

Recruitment and Selection Procedures in Social Care: In-depth

Summary

This topic provides a framework for a staff recruitment and selection strategy with guidance on the general procedures used to recruit and select staff for different levels of posts and types of job that can be found in a care service, as in any organisation.

The topic should be used with other staffing topics, particularly:

- [Finding and Keeping Staff](#)
- [International Recruitment of Social Care Staff from January 2021](#)
- [Selecting and Appointing Staff](#)
- [Agency Workers in Social Care](#)
- [Discrimination and Equality.](#)

Recruitment is a core activity for care services, particularly those that are expanding or where there is frequent staff turnover. Recruitment strategies might reduce turnover to some extent, but there is always likely to be a need to fill one vacancy or another.

Identifying the most suitable candidate for any particular job at any level will be an important step in ensuring effective performance and practice, team working and good standards of care.

It considers questions that care providers as employers should ask themselves before deciding whether recruiting a replacement is necessary.

When recruiting and selecting staff, it is essential to comply with the current legislation concerning legal rights, confidentiality, equality and discrimination, and the appointment of “fit persons” set out in the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 and equivalent standards and guidance in other UK countries.

Employers' Duties

Employers have a duty to ensure that:

- their recruitment and selection policies comply with the current laws and regulations
- they have clear, robust staff selection and appointment procedures that afford maximum protection to people who use services

- their recruitment and selection policies and procedures are non-discriminatory, reflecting equality and diversity principles, policies and legislation, and professional Codes of Practice
- the methods of selection do not place a job applicant with a disability at a disadvantage compared to other applicants
- they comply with the Protection of Freedoms Act 2012 in respect of making and acting on the results of criminal records and barring lists checks
- they treat all job applicants in exactly the same way at every stage of the recruitment process, irrespective of nationality
- they comply with the laws relating to the employment of applicants from abroad, including European Community and non-European Community countries.

Employees' Duties

Employees have a duty to:

- be genuine and honest in providing information about their backgrounds throughout the recruitment and selection process
- work positively to any professional Code of Practice that applies
- agree to appropriate checks being made about health, qualifications, criminal records, the right to work in the UK and any other appropriate matters
- provide, as required, the names of suitable referees
- be prepared to provide documentary evidence of qualifications
- abide by an agreement they reach on accepting employment
- give full and frank disclosure on all relevant matters.

In Practice

CQC Fundamental Standards Compliance

The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 cover care services' recruitment and selection of staff. Registered persons, including registered managers and directors, must meet the fit person requirements described in Regulations 4–7.

All other staff, including management and supervisory staff, care workers and professional staff, carrying out “regulated activity” must meet the requirements of Regulation 19: Fit and Proper Persons Employed.

Care Quality Commission (CQC) guidance states that to meet the requirements of this regulation, providers will have to operate “robust recruitment procedures, including undertaking any relevant checks”. The process should make sure that employees are honest, trustworthy, reliable and will show respect to the people for whom they are caring.

The guidance refers to Regulation 19 and schedule 3 of the regulations for the specific information and checks required. (For further information, see [CQC Fundamental Standards \(England\)](#) in the [Care Standards](#) menu.)

CQC Ratings

From 2023 the CQC is introducing a new set of Quality Statements (QS), which it will use instead of the KLOE as its single assessment framework. Each quality statement reflects what is expected of a “good” care service. The relevant QS in relation to staff recruitment and selection is:

Safe and Effective Staffing

We make sure there are enough qualified, skilled and experienced people, who receive effective support, supervision and development. They work together effectively to provide safe care that meets people’s individual needs.

In line with the QS to be rated as “good” a care service will need to show that it has robust recruitment systems, which have resulted in the right staff being recruited to provide safe, effective and responsive care.

Wales Standards Compliance

In Wales, staff recruitment must comply with the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017 and accompanying statutory guidance. The core principles and requirements are similar to those described above for England.

Key regulations regarding staffing are:

- Regulation 34: Staffing — Overarching Requirements
- Regulation 35: Fitness of Staff
- Regulation 36: Supporting and Developing Staff
- Regulation 37: Compliance with Employer’s Code of Practice
- Regulation 38: Information for Staff
- Regulation 39: Disciplinary Procedures.

