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## RECRUITMENT

### WARNING:

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# RECRUITMENT POLICY AND PROCEDURE

## POLICY AIM

This policy sets out Nursing Direct Healthcare Limited's (herein after referred to as "Nursing Direct") recruitment practices and safer recruitment process for staff including Agency Workers. It aims to ensure recruitment is fair, consistent, and effective, and is carried out in line with relevant employment legislation, best practice guidance, and CQC requirements (including Regulation 19).

Nursing Direct will ensure that staff including Agency Workers engaged to carry out regulated activities are of good character and have the appropriate qualifications, competence, skills, and experience to perform their role.

The policy also supports robust recruitment checks, and the accurate recording, maintenance, and regular updating of recruitment documentation to ensure recruitment is safe, well-led, and effective.

This policy is to be read in conjunction with the following policies:

- DBS Policy and Procedure
- Equality and Diversity Policy and Procedure
- Training Policy and Procedure
- Induction and onboarding Policy and Procedure
- Safeguarding Adults Policy and Procedure
- Safeguarding Children and Child Protection Policy and Procedure

## 1. PURPOSE

- 1.1 To ensure that Nursing Direct operates a fair, consistent, and lawful recruitment process that fully aligns with the principles and requirements of the Acts and Regulations outlined in the Relevant Legislation section of this policy.
- 1.2 To provide a clear and consistent framework for recruitment within Nursing Direct, which aligns with and supports related policies and procedures.
- 1.3 To support Nursing Direct in meeting the Care Quality Commission (CQC) Key Lines of Enquiry (KLOEs) and Quality Statements.

### 1.4 Relevant Legislation:

- The Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) (No. 3) Regulations 2022
- Immigration and Asylum Act 2016
- The Rehabilitation of Offenders Act 1974
- Employment Rights Act 1996
- Equality Act 2010
- The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Data Protection Act 2018
- UK GDPR
- Health and Safety at Work etc. Act 1974
- Employment Relations Act 1999
- Safeguarding Vulnerable Groups Act 2006

## 2. SCOPE

2.1 The following roles may be affected by this policy:

- All staff including Agency Workers

2.2 The following Service Users may be affected by this policy:

- Service Users

2.3 The following stakeholders may be affected by this policy:

- Family
- Advocates
- Representatives
- Commissioners
- External health professionals
- Local Authority
- NHS / ICB

### 3. OBJECTIVES

- 3.1 To ensure that Nursing Direct complies with the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, Regulation 19: Fit and Proper Persons Employed, by employing on staff including Agency Workers who are of good character, suitably qualified, competent and physically and mentally able to carry out their role.
- 3.2 To provide clear recruitment procedures in stages that are easy to follow.

### 4. POLICY

#### 4.1 CQC Regulated Activities, Service Types and Service User Bands

Where required, Nursing Direct will be registered with the CQC for regulated activities, service types and service user bands as defined in the CQC Statement of Purpose.

This will ensure that Nursing Direct provides services that are safe, effective, caring, responsive and well-led in line with the CQC's published quality statements, regulatory framework and associated best practice guidance.

Nursing Direct is registered to provide the following regulated activities:

- Personal Care
- Treatment of disease, disorder or injury

Nursing Direct is registered to provide the following service types:

- Dementia
- Learning disabilities
- Mental health conditions
- Physical disabilities
- Sensory impairments
- Substance misuse problems

Nursing Direct is registered to support the following service user bands:

- Caring for adults over 65 years old
- Caring for adults under 65 years old
- Caring for children (0-18 years)

#### 4.2 Policy Responsibilities

The Registered Manager and Nominated Individual of Nursing Direct have overall management responsibility for this policy and procedure.

It is the responsibility of the Registered Manager to:

- Comply with this policy and all related recruitment procedures at Nursing Direct
- Ensure every stage of the recruitment process is fair and complies with legislation
- Ensure that all necessary pre-employment checks for all staff including Agency Workers are carried out
- Maintain up-to-date knowledge in relation to recruitment procedures
- Ensure that recruitment is applied fairly to all, in line with the Equality Act 2010
- Seek advice if information comes to light at any stage of the process which may impact on the employment offer
- Ensure that those responsible for the recruitment for Nursing Direct are suitably, skilled and competent
- Ensure conditions of employment are clearly communicated with terms and conditions issued on commencement.
- Ensure awareness of current immigration requirements, including the impact of the EU Settlement

- 4.3 Nursing Direct follows a step-by-step safer recruitment process as detailed below. All prospective applicants will undertake the same process, ensuring a fair and equitable experience for every applicant.

