

NON EXEMPT

EAST HAMPSHIRE DISTRICT COUNCIL & HAVANT BOROUGH COUNCIL

Meetingbody: Joint HR Committee

21 March 2017

SUBJECT: Recruitment Procedure

Reportof: Michelle Wakefield, HR Business Partner

Report No

FORDECISION Yes

Portfolio: Governance & Logistics: Councillor Wilson & Councillor Millard

Key Decision: Not Applicable

1.0 Purpose of Report

- 1.1 This report provides Joint HR Committee (JHR) with an overview of the proposed recruitment procedure which has been drafted for use across East Hampshire District Council (EHDC) and Havant Borough Council (HBC).
- 1.2 This procedure will ensure that there is an agreed and consistent approach to recruitment throughout both Councils.

2.0 Recommendation

- 2.1 For JHR to approve the attached procedure for use across both Councils.

JHR Committee Terms of Reference require new procedure aims in respect of staffing matters to be approved. As such, this procedure is being tabled at this JHR Committee meeting for approval.

3.0 Introduction

- 3.1 It is important for the Councils to have a documented approach to recruitment and selection processes to ensure consistency, fairness and compliance with legislation. The absence of a robust procedure in each Council may expose the Councils to risk leading to financial penalties.

4.0 Subject of the report

- 4.1 The proposed recruitment procedure is intended to apply to the recruitment and selection of all workers and employees engaged to provide services for the relevant Council. The procedure will be made available to all potential employees and workers and applies to both internal and external recruitment.

4.2 This procedure sets out the standard recruitment and selection process for the Councils. There may be occasions where positions require a flexible approach and the recruitment process will be agreed accordingly, for example the recruitment and selection of senior leadership positions. The principles of equality and fairness will apply on all occasions.

5.0 Implications

5.1 Resource

HR Team resource will be needed to implement the procedure effectively in conjunction with line managers.

5.2 Financial

There are no financial cost implications to the Councils in the implementation of this procedure.

5.3 Legal

There are no legal implications associated with this item.

5.4 Strategy

The procedure is intended to ensure that the Councils are able to recruit the most appropriate candidate for the role, thereby contributing to the efficient operating of the Councils.

5.5 Customer access

None to report.

5.6 Risks

Risk of non compliance with employment legislation and reputational impact in the absence of a clear recruitment procedure.

5.7 Communications/Public Relations

The procedure will need to be communicated to all staff and managers.

5.8 East Hampshire/Havant

This procedure will be suitable for use across both Councils.

6.0 Links to other projects

The development and implementation of a clear procedure supports the transfer of HR services to Capita HR Solutions.

7.0 Conclusions

7.1 The implementation of this policy is necessary in order for the Councils to have up to date staffing procedures which are fit for purpose.

8.0 Recommendations

8.1 For JHR to approve the attached draft procedure.

Agreed and signed off by:
Head of Legal Services: 9/3/17
Head of OD: 3/3/17
Head of Finance:

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Appendix – Recruitment Procedure (Draft)

RECRUITMENT PROCEDURE DRAFT

1. PURPOSE

- 1.1 This procedure applies to the recruitment and selection of all workers and employees engaged to provide services for the Council, irrespective of whether such a contract is for a temporary or fixed term duration or made on a permanent basis. The procedure will be made available to all potential employees and workers and applies to both internal and external recruitment.
- 1.2 This procedure sets out the standard recruitment and selection process for the Council. However, we do recognise there may occasions where positions require a flexible approach and the recruitment process will be agreed accordingly. The principles of equality and fairness will apply on all occasions.

1. 2. SCOPE

- 2.1 This procedure applies to all employees and applicants referred to in a, b, c and d in the definitions below regardless of gender, gender reassignment, pregnancy, maternity and paternity, race, religion or belief, disability, sexual orientation, age, trade union or public interest disclosure status.