Information requirements are found in schedule 1 of these regulations.

Policies must also be in line with any local authority requirements made under the Social Services and Well-being (Wales) Act 2014.

Scotland Standards Compliance

In Scotland care providers must ensure that their procedures are in line with section 4 of the national health and social care standards, *My Support, My Life*, “4: I have confidence in the organisation providing my care and support” and the guidance produced by the Care Inspectorate and Scottish Social Services Council, *Safer Recruitment Through Better Recruitment (2016)*.

Recruitment and Selection: Overview

In a care service, the registered person will be accountable for the work of all staff, though the responsibilities for the recruitment and selection of staff will often lie with the registered manager and other management staff.

The responsible manager should, where practical and appropriate, consult and involve the people most directly affected by any change of staff, including the people who use the service and the likely colleagues of the new staff member(s).

In most care services, there are a variety of jobs for which vacancies might arise or new posts created. In domiciliary care services, the major recruitment need will be for care workers. The time and energy to be devoted to care staff recruitment will depend on turnover and business development needs.

Care homes are relatively more complex staffing wise and are likely to need more ancillary and support staff than domiciliary care (eg cleaners, catering staff and maintenance staff) and they might have a number of specialist posts such as activity co-ordinators and dementia care leads. However, the general thrust of recruitment practice will, as in domiciliary care, be to ensure a full complement of care staff suitably supported by senior carers and care managers.

Care homes with nursing will obviously need a regular supply of registered nurses, who because of general shortages, might have to be recruited from different sources, including currently from EU and non-EU countries.

The majority of care workers in any adult social care service will be recruited locally from advertising and through employment agencies. (See [Finding and Keeping Staff](#) topic.)

Recruitment and Selection: Procedures

Any care service with or without a dedicated human resources section will need to follow a clear pathway when recruiting and selecting for any position in their organisation. It should include the following stages.

1. *Pre-selection Tasks*: including preparing or revising a job specification, job description and advertising the post to reach the target audience.
2. *Application Tasks*: including fielding enquiries about the post and deciding how best interested parties might apply, eg by completing an application form or by letter and/or with an employment history (CV).

3. *Screening and Shortlisting*: weeding out clearly unsuitable applicants and, where there is competition, deciding on who are the most suitable people from whom to choose.
4. *Selecting*: by developing and using the most effective methods to find the right person for the post. Selection methods can range from simple to complex. The most effective and economic method or range of methods should be identified and used for the particular post. Face-to-face interviews are usually standard for care worker positions.
5. *Appointment*: usually depending on a number of factors that have to be considered or decided, for example, pay, terms and conditions, periods of notice and starting dates.
6. *Post-Appointment*: involving such matters as the taking up of references, criminal records and barring list checks and health checks, all required for the care service to comply with its registration requirements.

(See also [Employer Factsheet: Recruitment and Selection in Social Care](#) for a summary of key tasks.)

Points to note.

- Registered persons and managers will need to make separate applications to the Care Quality Commission to confirm their appointments within the service.
- All stages of the recruitment and selection process for any post will need to comply with equality and anti-discrimination laws. Compliance with Equality Act 2010 provisions on the employment of people with protected characteristics are also built into the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 and the standards and regulations for Wales and Scotland.
- All businesses must also have policies:
 - for addressing complaints about the recruitment procedures, particularly about possible breaches of equality laws (see [Recruitment and Selection Policy](#)) and on the employment of ex-offenders, which should take account of their suitability in relation to their offending history and employment record, and any risks to people who use the services from their employment. (See [Employment of Ex-Offenders Policy](#).)

Pre-selection: Job Specifications, Job Descriptions and Advertising

Points to note.

- When post holders leave, the opportunity might be taken to rethink and revise their jobs or at least to reconsider the individual job description.
- It is not a legal requirement to advertise a vacant post. However, the usual procedure will be to advertise jobs internally (where relevant) and externally using the most effective means of attracting suitable applicants, eg local and national media, job centres, internet, etc.