1. Identifying a Vacant Post
2. Advertisement
3. Application
4. Vetting and Selection
5. The Application Pack
6. Mandatory and Statutory Compliance Checks
7. Offering of Employment

#### 4.4 Regulation 19: Fit and Proper Persons Employed of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

Nursing Direct complies with Regulation 19: Fit and Proper Persons Employed of the Health and Social Care Act 2008 (Regulated Activities) Regulation 2014 and is committed to ensuring that all persons employed are of good character, suitably qualified, competent and physically and mentally fit to perform their role.

In order to meet the requirements of Regulation 19, Nursing Direct gathers, verifies and retains information in accordance with Schedule 3 and 4 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014. Nursing Direct has a robust recruitment and ongoing suitability process in place to support the safe, effective and high-quality delivery of care, as detailed throughout this policy.

#### 4.5 **UK GDPR and the Data Protection Act 2018**

Nursing Direct ensures full compliance with the requirements of the UK GDPR and the Data Protection Act 2018 in relation to the collection, storage, archiving and retention of all application forms and associated documentation. All personal data will be handled securely, kept only for as long as necessary for recruitment and regulatory purposes, and disposed of in a manner that protects the confidentiality and rights of applicants. Further guidance can be found in the Archiving, Disposal and Storing of Records Policy and Procedure.

#### 4.6 **Fair Recruitment**

Nursing Direct is committed to conducting recruitment in a fair, transparent and non-discriminatory manner. All decisions relating to the selection, appointment, and promotion of staff including Agency Workers are based solely on an individual's skills, qualifications, experience, competence and overall suitability for the role.

#### 4.7 **Policy Accessibility**

Nursing Direct understands that people may take in and retain information in different ways. To support full understanding and engagement, this policy is available in accessible formats. The ReciteMe tool has various ways of making this policy accessible by providing this policy in:

4.7.1 Audio

4.7.2 Large Print

4.7.3 Multiple Languages

This policy can also be made available in:

4.7.4 Easy-read versions

4.7.5 Simple-policy view to reduce navigation and complexity

These options are in place to help staff including Agency Workers who are applying for a role at Nursing Direct and Service Users to understand and engage with this policy more easily.

## 5. **PROCEDURE**

### 5.1 **Stage 1 – Identifying a Vacant Post**

When a vacancy arises, Nursing Direct will consider the most appropriate way to cover the work. Nursing Direct will review the staffing levels, skill mix and working patterns in their workforce to identify any potential redeployments.

The job description and person specification will be updated to reflect any additions or alterations of the role.

Applying for, or being accepted onto, our agency worker register does not guarantee work, the allocation of shifts, or any minimum number of hours. Shifts are offered on an as-needed basis, subject to service demand, operational requirements, and availability. There is no obligation on the organisation to offer work, nor on the agency worker to accept it (i.e., there is no mutuality of obligation). Successful completion of the recruitment and compliance process confirms eligibility to be considered for shifts and supports the long-term success of the business.

### 5.2 **Stage 2 – Advertisement**

Alongside the job description and person specification, an advert for the role will be produced. This will include:

- A statement about the values of Nursing Direct and its commitment to safeguarding Adults and Children
- The job title, hours and location
- The contract type being offered i.e. zero hours contract
- Basic job description (work to be done) and person specification
- The role, skills, qualifications and other competencies necessary
- The necessary standard of spoken English required for the role
- The closing date and potential interview dates (if known)
- Contact details for further information and guidance on how to apply
- That the role will be subject to DBS and identity checks, references and right to work checks

Language used will be unbiased.

All vacancies will be diligently advertised across agreed and suitable media platforms and websites.

