the HTA Equality, Diversity and Human Rights Policy.

64. The HTA will monitor use of this Recruitment and Selection Policy in order to ensure that hidden bias is removed and that talent is not being blocked from entry to the organisation. It will also identify whether this policy is having an adverse impact on any particular group of individuals, and take action accordingly.

### **Revision History**

Summary of the changes to each full version.

<b>Date</b>	<b>Version</b>	<b>Comments</b>
April 2008	1.0	Draft for approval
June 2008	2.0	SMT approved
September 2012	3.0	Updated
December 2013	4.0	SMT approved
September 2016		Updated

August 2017	17	Changes made to bring in line with Civil Service Requirements.  SMT approved
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## References

- The Rehabilitation of Offenders Act 1974
- HTA Equality, Diversity and Human Rights Policy