

Scrutiny

8 December 2014

Briefing on Recruitment and Use of Consultants

1.0 Introduction - Recruitment

1.1 Recruitment is a highly legalistic process which could be costly to an employer who gets' it wrong. Mid Devon District council have invested in policies and procedures to ensure that every care is taken during this process. A number of appendices to this briefing outline the process and the issues that can occur. Ultimately it is for each Head of Service or their representative on the interview panel to agree a job description/person specification for the role and to test the suitability of the successful applicant via the interview process. The recruiting area has the knowledge and understanding of what is required for the role and they are best placed to test the candidates they have chosen to interview. Recruits who are not suitable and are new to the organisation are subject to a probationary period of six months and this time should be used to give them support to get the skills and knowledge necessary to fulfil the role see Appendix 7. If this does not prove to be successful then the manager working with the HR Business Partner for the area may need to consider dismissal.

Issues can occur when a longstanding member of staff is recruited to a role which they then prove to be unsuitable for. Once again the manager working with HR will need to give the individual the opportunity to improve and provide necessary support – if there is no improvement or it is not to an acceptable level it may require use of the capability process and may lead to dismissal or possibly re-deployment.

1.2 The most important aspects to recruitment are:-

- Manager/interviewer is trained in the process
- HR keep the information relating to recruitment up to date with any legislative changes
- The process is clear and transparent – Appendix 1 and 2
- There is a designated route for introducing new roles to the Council

- All vacancies are put through a process to ascertain if they are to be filled on a full time, part time or on a shared basis.

1.3 The Council periodically run in house training courses on recruitment and any recruiting officer must attend one of these courses to be able to sit on a recruitment panel. It would be preferable if an HR Business Partner could sit on each interview session but this is not always the case due to pressure of work and conflicting priorities see Appendix 3 and 4.

The HR section keeps up to date with any changes to legislation by attending external employment law updates and also by use of an online provider.

Vacancies are generally advertised internally and externally, on occasion a vacancy is not advertised because we have an individual “at risk of redundancy” and that person is slotted into an appropriate vacancy.

For a new role to be introduced it must go through the following process:-

- Business case including costings is produced which goes to Management Team to consider
- New role must be put through the job evaluation scheme to ascertain the banding level
- New role advertised

If someone resigns their post is not automatically filled, the manager has to complete a VAF Appendix 5 (Vacancy Approval Form) which outlines all the particulars of the role. This form then goes to the line manager of the recruiting area who will challenge as to why the replacement is needed, can the role be filled in another way, the role was a full time post does it still need to be. The form then has to be signed off by the recruiting officer, the service lead, the budget needs to be checked by the accountancy team, HR check the contractual information and finally it will need to be signed off by a member of Management Team. This provides a robust audit trail.

1.4 HR no longer request references for individuals we recruit due to the reticence of employers to give anything but basic information Appendix 6. However we do contact previous employers to verify three years history as we have to be able to clarify where a person has been for the past three years. So in essence we need to know they are who they say they are and they have been doing what they say they have been doing.

1.5 In the years 2013/2014 we have had 46 leavers and 42 FTE start with the Council.

2.0 Use of Consultants

- 2.1 Consultants are used by the Council in various situations when knowledge and expertise is not available because of staff shortages or to fill a specific short term need when recruiting is not the best use of Council money.
- 2.2 There is a difficulty with understanding who is actually working in a consultative role for the Council because the legal definition is unhelpfully vague. In order to assist members of Scrutiny I have not given information relating to agency staff – these are recording in the annual accounts and are a transparent feature of the Council’s approach to ad hoc assistance. There are also some individuals who are “on loan” or seconded from other authorities in order to help with a pressing gap in skills and knowledge for example in Forward Planning currently we have someone seconded from Teignbridge Council working in that area due to a recent resignation and a member of staff going on maternity leave.
- 2.3 Looking back over the last twelve months we have used consultants and the definition I have used is “bought in expertise” in the following areas:-
- Customer First/ICT to assist with the Digital Transformation Project have used the services of GOSS to run workshops and provide information on bringing in digital transformation.
 - We will be using consultants to help us complete an audit for the Food Standards Agency in Environmental Health this month due to capacity.
 - Housing have used the services of an external Health and Safety advisor in respect of the HSE Asbestos investigation.
 - Planning – information to be advised verbally, not available at time of production of the briefing paper.
 - Legal have taken legal opinion on complex matters requiring expertise in specific areas such as planning issues.