#### 5.2.1 **International Recruitment**

When recruiting personnel internationally, it is the policy of Nursing Direct to follow the UK Government's Code of Practice. The aims of the Code of Practice are to:

- Promote high standards of practice in the ethical international recruitment and employment of health and social care personnel, and ensure that all international recruitment is conducted in accordance with internationally agreed principles of transparency and fairness; and
- Protect and promote the health and social care system sustainability through international cooperation by ensuring safeguards and support for countries with the most pressing health and social care workforce challenges

The Code of Practice further incorporates the WHO Health Workforce Support and Safeguards List, which is a list of countries whereby active recruitment is permitted or not. The list is as follows:

- **Red:** Active recruitment is not permitted
- **Amber:** Managed recruitment is only permitted in compliance with the terms of the government-to-government agreement
- **Green:** Active recruitment is permitted

Details of which countries are currently contained on each list can be found here. The WHO Health Workforce Support and Safeguards List is reviewed every 3 years.

### 5.3 Stage 3 – Application

Applicants must complete an application form through the Nursing Direct website, providing their personal details, contact information and right to work in the UK as well as attaching a copy of their most recent and up to date CV. This application must be completed in full ahead of contact from the Nursing Direct compliance team.

#### 5.3.1 Protected Characteristics and Equality and Diversity

Nursing Direct is dedicated to ensuring that no individual faces less favourable treatment based on disability, gender, race, religion or belief, age, pregnancy, sexual orientation, marital status, parental status, caring responsibilities, or working hours. We are committed to preventing any applicant from being unfairly disadvantaged by requirements or conditions that disproportionately impact a specific group.

Prospective applicants will be required to indicate if they possess any disabilities as delineated in the Equality Act. This encompasses physical or mental impairments that significantly and persistently impede their capacity to engage in routine daily tasks, such as utilizing telecommunication devices, operating computers, perusing care plans, assessments, and reports, navigating public transportation, or executing manual handling of individuals or equipment etc.

#### 5.3.2 Conflicts of Interest

Where there is a potential conflict of interest during the recruitment process, such as an applicant having a personal relationship with a member of Nursing Direct staff including Agency Workers, the Registered Manager will refer to the Relationships at Work Policy and Procedure.

As a minimum:

- Job applicants will be required to declare on their application any personal/work relationship
- The prospective member of staff including Agency Worker will not be interviewed by the person they have a personal relationship with

The prospective member of staff including Agency Workers will not be appointed into a post which results in a line management relationship with someone with whom they have a personal relationship

### 5.4 Stage 4 – Vetting and Selection

#### 5.4.1 Reasonable Adjustments

Reasonable adjustments form an important part of the recruitment process at Nursing Direct, and all applicants will be asked if they require any reasonable adjustments as part of the recruitment process to ensure they receive a fair process.

In line with Regulation 19(1)(c) of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, staff including Agency Workers must be able, by reason of their health, and following any reasonable adjustments, to properly carry out the tasks intrinsic to their role. Nursing Direct is committed to making reasonable adjustments in accordance with this regulation and the Equality Act 2010 to support staff including Agency Workers to work safely and effectively, which may include adjustments to duties, working arrangements, or consideration of alternative roles.

This requirement relates to an individual's ability to perform their role and does not prevent the employment of people with a disability or long-term health condition. Nursing Direct has clear processes for considering staff including Agency Workers physical and mental health at recruitment and throughout employment, ensuring both staff including Agency Workers wellbeing and the safety of people using the service, as explained below.

Nursing Direct will make reasonable adjustments for the recruitment process if:

- The candidate asks for reasonable adjustments
- The candidate says they have a disability
- Nursing Direct knows, or could be expected to know, of the person's disability

When staff including Agency Workers are interviewed at the Head Office, rather than over a video call, Nursing Direct has:

- Ground floor access for wheelchair users
- Dimmed lighting for candidates with epilepsy

#### 5.4.2 Shortlisting

Shortlisting of received application forms will involve a process of reviewing the application and supporting CV against the requirements of the business. The requirements of the business will be used to ensure that a consistent approach is taken.

Whilst shortlisting, Nursing Direct will check that the CV is fully complete and highlight any inconsistencies (such as gaps in employment) that can be addressed during the vetting stage.