3 DEFINITIONS

- a. **Permanent Contract:** is an open ended or indefinite contract of employment. There is no date set for the end of employment.
- b. **Fixed Term Contract:** is a contract of employment that ends on a specified date or on the occurrence of a particular event such as the completion of a specific project or the ending of a period of maternity leave cover.
- c. **Part Time Employees:** are employees who have a contract of employment for less than 37 hours per week. Part time employees have the same rights as staff employed on a permanent contract. They are protected by the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000.
- d. **Temporary Contract:** is a contract of employment for an estimated length of time but which does not have a set end date at the outset.
- e. **Casual Workers:** are classed as ‘workers’ and not employees. Under this type of ‘agreement’ there is no obligation on the Council to provide work or for the casual worker to accept work. Annual leave will accrue for any time actually worked.
- f. **Agency Staff:** are not “workers” or “employees” and hired to meet demand via an external agency. The employment contract is with a third party agency and not with the Council although staff may be recruited via a third party agency and become directly employed by the Council.

- g. Contractors:** are individuals who provide services to the Council and who must meet the Inland Revenue definition of 'self employed' to be utilised by the Council as a contractor. If these conditions are not met such individuals must be employed directly by the Council or engaged by a third party agency for the supply of their services.

This procedure and guidance does not relate to items **e**, **f** and **g** above. See Section 6.

4 PRINCIPLES

- 4.1 There are a number of key principles that underpin this procedure to ensure that employees are treated consistently, effectively and fairly.
- Job applicants will be screened against the requirements as laid out in the job description and person specification.
 - The Councils use a job evaluation system to determine the relative size of a role. HR advice should be sought on the requirement for a role to be evaluated prior to recruitment. Internal or external benchmarking may be appropriate in some circumstances.
 - Recruiting Managers and panellists must declare any prior or personal knowledge they have of candidates to determine whether an alternative interview panel is appropriate. For example, a family member, friend, colleague from a previous employment.
 - No decisions regarding recruitment or selection will be made by a person who has not read and understood this procedure and the related policies. HR advice can be sought by the recruiting manager on the appointment of an applicant if required.
 - Any qualifications or requirements applied to a job that have or may have the effect of prohibiting or discouraging applications from certain groups of the population should only be considered if they can be objectively justified as a requirement of the role.
 - Equality related information will be collected from application forms. This information is not available to recruiting managers. This data, held in an anonymous format, will be used solely for the purposes of informing the Council's Comprehensive Equality Policy in relation to employment by the Customer Inclusion Advisor.
 - Elected Councillors are only permitted to be involved in the appointment of senior Officers i.e. Head of Service or above. Members of the Council's Cabinet will have the opportunity to raise objections to decisions about appointments of senior officers and the Head of Paid Service will make the final decision. Appointments of all staff below the level of Head of Service is the responsibility of the Head of Paid Service or an Officer nominated by him or her and may not be made by Councillors. These rules are covered in the relevant Local Authorities (Standing Orders) Regulations and Officer Employment Procedure Rules in the constitution. Please seek guidance from a member of the Democratic Services Team.

- All managers (known as recruiting managers) and the HR Team taking part in the recruitment and selection process must read the Recruiting Manager's workflow and process notes and complete the Equality and Diversity e-learning course.
- Written and electronic records of interviews, reasons for decisions (and evidence) made at each stage of the process, and reasons for appointment or non appointment will be kept by HR in compliance with the Data Protection Act 1998. These records will be kept for a period of six months and will then be disposed of confidentially.
- All candidates must be asked at the first interview stage to provide documentary evidence of their right to live and work in the UK, to ensure compliance with the Immigration, Asylum and Nationality Act 2006. Original documentation must be seen by the recruiting manager and a photocopy of the document must be taken, dated and signed by the recruiting manager. A range of documents are permitted as evidence of the right to work in the UK. The HR Team can provide advice on admissible documentation.
- Those appointed to posts identified by the Council which involve close working with children, young people and/or vulnerable adults will require a Disclosure and Barring (DBS) check conducted in accordance with DBS Code of Practice and the Council's DBS Policy. Job advertisements for such posts will state a DBS check as a requirement of the role.
- All successful applicants are required to complete a declaration in accordance with the Rehabilitation of Offenders Act 1974. Any declarations of unspent convictions will be assessed in relation to the job role and will not automatically bar a successful candidate from employment with the Council.
- Reasonable adjustments will be made to try and reduce any disadvantage faced in the selection process by job applicants declaring a disability.
- Appointments to the position of Chief Executive are made by a panel comprising of the Leader of each Council and an appropriate third party. The final decision to appoint is made by Full Council via recommendation from the panel.
- Appointments to positions of Executive Director, are made by a panel comprising of a political member, the Chief Executive or their nominated deputy and an appropriate third party. The final decision to appoint is made by the Chief Executive via recommendation from the panel.
- Appointments to positions of Head of Service are made by a panel comprising of the Chief Executive or their nominated deputy, Executive Director and an appropriate third party. The final decision to appoint is made by the Chief Executive via recommendation from the panel.