Contact for more Information: Jill May, Head of HR and Development, tel 01884 234381

Circulation of the briefing : Cllr Brenda Hull

Short listing

Where a job has been advertised resulting in the receipt of a number of job applications, there will normally be a need to carry out a short listing exercise.

If the number of applicants is very small, and all appear to be suitable for the post, it may be worth interviewing all of them, but otherwise selections will have to be made to reduce the number of applications to a manageable number.

The shortlist will represent those candidates whom the company wishes to interview. The decision on how many people to shortlist for interview depends on how many people have applied for the job, the quality of the applications, the type of job and the resources (including time) available.

- Short listing should be carried out objectively and consistently, by comparing each application with the employee person specification. (Ensuring short listing is carried out objectively and without discrimination)
- An exception in the Employment Equality (Age) Regulations 2006 means that candidates who have reached the employer's normal retirement age, or 65 where it does not have one, or who are within six months of this age, will not be able to claim age discrimination if excluded from the shortlist on the grounds of age.
- If a job applicant has a disability such as dyslexia or learning difficulties, judging him or her on the basis of a poorly presented application form or CV could be discriminatory and unlawful. (See Avoiding assumptions).
- If a particular job applicant has stated on the application form that he or she has a disability, it is important not to draw hasty or negative conclusions about the person's suitability for the job. (See Short listing in relation to disabled applicants)
- Where someone has had an illness in the past which at the time would have amounted to a disability under the Disability Discrimination Act 1995, then it will be discriminatory to reject the person for employment on account of the past illness. (See Short listing in relation to disabled applicants)

Ensuring short listing is carried out objectively and without discrimination

Those responsible for short listing should carry out the process objectively and consistently, comparing each application with the

employee person specification to establish whether, on paper, the person has the type of background that is necessary or desirable for the job.

This approach minimises the risk of bias on grounds of gender, race or any other irrelevant factor. Short listing decisions should be based on the relevant facts as presented on the application form. Personal information such as the applicant's name, sex, age, marital or civil partnership status, sexual orientation, nationality, country of birth, religion and age should not form part of the process.

The criteria against which each application can be compared will include:

- qualifications;
- training;
- work experience - type and breadth;
- level of responsibility and authority held;
- level of salary earned to date and/or expected;
- level of knowledge and skills;
- competencies; and
- any special skills or aptitudes specific to the job.

Employers should avoid focusing too much on candidates' length of experience, as this can result in indirect age discrimination against younger candidates, who will be less likely than older people to have long experience. Instead the focus should be on candidates' skills, competencies and type and breadth of experience.

It is good practice to use a short listing matrix in order to keep a record of the reasons for the rejection of individuals at the short listing stage. The reason can be marked on each application form, or where there are a large number of applications, rejected candidates can be grouped together under standard categories, for example "inappropriate experience".

Age discrimination exception

Although the Employment Equality (Age) Regulations 2006 prohibit age discrimination at all stages of the recruitment process, there is an exception where the applicant is over the employer's normal retirement age or, if the employer does not have a normal retirement age, the age of 65 - or if he or she will reach that age within six months of the application. This means that candidates within six months of age 65 or aged over 65 may be excluded from the shortlist on the grounds of age, as such candidates will not be entitled to bring claims for age discrimination.

Avoiding assumptions

Managers responsible for short listing should try to recognise any views, opinions and attitudes they hold that could influence them when carrying out short listing. In particular, generalised assumptions and stereotyping should be avoided. For example, a blanket assumption that women would

not have sufficient physical strength to perform a heavy job would not be true of all women and could lead to unlawful treatment under the Sex Discrimination Act 1975.

Equally, an assumption that a female applicant who had young children would be unable or unwilling to work long hours would be discriminatory against a female candidate who was not shortlisted for that reason alone.

Another discriminatory example would be a manager's opinion that a candidate from a particular country or cultural background would not "fit in" to the organisation or to the team set-up. If this assumption led to a foreign candidate being rejected, it could be discriminatory under the Race Relations Act 1976 or the Employment Equality (Religion or Belief) Regulations 2003.

Similarly, managers undertaking a short listing exercise should not be influenced by stereotypes. For example, there is no evidence to support the contention that older people are less productive than younger staff (except in a limited range of jobs), or that their mental facilities automatically decline with age.