All applicants who meet the criteria have the required qualifications and experience, who have also indicated that they have a disability, will be automatically shortlisted and reasonable adjustments to the recruitment stages will be implemented to ensure that applicants receive a fair process.

#### 5.4.3 Interview

If successfully shortlisted, sufficient notice will be given to the candidate to take part in our vetting process. Applicants are asked to provide the following items ahead of interview:

- Evidence of their National Insurance Number
- Right to work documentation
- Either a passport, driving licence or other form of photographic identification
- Two recent "Head and Shoulders" photographs
- Two recent (not older than 3 months) utility bill with proof of address
- Original copies of all qualifications/registrations

A copy of the above documentation will be held on the candidate's personnel file if successful. Documentation will be retained and destroyed in line with the Archiving, Disposal and Storing of Records Policy and Procedure.

#### 5.4.4 Interview Process

Before the interview, the relevant Recruitment consultant will set time aside for a review of the application forms. They will:

- Check work history; note and investigate all periods of no work and reasons for leaving the position
- Verify that all claimed, relevant qualifications can be supported by documentary evidence and confirm they are appropriate and sufficient for the role.
- Note any declared requirements for adjustments for disability

If any areas for further discussion are identified as above, these will be added to the interview. Nursing Direct will ensure that all questions asked during interview will be agreed and standard for all applicants.

#### 5.4.5 Interview Environment

- **Remote Interviews**  
Where face to face interviews cannot be held, a remote interview will be used as part of the recruitment process by Nursing Direct. The applicant will be provided with an invitation to attend a remote interview which could take the form of a telephone interview or via a remote platform, such as Microsoft Teams or Zoom etc. This will be for the interviewer to decide what form of remote interview will be conducted with the applicant.
- **In Person**  
An interview room will be prepared that enables the applicant to feel relaxed, whilst ensuring that interviews will be private and uninterrupted. Where possible, arrangements will be made for someone to receive applicants at the door, with instructions to deliver them to a waiting area, making them feel welcome. The applicants will be offered refreshments and support to feel as comfortable as possible.

#### 5.4.6 During the Interview

At the start of the interview, the interviewer will provide a brief outline of the philosophy and culture at Nursing Direct, as well as gaining assurance of the role being interviewed for.

During the interview, all set questions will be asked, recording the answers given by the applicant including:

- Applicant information and role being applied for
- Qualifications, experience, training and role-specific skills
- Applicant and administrative questions

On completion of interview questions, the applicant will be provided with the opportunity to ask any questions, they will be thanked for attending and informed of when the decision will be made, and how they will be informed.

### 5.5 Stage 5 – The Application Pack

Following each interview, all applicants must complete the Application Pack, providing comprehensive information including their full name, date of birth, identification details, any previous names, and confirmation of their right to work in the UK. They must also supply a full record of their education, training, qualifications, registrations, and role-specific essential training, along with a complete employment history (paid and unpaid) and explanations for any gaps. As part of the pack, applicants are required to:

- Provide personal details, contact information, and evidence of right to work in the UK
- Share details of education, training, qualifications, and registrations
- Give a full employment history (paid and unpaid), including explanations for any gaps
- Provide appropriate references in line with regulatory requirements
- Declare any criminal convictions or cautions, as required by law
- Tell Nursing Direct if they need reasonable adjustments for the recruitment process
- Read and agree to the privacy statement and declaration
- Complete the supporting statement and values-based questions before interview

## 5.6 Stage 6 – Mandatory and Statutory Compliance Checks

### 5.6.1 Checking Identity – Required Documentation

In order to comply with Regulation 19 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, Nursing Direct is required to obtain the information specified in Schedule 3 of the Regulations before appointing a member of staff including Agency Worker:

- Proof of ID and a recent photograph. A photograph will not be accepted as being “recent” if the individual cannot be visually recognisable anymore (for example, they have since had plastic surgery). This would not be the case if the individual has had a slight change in appearance, i.e. growing a beard or dyeing their hair
- Evidence of satisfactory conduct in previous employment, where the applicant has previously worked within health or social care, or with children or vulnerable adults. This information may be in the form of a reference from a previous employer, a written appraisal document or written evidence from other people if it provides information regarding the candidate’s conduct
- If the candidate has previously been employed in a position where their duties involved working with children or vulnerable adults then, so far as it is reasonably practicable, Nursing Direct will require confirmation of why their employment in that position ended. This information must outline all relevant period of employment/self-employment and the reason for leaving. If it is not reasonably practicable to obtain this information, Nursing Direct will need to demonstrate it has made all reasonable attempts
- Satisfactory documentary evidence of any qualification relevant to the duties for which the person is employed or appointed to perform. This evidence can be in the form of certificate(s) or written confirmation from an awarding body. Nursing Direct will carry out online checks on professional qualification and registrations statuses online with the relevant regulatory body (where relevant)
- A full employment history, together with a satisfactory written explanation of any gaps in employment. This information can form part of an individual’s CV; however, it must include all periods of employment/self-employment showing actual or approximate start and end dates and explain any periods of unemployment. Individual placements within a continuous period of employment need not be listed
- Satisfactory information about any physical or mental health conditions which are relevant to the person’s capability, after reasonable adjustments are made, to properly perform tasks which are intrinsic to their employment or appointment for the purposes of the regulated activity. For the purposes of this requirement, Nursing Direct will keep information about the individual’s condition. This information will solely be for reference purposes and for complying with the Regulations

DBS check, standard criminal record check, for others an enhanced criminal records check or an enhanced check with barred list information

5.6.2 In accordance with the Rehabilitation of Offenders Act, applicants will be required to disclose any convictions, cautions, or bind overs, regardless of whether they are spent or not. Any relevant details provided will be kept confidentially.

### 5.6.3 Eligibility to Work in the UK and English Competency Checks

For staff including Agency Workers from outside the UK, Nursing Direct has a duty to ensure that they have the appropriate levels of English competency for the role, in line with the Equality Act 2010.

Nursing Direct will ensure that staff including Agency Workers have the required level of English language competence for the role, which allows them to deliver a high standard of care to all Service Users. For those staff including Agency Workers already registered with a professional body, Nursing Direct can be assured that they will already have the required level of English competency for their profession. Nursing Direct will conduct competency checks when reviewing their professional registration.

Nursing Direct will measure the language competency of candidates through the application or as part of the interview process. Applicants may demonstrate that they:

- Have passed an English language competency test
- Hold a degree or relevant qualification in English from a recognised institution
- Have lived in a multilingual household where English was the primary form of communication Are a national of a majority English speaking country
- Have worked in an organisation or institution where English was their primary language Have pursued part of their education in the UK
- Nursing Direct will determine the appropriate levels of proficiency for each role, as proportionate to the duties and responsibilities undertaken.

Staff including Agency Workers will refer to the Right to Work Checks Policy and Procedure in place at Nursing Direct for full advice.

Staff including Agency Workers can also refer to [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk) for current information and support with all aspects of eligibility to work.

### 5.6.4 Qualifications Checks

Nursing Direct will ensure that applicants have the necessary qualifications for the role. All applicants are required to provide, at interview, evidence of any qualification that is required for the role. This evidence is then photocopied and retained within their personnel record.

Nursing Direct follows Regulation 19: Fit and proper persons employed Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 19(1)(b) – Staff including Agency Workers must have the qualifications, competence, skills, and experience which are necessary for the work to be performed by them:

- Where a qualification is required by law or by Nursing Direct, checks are carried out by Nursing Direct to verify it is held and valid
- Nursing Direct has processes to assess competence, skills, and experience for all staff including Agency Workers and keep records of these assessments
- Staff including Agency Workers are assessed as competent before working unsupervised. Competence includes demonstrating a caring, compassionate approach
- Nursing Direct staff including Agency Workers may be employed while gaining competence, but there is a clear timeframe, structured training, and supervision to achieve the required standards

#### 5.6.5 Registration Checks

In accordance with Regulation 19(4) of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, Nursing Direct has clear processes in place to verify and regularly check that staff including Agency Workers hold appropriate, valid, and up-to-date registration with the relevant professional regulator or, where applicable, an accredited voluntary register.

