

Overhauling Recruitment

Shortlisting



The Overhauling Recruitment programme is seeking to improve the way that the NHS attracts, selects, and onboards people into the service.

Attracting talent into our organisations and facilitating seamless mobility is done on a day-to-day basis by all our organisations and embedding a strategic and consistent approach to this is a fundamental tenet.

This pack is designed to support HR Directors, Deputy HR Directors, Heads of Resourcing and their teams in NHS providers and systems enhance their approach to shortlisting. The pack covers:

- A baseline for shortlisting that includes the legal framework as well as best practice considerations
- How Artificial Intelligence/Robotic Process Automation can play a part in the process,
- Considerations for removing ED&I barriers
- Options to assess candidates prior to shortlisting in order to focus on getting the best people possible.



This is one of several tools as part of the Overhauling Recruitment series. Model documents, case studies and other helpful resources can be found on [FutureNHS](#).



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There is no single Act governing recruitment and selection, but there are many statutes dealing with the employment relationship that have an impact on pre-employment issues.

The most significant example is the Equality Act 2010, which makes it unlawful for employers to discriminate against job applicants (and existing workers) because of one of the Protected Characteristics.

Application of the Act

Section 60 of the Equality Act 2010 provides that, other than in certain circumstances, employers must not ask about the health of job applicants (by completing medical questionnaires etc.) during the selection process. Employers are permitted to ask questions about health if:

- It is necessary to do so to establish whether any reasonable adjustments need to be made during the recruitment process.
- Employers need to establish whether a candidate "will be able to carry out a function which is intrinsic to the work concerned".
- Employers can still ask questions about applicants' disabilities to monitor the diversity of their workforce. Diversity monitoring forms should be kept separate from other recruitment documents and should not be made available to any decision-makers in the recruitment process.

Is it legal to require a job description for each role?

There is **no legal requirement** for employers to provide a written job description for their employees. However, it is viewed as good practice for employers to provide one, as it can help to clarify the duties and responsibilities of the role. They are also often used to assist managers in advertising, shortlisting and selecting suitable candidates for roles.

There are also alternatives to using traditional job descriptions that can benefit the shortlisting process by reaching a wider pool of people who meet the requirements of the role.

What is positive action?

Under the **Equality Act 2010**, it is entirely lawful for an employer to take positive action to assist people who share a protected characteristic and who are disadvantaged by reason of that characteristic or under-represented in the workforce. Positive action can be used to encourage specific groups to apply, or to help people with protected characteristics to perform to the best of their ability. It is not the same as Positive Discrimination or Affirmative Action which are illegal.

Positive action is entirely voluntary. There is no legal requirement for an employer to apply the provisions relating to positive action. If used, an employer must demonstrate a need to make use of positive action. To demonstrate this the employer must have at least twelve months' worth of data indicating that groups of people are under-represented in a particular area of work. The purpose of, and the need for, the initiative must be clearly communicated.

An example of positive action is that an employer can lawfully offer a guaranteed interview scheme for disabled applicants who, having met the minimum shortlisting criteria, will automatically qualify for interview.



For further information about the use of job descriptions for advertising roles please see our [Advertising Toolkit on FutureNHS](#).

The use of tests has become an important part of selection processes, and assessing candidates prior to shortlisting can help to reduce the risk of making a bad hire, which can be costly and time-consuming to correct. Testing can provide objective and standardised measures of a candidate's skills, knowledge, and abilities; this can help to identify the best fit for the position and organisation as well as having the potential to reduce bias.

Lived Experience

Not an assessment as such, however, to help with shortlisting against lived experience, consider including questions in the application process that ask candidates to describe their relevant experiences against criteria that you have agreed.

Consider providing a space for candidates to share their perspectives on how their lived experience could inform their work in the role.