Instead of making these assumptions, the manager responsible for short listing should disregard factors such as sex, family status, race, religion or age and select for interview those candidates whose work-related background matches the employee person specification.

It is common practice to draw conclusions based on the presentation of the candidate's application form or CV, and to draw adverse inferences if there are, for example, spelling errors or a poor written communication style. Whilst these conclusions may be entirely relevant in the case of a professional job, care should be taken not to exclude arbitrarily someone who may be suitable for the job in question. Clearly if the job is a manual job that does not require any written communication skills, the odd spelling error in the application form will be irrelevant.

Furthermore, if the job applicant has a disability, for example dyslexia or learning difficulties, judging him or her on ability to present the written word could be discriminatory and unlawful.

Managers may also wish to bear in mind that there are many professional agencies on the high street that will produce beautifully constructed CVs for anyone who wishes to pay them for the service, and the submission of a well-presented document does not always indicate the degree of fluency of the applicant.

Short listing in relation to disabled applicants

If a particular job applicant has stated on the application form that he or she has a disability, it is important not to draw hasty or negative conclusions about his or her suitability for the job.

Few managers are likely to have expert knowledge on every type of physical and mental impairment, and they will not therefore be able properly to judge whether the candidate could do the job effectively.

The Disability Discrimination Act 1995 prohibits direct discrimination against a job applicant on the grounds that he or she has a disability, and there are no exceptions to this provision. However, the Act does permit discrimination for a reason that relates to a person's disability, if this is justified on grounds that are reasonable and substantial.

For example, it will always be discriminatory and unlawful automatically to reject a job applicant just because he or she is blind, whereas rejection on the grounds that the person would be incapable of performing the job even after reasonable adjustments had been made will be capable of justification. Thus it will rarely be lawful to reject a disabled candidate at the short listing stage, unless it is blatantly obvious that he or she would be unable to perform the job, for example in the event that a blind applicant was applying for a job as a van driver.

As a result, in order to avoid disability discrimination, candidates who have stated in their application that they have a disability should be shortlisted for interview unless either they are clearly unsuitable for an unrelated reason (for example if they lack the necessary experience for the job) or it is clear from the information provided that the disability would prevent effective or safe performance of the job. If in doubt, discretion should be exercised in favour of a disabled job applicant and the arbitrary rejection of a disabled candidate should be avoided.

The Disability Discrimination Act 1995, section 4A imposes a duty on employers to make reasonable adjustments to any provision, criterion or practice that they apply to any physical feature of their premises, in order to prevent or reduce any substantial disadvantage that a disabled employee or job applicant would otherwise have. If there are any legitimate areas for concern over what adjustments might be required for a particular applicant, these can be explored at interview.

Such a discussion would centre around what adjustments to working arrangements might be helpful to assist the person to overcome any disadvantage that his or her disability would otherwise cause, thus enabling him or her to perform the job effectively. It will be only after such a discussion that the disabled applicant's ability to perform the job can be properly assessed, and the need for any adjustments to working practices properly considered.

Managers should also be aware that where someone has had an illness in the past which at the time would have amounted to a disability under the Disability Discrimination Act 1995, then it will be discriminatory to reject the person for employment for this reason (Disability Discrimination Act 1995, section 2). A history of cancer or depressive illness would be good examples.

Action point checklist

- Adopt an objective and consistent approach towards short listing in order to establish whether, on paper, the applicant has the type of work-related background that is suitable for the job thus minimising the risk of unlawful discrimination.
- **Do not** take into account any personal information such as the applicant's name, sex, marital or civil partnership status, sexual orientation, nationality, country of birth, religion or age when short listing.
- Review job applicants' relevant qualifications, training, work experience, level of knowledge and skills to determine whether or not they should be shortlisted.
- Avoid making generalised assumptions about candidates and their suitability for a particular type of work.
- Keep records of the reasons for the rejection of job applicants at the short listing stage using a matrix.
- Take care not to draw adverse inferences from the presentation of an application form or CV if the ability to produce fluent written communication does not form part of the job.

Questions and answers

How can an employer ensure that line managers draw up a shortlist for a position without unlawfully discriminating against applicants?