4.2 Managers will consider all applicants and make the recruitment or selection decision on the basis of merit in line with the Council's equality aims

- 4.3 The Council may recognise a scheme that supports the recruitment of certain groups, for example, the disability confidence scheme or a covenant to support the recruitment of ex-Service Personnel. Under these types of scheme any candidate who meets the essential requirements for the post which they have applied for is guaranteed an interview. For further information on schemes in operation by the Council, please seek advice from HR.
- 4.4 Staff "at risk" of redundancy automatically have a right to prior consideration for any permanent or temporary vacancy for which they apply as long as they meet the essential criteria. Such applications will be decided on before any wider advertising (see Managing Change Procedures)
- 4.5 Where a vacancy for the same job arises within 6 months of a recent recruitment process, the manager can review recent applicants and shortlist from this pool, without undertaking another recruitment exercise
- 4.6 In agreement with UNISON, employees appointed originally to a fixed term role may be transferred onto a permanent contract without a further recruitment process, where the role is unlikely to attract any additional candidates and the role has not substantially changed following the initial recruitment process. Employees who have been placed 'at risk' of redundancy must be given prior consideration for vacancies in line with the Council's Managing Change Procedures.

2. 5. PROCEDURE

Recruiting manager/team leader responsibilities: (referred to as 'manager')

5.1 Pre-recruitment Considerations

- 5.1.1 Using observation, questionnaires, interviews or work diaries, managers must invest time in gathering information about the nature of the job. This means thinking not only about the content (such as the tasks) making up the job, but also the job's purpose, the outputs required by the job holder and how it fits into the Council's structure. It is also important to consider the skills and personal attributes needed to perform the role effectively. This analysis must be used to form the basis of a job description and person specification.

5.2 Authority to recruit and planning the process

Recruiting managers must:

- Ensure they have the required approval to create a new post or fill an existing post, and provide this to the HR team using the appropriate form.
- Organise the selection panel (at least two people) as soon as the decision to recruit is given.
- Set a realistic timetable for the process at the outset and diarise accordingly.
- Plan realistic deadlines for key actions with recruitment.
- Plan the process taking account of these 'typical' time-scales:
 - Advertisement to closing date: ten working days (longer for most senior jobs)

- Closing date to panel agreeing shortlist: three days to allow each panel member to read applications and the panel to reach agreement.
- Shortlist given to HR Team where possible at least ten working days before interview date.

5.3 Job description

5.3.1 The manager is to ensure that all jobs being recruited to have an **up to date** job description.

5.3.2 All new roles and those changed substantially over time in order to be current for the organisation must be job evaluated before they are advertised. Managers must allow plenty of time for this and seek HR advice at this point.

5.4 Person specification

5.4.1 Managers must complete an **up to date** person specification that states the essential (and sometimes desirable) criteria for selection. Two important factors in preparing a useful and practical person specification are that the criteria should be both **measurable** and **specific**. Requirements which are not measurable should not be included. All criteria listed within the person specification must be fair and reasonable. Likewise the more specific criteria are, the easier it will be to assess a candidate's application against, and the more clearly understood by panel members and candidates alike. In general, specifications should include details of:

- education/training
- skills/abilities
- knowledge
- experience
- other e.g. special conditions (unsocial hours, DBS clearance, etc)

Please note:

- Person specifications must not discriminate, either directly or indirectly.
- The person specification must not be amended once the recruitment process has begun.
- All criteria deemed essential are the minimum standards required.

5.5 Advertisements

5.5.1 There are many options available for generating interest internally and externally. These include placing advertisements on the recruitment portal, in trade press, newspapers and on the internet. Managers should produce advertisements that are in house style, clear and indicate:

- the outline requirements of the job
- a summary of the essential criteria (to limit the number of inappropriate applications received)
- job location
- reward package
- a contact name with whom prospective candidates can discuss the role
- contract type and duration if fixed term or temporary

- shortlisting date
- interview date

The HR team can advise further.