The following registered body registration checks will be made by Nursing Direct:

- Verify staff including Agency Workers registration by checking the professional body's online register
- Request a copy of the registration certificate and store it securely on their file
- Record the registration renewal date and set an alert system to notify when renewal is due
- When the renewal date approaches, ask the staff including Agency Workers to confirm whether they have renewed their registration
- Once the staff including Agency Workers confirms renewal, re-check the online register to verify the renewal and request an updated certificate to keep on file

#### 5.6.6 References and DBS

Nursing Direct requires satisfactory evidence of the applicant's conduct in previous employment. This is required for all of the applicant's previous roles which relate to health and social care, or working with children or vulnerable adults, and is not time limited. Where an applicant has worked in these areas, Nursing Direct will also need satisfactory verification of the reason that employment came to an end.

In accordance with Regulation 19(1) of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, all persons employed for the purposes of carrying out a regulated activity at Nursing Direct must meet defined standards. Specifically, under Regulation 19(1)(a), staff including Agency Workers must be of good character.

Nursing Direct requires this information in order to meet the requirements of evidence that they:

- Are of good character
- Have the necessary qualifications, competence skills and experience necessary
- Are able to properly perform the tasks (after any reasonable adjustments)

Nursing Direct ensures that recruitment processes confirm good character through a combination of:

- Enhanced DBS checks to identify any criminal history or safeguarding concerns
- Two employment references (one from the person's last employment) and verification of previous work history
- Two-character references if the applicant is unable to obtain two professional references, e.g. in the case of an applicant who has been raising children for ten years
- Professional registration checks (where applicable) to identify any disciplinary actions
- Interview and assessment processes that explore honesty, reliability, respect, and trustworthiness Appraisals from previous employers
- Other written evidence that provides information about the individual's conduct

Staff including Agency Workers will refer to the References Policy and Procedure and the DBS/Disclosure Policy and Procedure for clear direction and support.

### 5.7 Stage 7 - Offering of Employment

Once all requested compliance documents have been provided, all applicants will be reviewed to critically question all reasons for acceptance and rejection, with no discrimination. If the interviewer is unsure of their proposed decision, they must consult the Registered Manager or senior management for further guidance.

Any job offer is conditional on the receipt of two satisfactory references, including one from a previous employer where possible. If a previous employer reference is not available, two-character references may be provided. Employment cannot commence until these references are received in writing. The offer is also conditional on the results of a DBS check being satisfactory, and the other mandatory compliance requirements. A job offer will not be confirmed until the applicant/candidate is fully compliant.

Upon successful completion of the employment checks, applicants will be contacted offering them the post. The conditions of employment, including the contract relevant to the position, will be issued by Nursing Direct.

The successful applicant will be sent an offer letter confirming they have been successful and have successfully joined our Agency Bank Staff and provide the successful applicant with:

- The Agency Worker Handbook
- Policies and Procedures of Nursing Direct
- The link to purchase branded uniform i.e. tunics etc
- An ID badge to carry with them to all booked shifts

A rejection letter is sent to all unsuccessful applicants letting them know that they were not successful on this occasion and thanking them for their interest.

#### 5.8 **Withdrawal of Offers (if required)**

If, after careful consideration, it is decided to withdraw the conditional offer of employment, the grounds for withdrawal must be very clear, e.g. due to unsatisfactory references or other employment checks and the offer of employment rescinded in writing. This decision must be made in conjunction with the Registered Manager or other senior management.

#### 5.9 **Recruitment Complaints Procedure (if required)**

Where an applicant, whether internal or external, has a complaint regarding any aspect of the recruitment process, they are encouraged to submit their complaint in writing to the Registered Manager. Nursing Direct is committed to ensuring a fair, transparent, and impartial recruitment process in compliance with the Equality Act 2010, and all complaints will be handled accordingly.

The Registered Manager will acknowledge receipt of the complaint promptly and will address it in line with the Complaints, Suggestions and Compliments Policy and Procedure of Nursing Direct. This procedure ensures that complaints are investigated thoroughly, objectively, and confidentially, with outcomes communicated to the complainant within the specified timescales outlined in the policy.

