

Reporting to:	Trust Board - September 2016
Title	Employment of Staff with Criminal Convictions
Sponsoring Director	Victoria Maher, Workforce Director
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Previously considered by	Workforce Committee, July 2016
Executive Summary	This paper provides an overview of an assessment undertaken and the recommendations. This has been considered by the Workforce Committee who fully endorses the actions described.
1. Quality and Safety	<input checked="" type="checkbox"/> Reduce harm, deliver best clinical outcomes and improve patient experience. <input checked="" type="checkbox"/> Address the existing capacity shortfall and process issues to consistently deliver national healthcare standards <input checked="" type="checkbox"/> Develop a clinical strategy that ensures the safety and short term sustainability of our clinical services pending the outcome of the Future Fit Programme <input type="checkbox"/> To undertake a review of all current services at specialty level to inform future service and business decisions <input type="checkbox"/> Develop a sustainable long term clinical services strategy for the Trust to deliver our vision of future healthcare services through our Future Fit Programme
2. People	<input type="checkbox"/> Through our People Strategy develop, support and engage with our workforce to make our organisation a great place to work
3. Innovation	<input type="checkbox"/> Support service transformation and increased productivity through technology and continuous improvement strategies
4. Community and Partnership	<input type="checkbox"/> Develop the principle of 'agency' in our community to support a prevention agenda and improve the health and well-being of the population <input checked="" type="checkbox"/> Embed a customer focussed approach and improve relationships through our stakeholder engagement strategies
5. Financial Strength: Sustainable Future	<input type="checkbox"/> Develop a transition plan that ensures financial sustainability and addresses liquidity issues pending the outcome of the Future Fit Programme
Care Quality Commission (CQC) Domains	<input checked="" type="checkbox"/> Safe <input checked="" type="checkbox"/> Effective <input checked="" type="checkbox"/> Caring <input checked="" type="checkbox"/> Responsive <input checked="" type="checkbox"/> Well led
<input type="checkbox"/> Receive <input type="checkbox"/> Review <input checked="" type="checkbox"/> Note <input type="checkbox"/> Approve	Recommendation The Board are asked to RECEIVE and NOTE the paper.

Risk Assessment: Employment of staff with criminal convictions

Background

Following a recent decision by the General Medical Council (GMC) to erase a doctor from the GMC register the decision making process of whether to offer employment to individuals with a criminal record or not has come into focus, through a review. This matter has been fully considered by the Workforce Committee; therefore this paper provides an overview of the review undertaken and the actions agreed by the Workforce Committee.

Review

To better understand decision making a review of key paperwork has been undertaken by HR Business Partner for Employee Relations.

The review concluded that a risk assessment had been completed however there was an absence of a critical friend (for example a HR professional) in the signing off of the assessment. The involvement of HR is described within the policy however not included in the assessment paperwork.

By involving a critical friend a wider assessment would have been undertaken.

It is important to note that the Trust has an obligation to support the rehabilitation of individuals with criminal records however this must be carefully risk assessed to ensure the safety of patients, staff and the organisation. However there are a number of offensives (such sexual offences or those involving children and vulnerable adults) that would mean employment in a Health Care Service would be inappropriate.

Actions approved by Workforce Committee

- With immediate effect all risk assessments will need to be reviewed and approved by the Workforce Director, in the case of for Doctors and Nurses the Medical and Nursing Director will be included in this review.
- All Risk Assessment paperwork will be updated by 1 August 2016 to reflect this change.
- All referrals/restrictions will be discussed with the relevant Director and the Workforce Director, to ensure the full organisational impact can be understood.