

Freedom of Information Act 2000

The Royal Cornwall Hospitals NHS Trust Response to Information request

Date Request Received: 19th May 2025

FOI Ref No 28893

Requested Information:

1.
 - a) A copy of any policies that set out how the Trust ensures that employees have a legal right to work in the UK, and how these policies are enforced.
 - b) A copy of any records or audits, from within the last two years, that set out details as to how far these policies are complied with.
 - c) The job title and grade of the person (or people) responsible for overseeing and enforcing this policy? (For the avoidance of doubt, I am not seeking any personal information other than job title and grade).

2.
 - a) A copy of any policies that set out how the Trust ensures that employees contracted through third parties have a legal right to work in the UK, and how these policies are enforced.
 - b) A copy of any records or audits, from within the last two years, that set out details as to how far these policies are complied with.
 - c) The job title and grade of the person (or people) responsible for overseeing and enforcing this policy. (For the avoidance of doubt, I am not seeking any personal information other than job title and grade).

3.
 - a) Information that sets out, for each of the last three years, how many asylum seekers were hired on a temporary right to work visa by the Trust.
 - b) Information that sets out, for each of the last three years, how many asylum seekers were registered volunteers at the Trust.
 - c) A copy of any policy concerning how you ensure that asylum seekers who are registered volunteers are not replacing paid roles.

4. Information that sets out, for each of the last three years, how many checks have been conducted due to expiration of a Positive Verification Notice of a Temporary work visa.

5. Information that sets out, for each of the last three years, how many employees had an employment contract terminated due to a change in their immigration status?

6. Information regarding any schemes or partnerships that your Trust has with charities or other external organisations that support or promote the

employment of foreign nationals, asylum seekers or those who have recently successfully claimed asylum. I am seeking information on the name of the charity or organisation and any partnership agreement or document that sets out the nature of the relationship or scheme.

Response:

1.
 - a) Please find attached policies that ensure employees have legal right to work in the UK.
 - b) Attached a copy of the gap analysis report for April 2025. Please see appendix seven
 - c) Dual Chief People Officer (VSM) Chief Executive (VSM)

2.
 - a) Any third party would need to comply with the framework requirements which include the compliance with legislation for right to work. The Trust does not engage any off-framework provider.
 - b) We are not aware of any audits on this
 - c) We don't have one specific lead name on managing this.

3.
 - a) In the last three years, one asylum seeker was hired on a temporary right to work visa by the Trust. This hire occurred in financial year 2023-24.
 - b) Zero asylum seekers were registered volunteers at the Trust in the last 3 years.
 - c) We do not have volunteers in paid roles – our volunteers are not part of our rosters.

4. Our People Experience Team receive a Visa report each month from People Information which includes all employees within RCHT who have a Temporary visa. This is broken down to which employee's visas are due to expire within the next 3 months and contact those employees to either start a CoS renewal process or chasing of a share code if the employee is not on a skilled visa. All new visa details are then recorded on ESR and on Roster.

5. In the last three years we have had two employees who have had an employment contract terminated due to a change in their immigration status.

6. We support, signpost or promote the employment of foreign nationals, asylum seekers or those who have recently successfully claimed asylum in house. We don't have any partnerships with an external companies or charities

Attachment(s):

- Appendix one – FOI Ref 28893 Agency Workers Induction Guidelines
- Appendix two – FOI Ref 28893 Sponsor duties and compliance
- Appendix three – FOI Ref 28893 RightToWorkintheUKPolicy
- Appendix four – FOI Ref 28893 FitAndProperPersonsTestPolicy
- Appendix five – FOI Ref 28893 Employing Refugees Guide to documents required Dec 2014
- Appendix six – FOI Ref 28893 employers guide to acceptable right to work documents v5

Appendix seven - Gap analysis report for April 2025:

Starters Employment Check Gap Analysis				People Information Unit			
ESR at 06/05/2025				NHS Trust			
Starters in April 2025 = 91				Starters in March 2025 = 135			
Employment Check	Required	Achieved	Compliance	Employment Check	Required	Achieved	Compliance
ID Check	91	75	82%	ID Check	135	107	79%
Right to Work	91	72	79%	Right to Work	135	100	74%
Professional Registrations	38	34	89%	Professional Registrations	45	37	82%
DBS Details	77	57	74%	DBS Details	95	78	82%
Reference and History Checks	91	68	75%	Reference and History Checks	135	79	59%
Medical Checks	91	63	69%	Medical Checks	135	86	64%
Pre-employment Checks Complete	479	369	77%	Pre-employment Checks Complete	680	487	72%

Starters in February 2025 = 109				Starters in January 2025 = 113			
Employment Check	Required	Achieved	Compliance	Employment Check	Required	Achieved	Compliance
ID Check	109	96	88%	ID Check	113	103	91%
Right to Work	109	78	72%	Right to Work	113	82	73%
Professional Registrations	37	32	86%	Professional Registrations	51	40	78%
DBS Details	87	66	76%	DBS Details	91	68	75%
Reference and History Checks	109	73	67%	Reference and History Checks	113	73	65%
Medical Checks	109	78	72%	Medical Checks	113	80	71%
Pre-employment Checks Complete	560	423	76%	Pre-employment Checks Complete	994	446	75%

POD teams procedural changes to be made to address the following issues:

1. There are 2 areas in ESR where employment checks need to be recorded. Some exceptions are caused by Recruitment or Medical Staffing teams not recording in both.
2. Process to be improved to capture volunteer and honorary pre-employment checks - decision to be made in System Re-set work to decide if still to hold volunteers data in ESR
3. Re-hire process for retire and return staff to include Recruitment / Medical Staffing transferring over previous employment checks from old employee number to new employee number, where necessary.
4. Joiners starting outside of process need retrospective checks to be undertaken

Date Response sent: 20th June 2025