- Care staff will usually be recruited locally. One aim will be to recruit people that reflect not only the make-up of the local community but who can match the needs of the people who use the service in terms of ethnicity, gender, religion, etc.
- Adverts should state in what form an application should be made, eg letter, completed application form, submission of CV, etc.
- Advertisements should be checked to ensure they are non-discriminatory. The advertisement should indicate how inquiries and applications will be treated in line with data protection requirements.

(Refer to the “How To section” for guidance on drawing up job descriptions and adverts.)

The Application Process

Points to note.

- Application forms with or without CVs will for many posts, particularly for care staff, have the advantage over letters in that they specify the information required in a standard format.
- It is better to have different application forms for different types of jobs, eg care worker, supervisory and managerial, professional and ancillary and support staff roles.
- Alternative formats should be made available to job applicants to make it easier for suitable disabled people to apply for a particular post, eg audio tape or Braille for people with visual impairments.
- The Equality Act 2010 provides certain rules to be followed when advertising posts to ensure equal opportunities and non-discriminatory selection and appointment practices. (See also section on [Equality Act](#).)
- A data protection clause should be added to the application form so that the applicant gives his or her consent to the processing of personal data.
- All personal information supplied in the course of an application must be treated in line with the data protection act.
- To avoid potential discrimination in the selection process, it is advisable to capture any sensitive, personal information, eg about age, gender, disabilities, marital status, ethnicity and religion that might be required for legitimate monitoring purposes separately from the information needed about an applicant’s interests in and abilities to carry out the job itself (eg by having Part A and Part B).

Researching Potential Candidates Online

Points to note.

- Prospective employers might be minded to research possible candidates using search engines, or look up their social network profiles.
- However, candidates must not be judged on anything other than what they have written on their CV or application form or their performance at interview.
- Information gained online, which is not supported in the application, should not lead to a decision not to interview or be part of a later decision-making process.
- The recruitment process has to be fair and all candidates treated equally. Because the level of information found online will vary greatly between applicants, candidates might not be treated equally.

Screening and Shortlisting

Points to note.

- Screening can be used to weed out clearly unsuitable applications.
- Shortlisting can be carried out from the screened applications.
- Both screening and shortlisting should be undertaken consistently and against the objective criteria set out in the job description and person specification.
- The process will be helped by a) having the information in a standard format, which has been systematically presented and b) an assessment form that enables applications to be compared consistently, objectively and fairly.

(See [Forms](#) for templates to assess candidates for managers and care posts.)

Interviewing Procedures

A structured interview is designed to discover all the relevant information and assess the competencies of the candidate, focusing on the match between the job and the set criteria. It will also give a consistent procedure to the interviews.

Points to note.

- A selection interview is designed to:
 - establish rapport between the interviewer and the candidate
 - gain relevant information about a candidate
 - assess a candidate's skills, knowledge, motivation and experience in relation to the requirements of the job
 - assess a candidate's commitment to accept a job offer
 - enable the interviewer to make an effective, fair, objective and lawful selection decision

- create a positive impression to the candidate of the organisation
- convey important information to the candidate about the role and the organisation.
- The interviews should be structured in the following way.
 - The same core questions should be asked of all interviewees.
 - These questions will be based around the qualities required in the job description and personal profile.
 - The selection team should have a full understanding of the qualities required of the ideal candidate and the conduct of interviews.
 - Interviewees should not be asked discriminatory questions about their race, ethnic origin, sex, marital status, family plans and commitments, religion or belief, sexual orientation, age or trade union membership.
- Interviews should be designed to:
 - get the best out of candidates and focus on each candidate's skills
 - enable the person conducting the interview to see the applicant for who they really are.
- Extraneous questions should be avoided.

See the [How to Guide on Conducting a Successful Interview](#).

Making an Appointment

Points to note.

- For any competitive job interview, there should be at least two interviewers to reduce potential subjectivity. Interviewers should use an assessment form or checklist. The checklist should include the desirable qualities, experience, qualifications and competences required, and an assessment method, eg a scoring system out of 10 and scope for further assessment remarks.
- Each person should be interviewed in turn without comment between the interviewers (other than for clarifying any points).
- Once all the interviews have been completed, the interviewers should compile their overall ratings or scores using the assessment forms. In panel interviews, the "least senior interviewer" should give feedback first to avoid being influenced by higher status members. (This point should be noted if people who use services or other care staff are involved.)