By comparing each application with the employee person specification to establish whether, on paper, the person has the type of background that is necessary or desirable for the job, the manager will minimise the risk of bias on grounds of gender, race or age (or any other irrelevant factor). Personal information such as the applicant's name, sex, marital or civil partnership status, sexual orientation, nationality, country of birth, religion and age should not form part of the process.

Is it permissible to exclude from a shortlist any job applicants who submit untidy or badly written applications?

Although it is permissible to exclude applicants on the basis of the presentation of their application form or CV, presentation is often irrelevant except in the case of a professional job or one in which the skills of written communication are expressly required for effective performance. If the job is a manual one that does not require any written communication skills, rejection on the grounds of a poorly presented application form would be inappropriate. Furthermore, if the job applicant has a disability, for example dyslexia or learning difficulties, judging him or her on ability to present the written word could be discriminatory and unlawful.

If a job applicant has suffered from a debilitating illness in the past, can he or she be excluded from the shortlist?

No, not for that reason alone. Where someone has had an illness in the past that at the time would have amounted to a disability under the Disability Discrimination Act 1995, then it will be discriminatory to reject the person for employment for this reason (Disability Discrimination Act 1995, section 2). A history of cancer or depressive illness would be good examples.

Good practice in recruitment interviewing

The key purpose of a recruitment interview is to assess the skills, experience and general background of job applicants in order to make a decision on which candidate is the most suitable person for a particular job. Questions should therefore be structured to explore facts, and interviewers should take care not to make decisions based on assumptions about applicants linked to their own subjective views and opinions.

It is a good idea for managers to prepare a list of core interview questions to be asked of all applicants for a particular post. This approach ensures consistency and fairness because all interviewees will be given an equal opportunity to sell their skills and abilities. Managers should not, however, restrict themselves to asking only these questions, as there will also be a need to ask questions that are specific to a particular applicant, for example to clarify something vague or ambiguous on an application form or ask about a gap between jobs.

In addition, at the interview itself, further unplanned questions will be necessary in order to follow up or probe any relevant matter raised or hinted at by the interviewee.

Following the guidelines below will help those involved in recruitment interviewing to avoid discrimination.

Avoiding bias

Managers involved in recruitment have a duty to conduct selection interviews fairly and without bias for or against any particular candidate. This is harder than most people think, because all human beings are affected by bias and prejudice, and these often operate at a subconscious level. It is therefore important for managers responsible for recruitment decisions to recognise how bias might influence their thinking.

Dos and don'ts

Do recognise that candidates from different racial backgrounds may have different ways of communicating their achievements at a job interview. For example, candidates from certain ethnic backgrounds may, on account of their racial or cultural background, be relatively reserved as regards their experience and achievements. Another point to be aware of is that in some cultures it is considered impolite to make direct eye contact with a person in authority.

Do guard against the 'halo effect'. This occurs when something about a job applicant creates a favourable first impression on the interviewer with the result that he or she may not be able to view the candidate's suitability for the job objectively or recognise any negative elements in his or her background. The interviewer might, for example, find the applicant's manner, accent or appearance pleasing, or might discover that he or she attended the same school or university

as the applicant.

Do recognise your own general personal attitudes, views and likes/dislikes with regard to people, and learn to put these to one side during selection interviews.

Do distinguish between the information that the candidate is presenting and the mode of presentation. Unless presentation skills are relevant to the job in question, a slick and/or confident presentation style will be irrelevant to the person's suitability for the job.

Don't allow the initial impression of a job applicant to influence the selection decision, for example by making negative assumptions about an applicant based on mode of dress, general appearance or accent.

Don't be influenced by stereotypes, for example assuming that older candidates will not be capable of undertaking training in new technology.

Effective questioning techniques

- Design questions to check facts, obtain relevant information about each applicant's background, test achievement and assess aptitude and potential.
- Ask specific questions on matters such as the applicant's work experience, qualifications, skills, abilities, ambitions and strengths/weaknesses.
- Ask open questions, ie those beginning with 'what', 'which', 'why', 'how', 'where', 'when' and 'who', rather than closed questions inviting only a 'yes' or 'no' answer.
- Ask questions that are challenging, but never ask them in an intimidatory or aggressive tone or manner.
- Ask questions that require the applicant to give examples of real situations that he or she has experienced, for example: 'Tell me about a time when you had to discipline a member of your staff. How did you handle it?'
- Ask factual questions about past experience and behaviour and refrain from making assumptions.

