Doing it by the book

Jonnie James discusses the ins and outs of employment regulations

The safest way to recruit staff is to take control of the process yourself.

Most dentists dream of owning their own practice but, to quote Marvel comics, ‘with great power comes great responsibility’. As a principal you leave yourself open to prosecution under the law if you fail to ensure that employment practices are of good character, as well as being suitably qualified, skilled and experienced. In order for this to be established, you are obliged to carry out the usual pre-employment checks and obtain all the necessary evidence to substantiate any information given by the candidate, and in particular be able to provide proof that staff are registered with the appropriate body (such as the GDC), wherever necessary. Principals are also obliged to determine whether the new employee is both physically and mentally fit for the role so extra precaution should be taken if there are any doubts in this area.

It is essential for the protection of your business, your staff and your patients that every necessary precaution is taken when hiring new employees, as the CQC places the onus squarely on the shoulders of the practice principal when it comes to hiring permanent staff. With regards to temporary staff, it is still important to exercise caution, even when dealing with an agency, as problems may still arise.

Employees hired through an agency are generally referred to as outside contractors, and it is the responsibility of the recruitment agency to hire them on behalf of you, the client. It is also up to the recruitment agency to negotiate holidays, contract extensions and pay rises and you should check the wording of your contract carefully to avoid being held directly responsible for the employee due to ‘implied employment’, that is a contract that suggests that the employee may be deemed a permanent rather than temporary member of staff. One case, which illustrated this potential pitfall, was that of Muscat vs. Cable and Wireless, in which a temporary worker successfully sued his employer for wrongful dismissal when they terminated his temporary contract, because his working situation was deemed to be one of implied employment. It therefore goes without saying that any recruitment should be undertaken with care and it is worth engaging the services of a legal advisor to help you draw up contracts.

However, there are certain other ways in which to negate some of the stress of hiring. A well laid out contract is of course a must, but using a recruitment agency dedicated to the dental industry can also relieve some of the pressure of hiring, as a company with a depth of knowledge of the industry will be aware of what to look for in potential employees. Perhaps the safest way to negate any of the stress of hiring is to recruit directly yourself by using a company such as Dental Gateway, the UK’s only online networking site for dental professionals. With Dental Gateway principals can register online and post job adverts as well as browsing or searching through hundreds of CVs and contacting candidates directly. By cutting out the middleman, you can ensure every part of the hiring process goes exactly to plan.

Principal and their practice managers have an enormous responsibility to hire staff who are capable of fulfilling their job description and taking care of a surgery’s most important asset; its patients. By making sure that you understand what is required of you as an employer and ensuring that you can prove your diligence every step of the way, you can achieve compliance, meet your practice needs and employ a happy and efficient workforce.

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About the author

Jonnie James is an entrepreneur and founder of DentalGateway.com. He has performed consultancy work for companies such as Carphone Warehouse, and GlaxoSmithKline and is passionate about using the power of the internet to create a level playing field for both staff and employers. Finding a job should be about who you are, not who you know. Those with the best attitude and best qualifications should be rewarded with the best jobs. Simple as that. “With the advent of social and professional networking there’s now no excuse for it to be any other way”. For more information visit www.dentalgateway.co.uk or call us on 0845 094 4051.