- Interviews can then discuss objectively who the right person for the job is. It will not necessarily be the person with the highest total score. Such a person might have a low score in a vital element, for example, and there are higher scores in less key areas.
- The reasons for the final decision should be noted and the records of non-successful candidates kept for at least six months after the appointment. This will be useful if for any reason an unsuccessful applicant challenges a decision and/or feels they have been discriminated against.
- For the successful candidate, the relevant material will form part of their employment file. The notes should be kept in a professional manner; candidates have the right to see anything written about them under the Data Protection Act.
- These notes should also help the employer if an unsuccessful candidate asks for feedback about why they have been unsuccessful. Such feedback should show how the person might improve to help any future application.

Note:

For care posts, there might be a number of applicants who are potentially suitable, and whose applications and results, with their consent, might be kept on file for a specified period pending further vacancies arising.

Checking Employment History

Points to note.

- CQC regulations require gaps in a person's employment history to be checked and explained. (A "gap" is more than four weeks between jobs.) This can be done as part of the selection process and afterwards if there are still gaps to be accounted for.
- Details of the candidate's employment history will be found on his or her application form and possibly on a submitted CV. For some people who change jobs regularly or who are older, the prospective employer may need to ask for further information not covered by the application form.
- Noted gaps in the employment history should be discussed with the applicant, but it will be important to avoid discriminating against anyone who has had periods out of work due to illness, disability, child-rearing responsibilities or care responsibilities for other family members.
- Where necessary, confirmation of employment or periods within education might be verified (if the records still exist) by writing to the relevant organisations and including the full name of the employee, his or her dates of employment or period of education and asking the organisation for a simple statement that these facts are true.

Procedure After Selection of a Candidate

Once interviews are completed and a candidate is selected, the next stage is usually a job offer.

Points to note.

- A provisional verbal offer can be made, though it should be confirmed in writing.
- The offer will include any conditions that have to be fulfilled before it can be confirmed, eg receipt of suitable references, completing checks in the employment history, etc.
- The provisional offer should qualify what information is still awaited and what will happen if the responses are not suitable.
- Typically, the job offer is confirmed through a letter of appointment. It should have been made clear to the candidate that a job offer will be confirmed with such a letter.
- The letter of appointment should clearly stipulate, or make reference to, all the terms and conditions of employment, ie the contractual basis of the appointment.
- Letters should also be sent to unsuccessful candidates. These can be factual and do not have to give the reasons for their failure to be appointed.

(For further information on the contractual issues involved for any employment including part-time, “zero-hours” and fixed-term contracts, see [Contracts of Employment](#) topic.)

Post-Appointment: Meeting CQC “Fit Person” Requirements

To meet Care Quality Commission “fit person” and other UK countries requirements, before a person starts their employment with the care service, it will be necessary:

- to have received at least two references, including one or more from the applicant’s current or previous employer, particularly where they are or have been previously employed as a care worker and are applying for a post as a care worker and will be engaged in “regulated activity”
- to have gathered a full history of their employment in care services work and to have examined any gaps or discrepancies in the person’s employment record
- to have verified any qualifications claimed by the applicant, particularly where a qualification is specified as a condition of employment, eg as a registered nurse
- to have made identity checks (by obtaining all the information set out in schedule 3 of the regulations)
- to have completed all eligible Disclosure and Barring Service (DBS) checks, including the relevant barring list checks where the post involves “regulated activity” (see section on [DBS checks](#))

- to carry out any other checks (ie medical suitability) — see section on [Health Checks](#).

Health Checks

Points to note.