Pre-screening

Pre-screening involves assessing a candidate's job-related skills and abilities through hands-on demonstrations or simulations of job tasks. This type of testing can be particularly useful in assessing candidates for positions that require specific technical skills or competencies, such as software development, graphic design, or mechanical engineering.

Pre-screening can help to provide a more accurate assessment of a candidate's performance, as it allows them to demonstrate their skills in a real-world context.

Pre-screening can also help to reduce the risk of bias in the hiring process, as it provides an objective measure of a candidate's abilities, rather than relying solely on subjective evaluations. It can also help to ensure that all candidates are evaluated using the same criteria, which can help to promote fairness and consistency in the hiring process.

Assessing candidates prior to shortlisting 2 of 2

Virtual Reality for pre-screening

Using Virtual Reality can help with the pre-screening process to provide an alternative to the traditional face-to-face approach. It's a novel and engaging way to evaluate candidates, which may ultimately lead to better hiring outcomes.

Virtual Reality can help to provide a more immersive and realistic experience for candidates, which can give a better sense of what the job and work environment are like. Also, virtual reality environments can provide a standardised and controlled testing environment, which can help to reduce the risk of bias and ensure that all candidates are evaluated using the same criteria. This can help to promote fairness and consistency in the hiring process.

Virtual Reality environments can also provide a way to simulate job tasks and assess candidates' job-related skills and abilities in a more realistic and practical way than trying to mock something up yourself. This can help to identify candidates who are the best fit for the job and who have the necessary skills and competencies to succeed in the role.

Of course, there are major considerations with this approach including, but not limited to, cost, experience in course setup and management, access to IT equipment and a willingness on the part of the participants to engage.