Avoiding discriminatory questions

Discrimination can take place in the following circumstances. A job applicant is subjected to interview questions that have an underlying discriminatory impact, for example questions put to a woman about her children or childcare arrangements.

A question put to a job applicant implies that the interviewer thinks there may be a problem. An example could be where a question such as 'would you have a

problem working on Saturdays?' is asked specifically because the interviewer has deduced (or assumed) that the candidate is Jewish.

Such a question could be viewed as directly discriminatory on grounds of religion. Negative assumptions are made about the applicant on the basis of the answers given to the above types of questions. An applicant who is pregnant is asked questions about plans for maternity leave, childcare, etc.

Candidates should not be asked questions about:

- their marital status or marriage plans;
- childcare arrangements;
- general family commitments and/or domestic arrangements;
- actual or potential pregnancy/maternity leave;
- their partner's occupation and mobility;
- any actual or potential absences from work for family reasons.

Employment tribunals have consistently taken the view that such questions, if asked of a female candidate, indicate an intention to discriminate (whether conscious or not). This is because questions of this type are usually rooted in an assumption that childcare and other family commitments may have a negative impact on a woman's commitment to the job, attendance or availability to work overtime.

Instead, questions that explore the applicant's ability to perform the job should be asked.

Don't say	Do say
Are you planning to get married/have a family in the next few years?	What are your general aims and goals over the next three/five years?
Who would look after your children if you were asked to travel away from home on a business trip?	The job would involve travelling away on business trips approximately [x] times a year. To what extent would you be able to comply with this?
If we needed you to work late at short notice, how would this affect your childcare arrangements?	The job might occasionally require you to work late at short notice. How would you respond if asked to do this?
How would your husband feel if we asked you to relocate to a different branch of the company?	How would you feel if we asked you to relocate to a different branch of the company?

Ultimately, if a job applicant who is suitable for the job in terms of skills and experience is rejected in favour of someone of the opposite sex or of a different racial group, for example, and that person can show that he or she was materially disadvantaged by the way in which the interview was conducted, he or she will have a strong argument that the selection decision was discriminatory.

Interviewing a disabled candidate

There is no duty on job applicants to volunteer to disclose a disability to a prospective employer. It follows that where a disabled applicant is being interviewed the onus will be on the manager conducting the interview to ask appropriate questions to ascertain whether the candidate is capable of performing the job effectively. It will also be necessary for the manager to establish whether any adjustments to working practices or premises would be necessary to support the disabled applicant should he or she be appointed. Such questions are permitted, but it will be important to ask them in a positive way, ie without adopting a negative attitude or making assumptions that there will be a problem.

- Make sure that any questions asked focus on the applicant's ability to perform the job duties, and not on the potential difficulties that he or she might have in the job on account of the disability.
- Ask questions related to the effects of the applicant's disability only where the answers are likely to be relevant to the duties of the job for which the person is being considered.
- Refrain from asking intrusive questions about the candidate's medical condition or disability.
- Frame questions in a positive way so as to avoid the risk of the job applicant perceiving that you are looking for or anticipating problems.
- Avoid drawing negative conclusions about a disabled candidate's capabilities without solid evidence; as such assumptions would amount to disability discrimination.

Don't say	Do say
I see you have a mobility impairment. This would obviously make it difficult for you to ...	I see you have a mobility impairment. Can we discuss how you think this might affect your ability to perform the job and what type of support might be helpful to you.
What exactly is the matter with you?	Tell me something about how your condition might impact on your ability to ...
You would obviously be unable to do the manual aspects of the job ...	Tell me the extent to which you think you would be able to perform the manual aspects of the job.
How do you think other employees might react to a disabled person in the workplace?	This company has a policy of supporting disabled employees.
Did your disability cause problems in your last job?	What adjustments did your last employer make that you found helpful?

Avoiding age discrimination

When interviewing, managers should beware of placing too much importance on length of experience. Focussing on length of experience will place younger applicants at a disadvantage because they will be less likely than older candidates to have long experience. Instead, managers should concentrate on interviewees' type and breadth of experience, and their skills, competencies and talents.

Interview notes

It is essential for managers conducting recruitment interviews to keep notes of the interview and afterwards to make a record of the rationale behind the selection decision, ie to note the key reasons or reason why the successful candidate was selected and the other shortlisted candidates rejected. There are several key reasons why such records are important.