- CQC Regulation 19(1)(c) requires care providers to ensure that employees are physically and mentally able to carry out their work in line with the requirements of the role. There are similar requirements for Wales and Scotland.
- To also meet the Equality Act 2010, prospective employers must only check that a) the person is medically fit to carry out the job and b) if it will be necessary to make a “suitable adjustment” to accommodate a disability or someone with “protected characteristics”.
- Questions relating to medical fitness cannot be asked before an offer of employment is made unless there are essential reasons for asking.
- Practically, this usually entails a post offer health check carried out by the prospective employer either by the employee completing an employer’s medical questionnaire or seeking the written permission of the prospective employee to approach the person’s GP to sign off their “fitness” by completing a relevant form. Either procedure is governed by both data protection and access to medical reports legislation.
- Any medical questions that may be asked by the employer should only be those that are:
 - necessary for the employer to decide whether there is a need to make “suitable adjustment” for the selection process (ie to accommodate a disability)
 - essential or intrinsic to the job.
- In some cases, where there are serious doubts about medical fitness, it could be necessary to ask that the appointee has a medical examination by a doctor qualified in occupational health, who could also advise on any reasonable adjustments to be made as a result.
- A doctor is entitled to charge a reasonable fee, in line with BMA rates, to the employer and/or individual, for supplying a report.
- All health questionnaires, medical reports and similar sensitive information should be kept to ensure confidentiality in line with data protection requirements in the employee’s employment file.

(See [Health Checks and Medical Reports on Employment Policies](#) and [Resources](#) for examples of the documents that can be used for this purpose.)

Disclosure and Barring Service Checks (Applicable to England and Wales)

Points to note.

- It is important to establish the right kind of check for the post in question: basic, standard, enhanced without barring list checks or enhanced with barring list checks; the latter applying to all those who will be engaged in “regulated activity”, eg care workers.
- Care providers also need to know if a person they have appointed to a role involving “regulated activity” (personal care) has been placed on the relevant list barring them from taking up this kind of work. They will be breaking the law if they knowingly appoint someone, who is on the relevant barring list.
- Under the Protection of Freedoms Act 2012, people employed by a care service in non-care roles are not eligible for barring list checks, but they will still need an enhanced criminal records check for any unspent convictions as set out in the Rehabilitation of Offenders Act 1974.
- Having a criminal record does not automatically prevent individuals from working for an employer, but care providers must carry out stringent checks of a prospective employee’s possible criminal past in order to safeguard the people who use their service. They will do this by asking the person’s permission to carry out the appropriate criminal records check from the Disclosure and Barring Service (DBS).
- Care service employers must decide if they should disqualify any appointee with a criminal record from being employed. They will do this by carrying out a risk assessment, which will predict if people who use services or the service are likely to be harmed if the person is employed. The service must decide the level and nature of the risks, taking into account the facts of the criminal record disclosed.
- Employers should pay particular attention to developments in the DBS online updating service, which simplifies the checking process and ensures that checks are up to date.
- In emergencies where it is essential to start staff as quickly as possible after appointment to maintain the required level of service, care providers can still use the Adults First facility, which provides an immediate barring list check with other checks to follow. The person can start work with a clear barring list check with any continuation of employment being contingent on satisfactory criminal records checks when made.
- The above scheme is separate from the free fast-track checking service that has been used during the Covid-19 pandemic, which applies to staff needed in emergencies due to outbreaks of Covid-19. The free fast-track service will continue to at least March 2023.

(For detailed information, go to the DBS web pages on the [GOV.UK website](#). Skills for Care also provides useful information on handling criminal records disclosures. See [Publications](#).)

Checks on People Employed from Overseas

Care providers should follow updated (August 2022) government guidance on the application process for criminal records checks overseas and guidance for criminal records checks for overseas applicants. Available from the [GOV.UK website](https://www.gov.uk).

(See also [International Recruitment of Social Care Staff from January 2021](#).)

Scotland Checks

In Scotland under the Protection of Vulnerable Groups (Scotland) Act individuals with a known history of harm can be prevented from doing work with children and/or protected adults using a scheme provided by Disclosure Scotland, which has similar functions to the DBS.

Checking Qualifications

Points to note.

- The employer should check that the prospective employee has the correct educational, vocational or professional qualifications for any position applied for.
- Documentation should be checked for authenticity by, eg checking identity and ensuring that they are seeing the originals (or have copies made from the originals) or where necessary verifying directly with an awarding body.
- Checks should be made for possible alterations or forgeries and explanations sought for any discrepancies in the documents provided.

References and Testimonials

Points to note.