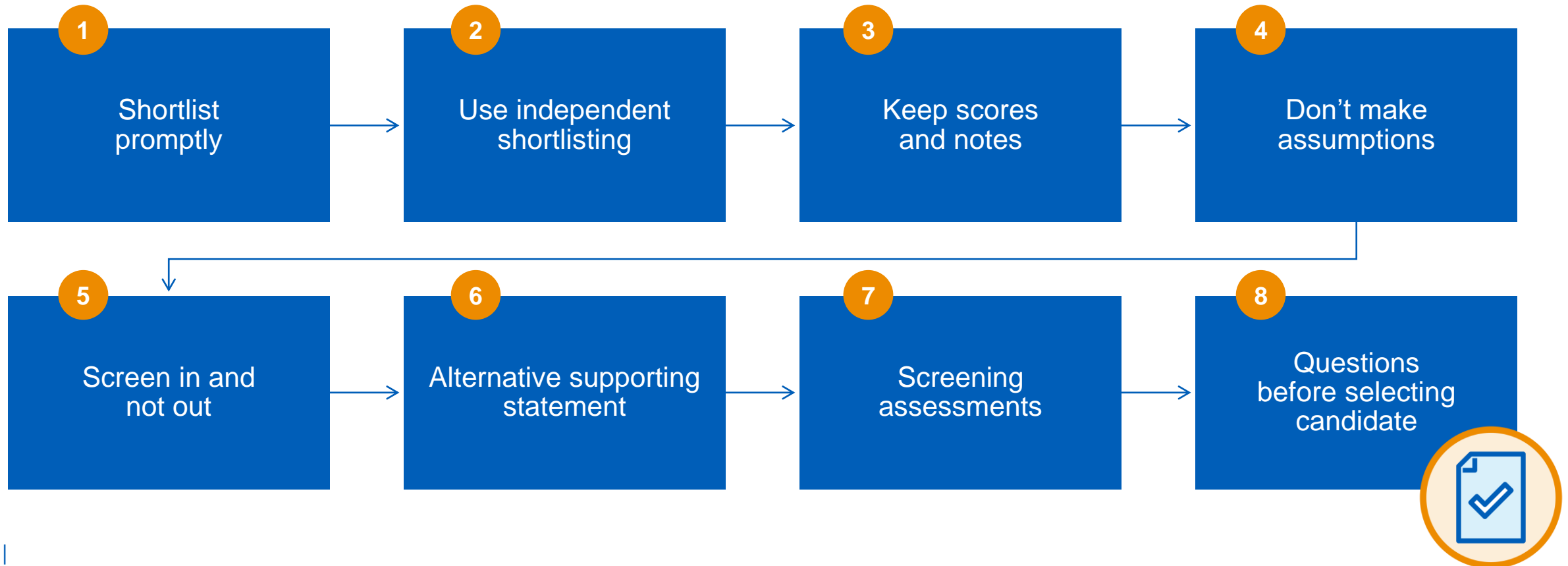


An example in practice today has been produced HEE and Torbay and South Devon NHS Foundation Trust. They have films, or experiences, that give a vivid insight into a day in the life of AHPs.

Allied Health Professionals - Virtual Reality 360 films

Best practice for objective shortlisting approaches 1 of 3

Shortlisting kicks off the selection process as recruiting managers seek to select candidates that meet the criteria laid out in the Job Description and Person Specification (JDPS). Using a standard NHS JDPS is the most formal way of doing things and, as we learnt from the legal framework, not a necessity. You will need clarity about what the job involves in order to shortlist your candidates. Therefore, a clear and concise description of the job and the sort of person you are looking for will make for more objective recruiting.



Best practice for objective shortlisting approaches 2 of 3

1 Shortlist promptly

Undertake shortlisting promptly once your advert closes. Shortlisting within the appropriate timescales will enable you to keep to the recruitment timescale and improve the candidate's experience.

2 Use independent shortlisting

Encourage Interview Panel Members to shortlist independently and then discuss and compare reasons for any differences in decision afterwards. This helps preserve the fresh and singular perspective of each reviewer, and therefore allows fairness between each applicant. It is OK to get a second opinion on your shortlist.

3 Keep scores and notes

Emphasise the importance of shortlisting against the specified criteria only and encourage Interview Panel Members to record decision-making and scores.

4 Don't make assumptions

The panel should check and challenge any assumptions between themselves including:

- The reputation of any organisations or institutions where applicants may have worked or studied previously.
- Stigma associated with any previous jobs, countries of residence, or any declared membership of cultural/religious/political groups in applicants' employment history or personal statement.
- Underlying prejudices to explain gaps in employment.
- The necessity of NHS experience which can indirectly discriminate against several different groups of people including migrant workers.
- Stigma associated with any previous or current mental or physical health condition, long term illness or disability.



5 Screen in and not out

When shortlisting candidates, the intention is to screen candidates in and not out. The focus should be on selecting the top 15% of candidates instead of eliminating the bottom 85% of candidates. The candidate shortlist should be based on candidates who scored the highest on the essential criteria on the JDPS.

Basing shortlist decisions on inclusionary criteria can also help minimise biases that arise during the screening process. For example, if the JDPS indicates a degree or equivalent experience as essential, your shortlist should include candidates with a degree **and** candidates who may not have had access to formal education but are qualified based on their aptitudes and experiences.

6 Alternative supporting statement

Consider the criteria on the JDPS that could be evidenced in a different format on the application form as this would ease the shortlisting process.

For example, for key skills such as customer service and team working, consider giving candidates questions in the advert to respond to in the supporting statement. These questions will enable the candidates to demonstrate meeting these skills in their application form with examples.

7 Screening assessments

Consider including screening assessment as part of selection process, especially for large numbers of recruits. For example, for roles like health care support workers that are recruited as part of a large recruitment drive, candidates could be invited to complete assessments to demonstrate their suitability for the role, with a guaranteed interview following successful completion of the assessment.

8 Questions the panel should ask themselves before selecting a candidate

Finally, the panel should ask the following questions:

- Why did we reach that conclusion?
- How does that fit with our selection criteria?
- What evidence in the application are we drawing on to inform our decision?
- Are we making any assumptions about this candidate that we can't back up with information from the application?