Applicants can expect their concerns, including any allegations of discrimination or unfair treatment, to be taken seriously and resolved in a timely manner. Should the complainant be dissatisfied with the initial response, they will be informed of the further steps available to escalate their complaint as detailed within the complaint's procedure.

For further information, please refer to the Complaints, Suggestions and Compliments Policy and Procedure.

## 6. DEFINITIONS

### 6.1 **Staff including Agency Workers**

#### 6.1.1 **Staff**

Denotes the employees of Nursing Direct Healthcare Limited.

#### 6.1.2 **Agency Workers**

Refers to individuals who are contracted with Nursdoc Limited or another employment business as an Agency Worker (temporary worker) provided to Nursing Direct Healthcare Limited to perform care services under the direction of Nursing Direct.

### 6.2 **Nursing Direct**

Nursing Direct, also known as Nursing Direct Healthcare Limited, is the entity regulated by the CQC (Care Quality Commission) and responsible for the care service provision, contracted to provide homecare services to service users in their homes, in placements, essential healthcare facilities and in the community.

### 6.3 **Nursdoc Limited**

As the sister company to Nursing Direct Healthcare Limited, Nursdoc Limited acts as an employment business, specialising in providing staffing solutions to the healthcare sector.

### 6.4 **CQC (Care Quality Commission)**

CQC throughout this policy, the term "CQC" refers to the Care Quality Commission (CQC) which is the independent regulator of health and social care in England.

### 6.5 **Applicant**

- An applicant is a person who has applied for a role
- The individual is known as an applicant until they commence employment when they become an Agency Worker.

### 6.6 **Fit and Proper Persons**

- Assesses an individual's suitability for a particular role or responsibility, particularly in regulated industries or positions of authority, encompassing their honesty, integrity, reputation, competence, capability, and financial soundness

### 6.7 **UK General Data Protection Regulation (UK GDPR)**

- The General Data Protection Regulation 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union and the European Economic Area. It was implemented on 25th May 2018. It became known as UK GDPR at the end of the UK withdrawal period from the EU

### 6.8 **Schedule 3 Health and Social Care Act 2014 (as amended)**

- Schedule 3 requires information in Respect of Persons Employed or Appointed for the Purposes of a Regulated Activity
- This includes:
  - Proof of identity - including a recent photograph Where required, a DBS or enhanced DBS
  - Satisfactory conduct in previous employment - health or social care; children or vulnerable adults
  - Where previously employed as above, the reason for leaving
  - Verifications of relevant qualifications
  - Full employment history with explanation of gaps
  - Satisfactory information about any physical or mental health conditions which are relevant to the person's capability, after reasonable adjustments are made, to properly perform tasks which are intrinsic to their employment or appointment for the purposes of the regulated activity

## 6.9 Data Protection Act 2018

A UK law that updates data protection legislation, replacing the Data Protection Act 1998. It aims to protect individuals' privacy by governing how personal data is collected, handled, and stored. The Act also provides individuals with rights to access, rectify, and erase their data in certain circumstances

## OUTSTANDING PRACTICE

To be "outstanding" in this policy area you could provide evidence that:

- Nursing Direct has a robust approach to vetting new members of staff, reducing the risk of an unsuitable person being employed (e.g. follow up personal and professional references, look into their training records, focus on gaps in employment history, check how they would respond to certain scenarios)
- Nursing Direct follows Regulation 19: Fit and Proper Persons Employed of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Service Users are involved in the development of the service, such as in the interview and recruitment process and in identifying staffing needs
- Nursing Direct has clear strategies and effective recruitment practices to ensure that it appoints people who are both capable and motivated to provide high standards of care
- Nursing Direct uses a values-based recruitment processes to recruit people with the right behaviours and attitudes

Each step of the recruitment process at Nursing Direct outlined in the procedure sections of this policy is documented with evidence obtained

<b>COMPLETED DATE:</b>	26.02.2026
<b>SIGN OFF DATE:</b>	26.02.2026
<b>REVIEW DATE:</b>	26.02.2027
<b>SIGNED:</b>	 Marc Stiff – Group Managing Director