

Record levels of vacancies in the NHS will continue to have an impact on private healthcare organisations, as both battle to recruit and retain staff, explains **Stuart Craig**, partner at Mills & Reeve



Recruitment and retention in the **private health sector**

For private healthcare providers, one advantage of operating in the same sector as the country's largest employer is that many of the recruitment and retention initiatives started in the NHS can be transposed relatively easily into a private setting.

Take for example the change to NHS terms and conditions which in effect made the right to request flexible working a day one right from September 2021. From that point NHS employees no longer had to wait six months in order to exercise the corresponding statutory right, opening up the possibility of asking for flexibilities at the point of recruitment. Although legislation is on its way to remove this qualifying period, there is nothing to prevent private healthcare providers mirroring the NHS approach in the meantime.

Looking at workplace culture more generally, much work has been done to promote diversity and inclusion, with particular emphasis on taking steps to reduce inequalities in staff recruitment and career progression.

The Kline report, published in September 2021, can be used as a practical manual, informed by the latest research, to help employers outside the NHS take effective steps to promote diversity.

Sadly, our experience with the NHS can also be used as an example of what not to do. A comprehensive workforce plan has been long promised, but its delivery repeatedly delayed. Indeed, the March 2023 Budget included a promise to publish it 'shortly'. There appears

to be no dispute that without such a plan being put in place, there is little chance of fixing the recruitment crisis in the NHS, which in turn makes other workplace improvements (like better access to flexible working) very difficult to achieve.

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Given the current labour market, rigorous workforce planning is likely to be an equally important component of a successful recruitment and retention strategy in the private sector.

Reacting to government initiatives

There are some steps to alleviate the recruitment crisis that only the government can take. The most obvious element is pay, particularly in more junior roles. At the time of writing, it looks like more money has been found (or at least re-allocated) to fund a pay settlement for NHS staff who are not doctors, though the junior doctors' strike continues. Private sector providers will be watching these developments closely and will be aware of the need to maintain existing salary differentials to continue to attract staff. It is, however, worth continuing to bear in mind the legal and reputational constraints on the way financial incentives can be used to attract staff currently working for other employers, particularly in a very competitive job market.

Help with the cost of childcare is another area where the government has committed additional funding, in the hope of boosting the employment rates of parents with young children, both in the NHS and elsewhere. However, these measures are being phased in, with no new money being available until next year. In the meantime, any support that employers can give is likely to help recruit and retain staff from this cohort.

Another important measure – at least in the short term – is making the immigration system as flexible as possible so that employers can continue to attract health professionals from overseas. There is evidence that the steps the



government has taken since Brexit are bearing fruit, with visas granted for health workers over the past year amounting to by far the largest category of work visas granted in 2022. Like all healthcare employers operating in the UK, private sector providers should of course ensure they comply with the Department of Health and Care’s Code of Practice when it comes to recruiting staff from overseas.

However, there are important steps that the government is yet to take – for example significantly expanding the number of training places and improving funding for students – which must form part of the longer-term solution to the crisis.

Private sector employers will wish to do what they can to keep the pressure up on the government and support their own training initiatives where they are able to do so.

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Exploring ‘quick wins’

It is instructive to look at the evidence given to the House of Commons Health and Social Care Committee last

year, during its inquiry into recruitment and retention in the sector. This is their summary of ‘quick wins’ that would improve retention in the NHS, which could readily be translated into the private sector:

We received written evidence about ‘quick wins’ which could immediately improve retention within NHS hospitals. This included practical suggestions about the physical safety and comfort of staff, including the provision of hot food and drinks 24/7, free parking for hospital staff, and facilities for staff to rest, change, shower, store their belongings, and take breaks with colleagues.

As with the NHS, the availability of benefits of this nature is likely to vary significantly in the private sector, but there are likely to be few cases where small improvements of this nature could not be made which would have incremental benefits to staff retention.