5.6 Initiate recruitment

5.6.1 Once all of the above has been undertaken, managers must provide the HR Team with the following information

- completed recruitment form
- job description
- person specification
- advertisement
- recruitment process timetable
- details of selection assessments to be undertaken by candidates

The HR Team will use this information to initiate and administer the process in accordance with these procedures.

5.7 Selecting candidates

5.7.1 After the set closing date for receipt of applications, the HR Team will forward all applications to the manager for short-listing.

The manager must ensure that:

- Short-listing only takes place against a person specification and must be recorded using the shortlisting proforma. (Appendix 1)
- Short-listing should be carried out by at least two members of the interview panel to allow sufficient support for the recruiting manager. This should be agreed, recorded on one form and signed by the manager.
- Information on file must be sufficient to enable feedback to be given to unsuccessful applicants if requested. Candidates unsuccessful at shortlisting stage will be offered the opportunity for feedback on their application.
- It is the Recruiting Manager's responsibility to provide constructive feedback'.

The method of scoring to be used is below:

- 0 = not met
- 1 = part meets
- 2 = meets
- 3 = exceeds.

5.7.2 The short-listing form is to be populated by extracting the essential and desirable criteria from the person specification. The candidate numbers should be recorded across the top. The panel should systematically read all the application forms and score them according to how they meet the requirements of the job as identified in the person specification. Scores should be given according to the evidence provided within the application form, not evidence which is inferred or estimated from the application form.

5.7.3 Any candidate who fails to meet any of the essential criteria should not be short-listed. Look at the essential criteria (against which applicants can

properly be assessed using just the application form) first to determine the shortlist. However, if an excessive number of applicants have all the essential criteria, then the desirable criteria may be used to further refine the shortlist.

- 5.7.4 Applicants are requested when invited to interview to advise us if they have a disability, however there may be occasion when they do not inform us. Once the applicant arrives and a disability is made known to the panel members, they are expected to make whatever reasonable adjustments are possible at the time.
- 5.7.5 Once the decision has been made, to interview a candidate the manager is to pass the short list to the HR Team with an interview schedule. The HR Team will arrange appointments for interview (via the portal).
- 5.7.6 Managers are to arrange suitable interview facilities and details for meeting/greeting candidates including photocopying and verification of necessary qualification certificates and evidence of the candidate's right to live and work in the UK.
- 5.7.7 Selection tests and other forms of assessment can be used where you wish to check out further information about candidates. This is to be notified at the time of inviting for interview. All interviewing must be conducted according to the procedure and procedures for interviewing. HR can provide guidance to support managers with suitable interview questions and techniques.
- 5.7.8 After the interviews have finished, the panel is to decide on the 'preferred' candidate, taking into consideration any tests/assessment.
- 5.7.9 The manager is to arrange for the unsuccessful candidates to be informed (via the HR Team) and offer feedback on both the interview and any selection tests. A record of the reasons why candidates are unsuccessful must be placed with the application form and handed to the HR team for confidential storage. A candidate has three months to lodge a complaint at an Employment Tribunal for discrimination, and has the right to see notes made about them (Data Protection Act). Managers are responsible for informing internal candidates with feedback either successful or unsuccessful.

Points to note:

- Direct or indirect discrimination in recruitment and selection is unlawful
- The Council has a duty to consider all 'reasonable adjustments' both in the recruiting arrangements and to the job itself, for disabled candidates
- Staff "at risk" of redundancy within the Council and who meets the essential criteria for a role will be given prior consideration before a decision is made to commence any wider advertising (see Managing Change Appointments Procedure).

5.8 Making the appointment and pre-employment checks

- 5.8.1 The manager should notify the 'preferred' candidate verbally that they are the 'preferred' choice subject to clearance of all pre-employment checks (satisfactory references, health assessment, eligibility to live and work in the

United Kingdom and any necessary qualification certificates have been checked (if not already) and, where appropriate, satisfactory disclosure through the Disclosure and Barring Service.

5.8.2 Once all pre-employment checks have been received to the satisfaction of the manager, a formal offer of employment together with a Statement of Particulars of Employment is sent in writing to the successful candidate. Ideally a start date of employment will have been agreed between the Manager and the successful candidate, but this will not prevent a written offer of employment and contract of employment being provided to the successful candidate.