- To meet “fit person requirements” care providers should not rely on testimonials or references provided by the applicant or on open testimonials headed “to whom it may concern”.
- References are usually one of two sorts: (i) a “character reference” from someone who knows the person well and has the status to vouch for the person’s honesty, integrity, values and personal qualities needed for care work or (ii) one or more previous employer’s references, which will verify the facts about the person’s employment with them and will indicate their suitability for their current position.
- It is always important to enquire about a referee’s relationship with the candidate. An employer’s reference should always come from someone in a management position in relation to the applicant.
- Requests for references should seek objective, verifiable information and not subjective opinion. A *pro forma* is often appropriate.

- A copy of the job description and person specification might be included with the request, particularly if the new post differs from the previous.
- Information typically to be requested will include:
 - how long and in what capacity the referee has known the candidate
 - whether the referee is satisfied that the candidate has the ability to do the job in question
 - specific comments about his or her suitability for the post
 - how he or she meets the person specification
 - whether the referee is completely satisfied that the candidate is suitable to work with vulnerable people
 - if the referee has any doubts, specific details of his or her concerns and reasons why the candidate might be unsuitable, including information about absence or sickness and disciplinary records, particularly any matter that could put people who use services at risk of harm.
- It may be necessary to telephone the referee to get elaboration if anything is vague or unspecific.
- There will be occasions when there is not a previous equivalent employer within a reasonable timescale. This could be the case where the candidate is returning to the workplace after a long absence, or it may be the candidate's first post. For someone in this position, references could come from:
 - the most recent past employer (if available)
 - someone of "good standing" who knows the candidate and can help to explain any gaps in the person's employment history
 - an organisation with which they may have undertaken voluntary work in the meantime.
- For someone leaving education or, for example, starting as an apprentice or trainee or carrying out work experience, one reference should come from the previous teacher or tutor, or current learning provider; another might come from someone of "good standing" who knows the candidate. (The person might also have completed DBS checks through the learning provider, which can be verified through the DBS updating service.)
- The employer should check that the questions asked of the referee have been answered. If not, the referee should be contacted again and asked for any missing information. The employer should also check that the information in the reference is consistent with the information supplied by the applicant in the application form.

- It should be noted that a current or previous employer is not under any obligation to provide a reference, but once they agree they are obliged to be accurate and fair. Otherwise, they could face legal action by the person about whom they are writing for lack of duty of care or even a new employer if the latter comes to think they have been misled.

(See [Giving and Receiving References Policy](#).)

Implications of the Equality Act 2010

The Equality Act 2010 provides certain rules to ensure equal opportunities and non-discriminatory selection and appointment practices. The following points should be noted.

Disability Issues

- It is unlawful for an employer to refuse to shortlist a disabled job applicant just because the applicant is disabled or because he or she has a particular type of disability.
- Questions about the nature of the disability, where it is obvious that the candidate has one, should not be raised during the interview process. Employers may ask if a candidate needs special arrangements to be made to facilitate the recruitment process where he or she has a disability.
- Examples of reasonable adjustments during the recruitment process could include:
 - changing the interview location for an applicant who uses a wheelchair
 - ensuring there is no background noise for a candidate with a hearing impairment
 - allowing an applicant with a learning disability to be accompanied by a helper at the interview
 - providing large-print handouts for a candidate with a visual impairment.

Discrimination Issues

- On application, it is permitted to ask for date of birth provided it is asked of all candidates and not used in a discriminatory way, also to enquire about a job applicant's marital status, number and ages of dependents, nationality or ethnic origins, disability, religion or beliefs, etc.
- Such information will actually help to comply with the monitoring of equality, employment and health and safety legislation. However, this information should be provided on a separate form or tear off so that it does not actually influence the selection process.
- The application form itself should only ask questions that are relevant to the vacancy being offered. Information about "protected characteristics" particularly disabilities

and health status can be obtained at this stage but only to accommodate the recruitment process — not the job itself.

- Questions about adaptations to the job itself must be left until *after* a provisional offer has been made. In reaching a decision, the emphasis should be on the applicant's skills and abilities. However, if a disabled person would not be the best person for the job, even after reasonable adjustments *could* be made, the employer will be justified in *not* appointing that person.