Artificial Intelligence (AI) can potentially assist in objective shortlisting by analysing applications and identifying candidates who possess the required skills and qualifications for a given position. This can help save time and increase the efficiency of the hiring process. However, it's important to note that AI should be used as a tool to aid in the decision-making process, rather than replacing human judgment completely. Additionally, it's important to ensure that the algorithm on which it is based is fair and unbiased.

Bias and AI

Artificial Intelligence for recruitment guarantees to diminish oblivious inclination by disregarding data, for example, a candidate's age, ethnic background and/or gender. Nonetheless, AI tools are designed to analyse patterns. If the data is biased and if the algorithm is not programmed to exclude some patterns, then it will incorporate the biased database altogether without any neutrality and fairness.

The most striking example was the initial implementation of Amazon's AI system. The system was used by Amazon to accelerate and automate the search for top talents. During operation, the team working on the tool understood that it was biased against women applicants.

Investigation into the issue revealed that the reason for this bias was the system was trained to learn from resumes submitted over a 10-year-long period which included a high percentage of male candidates. Thus, it was building patterns based on past biases. The result was a top-notch AI system that taught itself that male candidates were more suitable.

In short, Amazon's AI experiment outlined the importance of "algorithmic fairness". The potential is huge, but machine learning systems are not yet ready to take these kinds of decisions on their own. Now, whilst Amazon continue to use AI to support their recruitment, they still use managers to shortlist and recruit through rigorous processes.

The use of Artificial Intelligence 2 of 2

Artificial Intelligence and social media

Some AI-based tools are also trying to use algorithms to predict a candidate's personality, experience, and skills. These typically include data extracted from Facebook profiles, Tweets, and LinkedIn comments etc. However, with these tools, if a candidate applies for a tech position and has no data related to tech on their social media profiles, the system will automatically downgrade them.

With social hiring trends on the rise, this can cause a misconception of the candidate's ability and personality. In other words, the possibilities of screening candidates based on keywords or social media presence might not be relevant to the set of skills or personality they require for the job.

Tricking the system

Candidates who realise how an Application Tracking System works can easily include keywords and trick the system into identifying them as a good fit for the relevant position. At the same time, applicants who would be a good fit can be dismissed, either because they aren't aware of how keywords work, or of the keywords themselves.



Summary

It's important to be aware of these potential sources of bias and to take steps to mitigate them, such as using diverse and representative training data, regularly monitoring and testing the performance of the model on different subsets of data and involving a diverse group of stakeholders in the development and deployment of the AI system.

The use of Robotic Process Automation (RPA)

Robotic Process Automation (RPA) can assist in objective shortlisting by automating repetitive tasks such as data entry and application screening.

For example, RPA can be used to extract information, such as education, work experience, and skills, and store it in a database. The database can then be queried to identify candidates who possess the required qualifications for a given position. RPA is mainly focused on automating repetitive tasks and does not have the ability to understand the context or interpret the data.