5.8.3 The HR Team's responsibilities:

- To liaise and communicate with managers.
- To administer the recruitment portal.
- To place an external advertisement in the next available edition of the chosen publication(s) following receipt of a (draft) advertisement (subject to the publication's lead-in deadlines)
- To pass all job applications to the manager within one working day of the closing date.
- To give short-listed candidates where possible at least five working days' notice of interview.
- To produce a full Contract of Employment (including Statement of Particulars) within five working days of satisfactory completion of all pre-employment clearances and the HR Team receiving full appointment details.
- To notify external unsuccessful candidates via the portal. All candidates are offered verbal or written feedback.

3. 6. Engagement of agency, contractor or casual workers

6.1 Agency Workers (temporary assignment)

6.1.1 Prior to approaching an agency, recruiting managers should liaise with the HR team to decide if it is appropriate to recruit an agency worker to the vacant post. If this is agreed, authority to engage an agency worker must be granted by the appropriate Head of Service.

6.1.2 There is an agreement in place with Portsmouth City Council Internal Agency for the supply of agency staff. This has been agreed by the Procurement Team and should be used for the supply of all agency staff. Full details are available on Skoop. If for any reason this service cannot be used, agreement should be sought from the Procurement Team before contacting any other agency to ensure the Council's procurement and contract rules are followed. If the value of engaging someone in this way is deemed to be of medium or high value under the contract procedure rules there will be a tendering process to be followed.

- 6.1.3 Terms and conditions of business of the agency must be requested, reviewed and approved by the Procurement Team.
- 6.1.4 The agency must take all reasonable steps to confirm the worker's eligibility to live and work in the UK, and make reasonable enquiries to confirm experience and qualifications. If the worker is required to work closely with children, young people and/or vulnerable adults a current Disclosure and Baring (DBS) check will be conducted in accordance with DBS Code of Practice.
- 6.1.5 An appropriate contract to cover the engagement of the selected worker, will be agreed with both parties and will be held appropriately by the recruiting manager.
- 6.1.6 If there are aspects of poor performance or misconduct, disciplinary or grievance issues relating to temporary agency staff then these should be fully reported to the agency and HR to be dealt with by the agency under the agency's policies.
- 6.1.7 Requests for annual leave and sickness reporting will be dealt with by the agency.
- 6.1.8 Recruiting managers must liaise with HR upon the appointment of a temporary agency worker to inform them of the start date. The onus is on the manager to monitor the period of time that the agency worker is used and report to HR when a 12 week period has been reached. This is to ensure the Council conforms with the Agency Worker Regulations.

6.2 Consultants

- 6.2.1 Before approaching a consultant the recruiting manager must seek advice from the Procurement and Legal Service Teams to ensure the Council's procurement, contract and HMRC rules are followed. A contract for services will be drawn up by the Legal Services Team in consultation with the manager and a copy of the agreed and signed contract will be held by Legal Services as appropriate.

6.3 Casual Workers

- 6.3.1 There is a separate process for the agreement of casual workers. Please seek advice from HR regarding this.

7. Related Policy, Procedure and Guidance.

Recruiting Manager Workflow and Process Notes
Managing Change Appointments Procedure
Agency Worker Regulations Procedure

Appendix 1 EXAMPLE ONLY

SHORT- LISTING FORM - COMPLETED EXAMPLE Recruitment Panel Names: A.NOther

Scoring Key:

0 = not met 1 = part meets
 2 = meets 3 = exceeds

VACANT JOB TITLE: Administration Officer **POST NO:** 123456999

4.	Criteria	Essential (E) Desirable (D)	Candidate No:														
			1	2	3	4											
No:																	
1	GCSE – English and Maths or equivalent	E	0	2	2	0											
6	Administration systems in a large organisation	E	2	2	2	2											
7	Knowledge and understanding of issues relating to production of web pages	D	0	2	1	2											
8	Some knowledge of HR procedures	D	2	2	0	2											
9	Background in administration	E	2	2	2	2											
10	Experience in purchasing and financial management systems and processes	D	1	2	0	3											
11	Experience in audio typing	D	0	2	0	3											
SHORT- LISTED Yes/No			N	Y	Y	N											

This form was completed by: Mr A N OTHER

SIGNATURE OF CHAIR: _____

DATE: _____

Please ensure there are detailed notes on the application forms of reasons why candidates were not short-listed.