(For further information on the implications of the Equality Act 2010, see the [Discrimination and Equality](#) topic and the [How to Avoid Legal Problems During Recruitment](#) topic.)

Training

Staff with responsibilities for recruitment and selection, who are not qualified human resources specialists, will need training and support to carry out the different tasks involved.

Particular attention should be paid to developing assessment and other skills required for the different procedures involved: screening and shortlisting, interviewing and decision-making.

They must be knowledgeable about safe recruitment principles, policies and practice, CQC requirements and the implications of equality, and anti-discrimination legislation.

They should be encouraged to take the relevant units within the current vocational qualifications framework.

List of Relevant Legislation

- Social Services and Well-being (Wales) Act 2014
- Protection of Freedoms Act 2012
- Equality Act 2010
- Employment Act 2008
- Health and Social Care Act 2008
- Immigration, Asylum and Nationality Act 2006
- Work and Families Act 2006
- Employment Relations Act 1999
- Data Protection Act 1998
- Employment Rights Act 1996

- Access to Medical Reports Act 1988
- Rehabilitation of Offenders Act 1974
- Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017
- Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

Further Information

Publications

- *Employment: Statutory Code of Practice* (Equality Act 2010 Code of Practice), Equality and Human Rights Commission, available [on its website](#)
- *Prevention of Illegal Working: Summary Guidance for Employers*, Border and Immigration Agency (BIA)
- *Safe and Fair Recruitment. A Guide to Employing People with Convictions in Social Care*, Skills for Care, available at www.skillsforcare.org.uk
- *Safer Recruitment through Better Recruitment* (2016), Care Inspectorate (Scotland) and SSSC, available on the Care Inspectorate website
- *The Equality Act — What's New for Employers?*, Acas, available [on its website](#)

Organisations

- **Advisory, Conciliation and Arbitration Service (Acas)**
- <http://www.acas.org.uk>
- Advisory, Conciliation and Arbitration Service (Acas) provides free and impartial information and advice to employers and employees on all aspects of workplace relations and employment law. It supports good relationships between employers and employees but when things go wrong it helps by providing conciliation to resolve workplace problems.
- **Care Quality Commission (CQC)**
- <https://www.cqc.org.uk>
- The Care Quality Commission is the regulatory body for health and social care in England. It monitors, inspects and regulates health and social care services.
- **Care Inspectorate (Scotland)**
- <http://www.careinspectorate.com>
- The regulatory body for health and social care in Scotland.
- **Care Inspectorate Wales (CIW)**
- <http://www.careinspectorate.wales>

- The inspectorate is the independent regulator of social care and childcare in Wales. It registers, inspects and takes action to improve the quality and safety of services.
 - **Department of Health and Social Care (DHSC)**
 - <http://www.gov.uk/government/organisations/department-of-health-and-social-care>
 - The central government organisation responsible for health and social care in England. It is currently running a major recruitment campaign in view of the increasing demand for social care staff.
 - **Disclosure and Barring Service (DBS)**
 - <http://www.gov.uk/government/organisations/disclosure-and-barring-service>
 - The DBS helps employers to make safer recruitment decisions and prevents unsuitable people from working with vulnerable groups, including children. It was established under the Protection of Freedoms Act 2012 and replaced the Criminal Records Bureau and Independent Safeguarding Authority.
 - **Equality and Human Rights Commission (EHRC)**
 - <http://www.equalityhumanrights.com>
 - The Equality and Human Rights Commission holds responsibility for the legislation covering discrimination under the “protected characteristics” of age, religion or belief and sexual orientation, as well as the enforcement of human rights legislation. EHRC runs the Working Forward campaign to support pregnant women and new parents in the workplace.
 - **Skills for Care**
 - <http://www.skillsforcare.org.uk>
 - Skills for Care is the workforce development organisation for England, and ensures qualifications and standards are kept up to date to meet the changing requirements of those who use care services.
 - **UK Visas and Immigration**
 - <http://www.gov.uk/government/organisations/uk-visas-and-immigration>
 - Formed from the UK Borders Agency, the service makes decisions about who has the right to enter, work and stay in the UK.
-