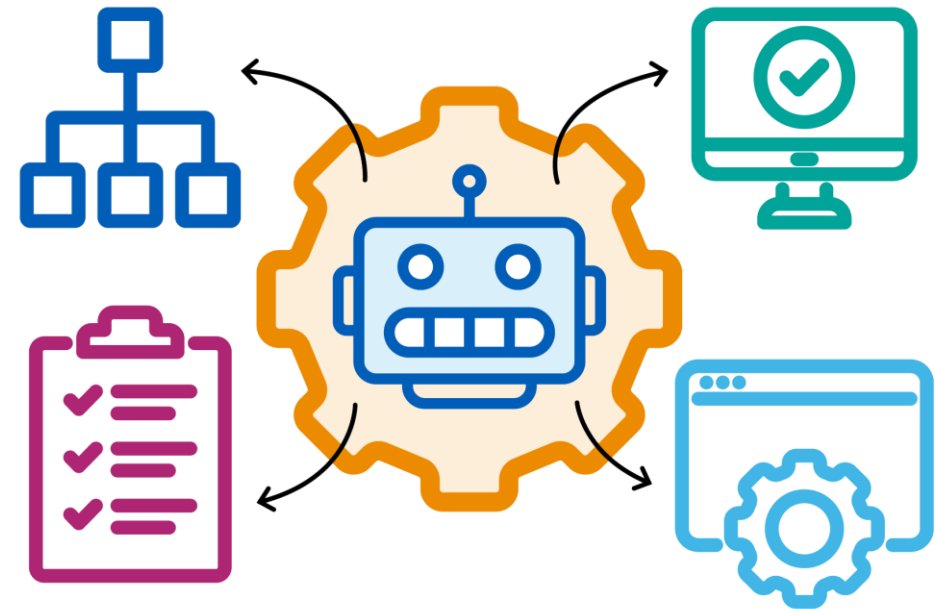
RPA can be used as a tool to aid in the decision-making process, however, it needs other tools and human judgement.

Syncing data between NHS Jobs and TRAC

This prototype process developed with North West Anglia NHS Foundation Trust shows how a digital worker can download data from NHS Jobs and create a candidate shortlist for hiring managers.



[Watch online to find out more](#)



Removing barriers for candidates from diverse backgrounds *1 of 2*

Equity in all of our recruiting processes is a fundamental aim across the NHS. We know from evidence that recruiting from diverse backgrounds creates stronger and higher performing teams that ultimately better serve the patients we look after.

Using Lived Experience

Using Lived Experience as a measure in shortlisting candidates involves assessing applicants based on their experiences, recognising that individuals may have unique insights, skills, and abilities which could be valuable in the role. To use Lived Experience as a measure in shortlisting, you could:

- Identify the key experiences or qualities that you believe are important for the role. These could include experiences with a specific population, in a particular field, or with certain types of challenges.
- Develop a set of clear, objective criteria that reflect the experiences and skills you are looking for. This can help to ensure that you are evaluating all candidates fairly and consistently.



Be careful not to make assumptions or stereotypes based on a candidate's lived experience. When reviewing candidates' applications, take a holistic approach and try to assess their skills, qualifications, and lived experiences in combination. Consider how each candidate's unique set of experiences might contribute to their success in the role.

Removing barriers for candidates from diverse backgrounds *2 of 2*

Practical steps

There are several other practical steps that can be taken to remove barriers for candidates from diverse backgrounds to ensure a fair and equitable shortlisting process:

- **Remove personal information:** personal information such as age, marital status, and address can lead to unconscious biases. Consider removing this information from resumes before the shortlisting process begins.
 - **Diversify the shortlisting team:** ensure that the team responsible for shortlisting is diverse and includes individuals from different backgrounds and perspectives.
 - **Provide up to date diversity and unconscious bias training:** provide regular training on diversity and unconscious bias to help recruiters and hiring managers recognise and overcome biases in the shortlisting process.
- **Review the job description and requirements:** ensure that the language used in the job description and requirements is inclusive and free of biases. There are a number of methods you can use to help you with this:
 - **Style guides:** on how to produce unbiased and appropriate content
 - **Debiasing toolkit:** (link to documents for If your face fits and Debiasing toolkit)
 - **Text editing tools:** allow for software to sift through language used in advertising copy or job descriptions to determine if biases or coded language are in the text.

Examples of available software are:

- **Textio:** software to decode cultural signals hidden in language to remove bias
- **Gender decoder** (free tool by Kat Matfield) helping identify coded language and offering alternatives
- **Data people:** job description writing software
- **Grammarly:** assistance with natural language processing
- **Unbiased Me:** reducing unconscious bias in search sites like LinkedIn or Twitter for reviewing potential suitable candidates.



Thank you for taking the time to view this pack.

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