- Nobody has a perfect memory and if you have interviewed several candidates during the same day you will inevitably be unable to recall accurately who said what, what the key issues were in relation to a particular candidate, and how a particular question was answered.
- If no records are created and one of the rejected candidates subsequently brings a tribunal claim alleging discrimination, you are unlikely to be able to recall the precise matters that were discussed at the interview or the way in which questions were phrased.
- The absence of any records may lead an employment tribunal to conclude that the whole recruitment process was conducted in a random, subjective or haphazard way.
- If records are available this will provide evidence that the recruitment process was approached in a professional manner. It may also provide specific information that will form a defence against the claim, for example a record that the answers that the candidate gave to specific questions indicated that he or she did not have the essential knowledge or skills required for the job.
- Once a tribunal claimant has shown facts that indicate that he or she might have been treated less favourably on one of the prohibited grounds, the burden of proof shifts to the employer to prove, on the balance of probabilities, that it did not discriminate. In recruitment cases, this means persuading the tribunal that the candidate's recollection of events is false or inaccurate, that the questions asked were in fact phrased differently or that what was said was not discriminatory. In practice, this would be impossible to achieve without proper records.

Managers should be aware that any record created about an individual and placed in a structured file (or input to a computer) will give rise to individual rights under the Data Protection Act 1998. Specifically job applicants will have the right, upon

written request, to be given a copy of their own file. Interview notes should therefore be compiled with this in mind.

Further general guidelines

- Obtain information through open questioning on matters such as the applicant's work experience, qualifications, skills, abilities, knowledge, ambitions and strengths and weaknesses.
- Do not use age as a criterion in the selection process. Age discrimination legislation was implemented in October 2006 and age is, in any event, a poor predictor of effective job performance.
- Do not allow gut feeling alone to determine the selection decision, because gut feelings are inevitably influenced by personal attitudes, and may possibly result in unlawful discrimination.

Interviewers who focus on the requirements of the job and the extent to which each applicant's background matches these will increase their chances of avoiding unlawful discrimination and selecting the most suitable candidate for the job.

INTERVIEW QUESTIONS



<POST TITLE>

Candidate Name		Interview Date	
Service		Division	

REQUIREMENT:	Qualifications & Experience		
TRIGGER QUESTION:		MATCHING	
ANSWER:		1	
		2	
		3	
		4	

REQUIREMENT:	Knowledge & Expertise		
TRIGGER QUESTION:		MATCHING	
ANSWER:		1	
		2	
		3	
		4	

REQUIREMENT:	Skills		
TRIGGER QUESTION:		MATCHING	
ANSWER:		1	
		2	
		3	
		4	

REQUIREMENT:	Personal Attributes		
TRIGGER QUESTION:	Can you explain to me what you understand to be Equality & Diversity?	MATCHING	
ANSWER:		1	
		2	
		3	

<ul style="list-style-type: none">• Being responsible to needs• Treating people fairly and with respect• Tailoring service to reflect different needs – no service 'fits all'		4
---	--	----------

REQUIREMENT:	Personal Attributes	
TRIGGER QUESTION:		MATCHING
ANSWER:		1
		2
		3
		4

REQUIREMENT:	Special Requirements	
TRIGGER QUESTION:		MATCHING
ANSWER:		1
		2
		3
		4

REQUIREMENT:		
TRIGGER QUESTION:		MATCHING
ANSWER:		1
		2
		3
		4

REQUIREMENT:		
TRIGGER QUESTION:		MATCHING
ANSWER:		1
		2
		3
		4

REQUIREMENT:		
TRIGGER QUESTION:		MATCHING
ANSWER:		1
		2
		3
		4

REQUIREMENT:		
TRIGGER QUESTION:		MATCHING
ANSWER:		1
		2
		3
		4

UTILITY QUESTIONS

Why are you leaving your present employment / did you leave your last job?			
Check Contact Number(s)?		If using a council vehicle need a copy of clean driving licence	
Any holiday booked in the near future / dates?			
Notice period / possible start date if successful?		Still interested in the position?	
If successful, would you require a parking permit? (If eligible)		Did you receive/understand the personnel information that came with the interview letter?	
Note down any questions asked by candidate			

SELECTION DECISION

Was this candidate successful?	YES / NO	If not, state reason(s) below:

Interview Conducted by	1.	2.	3.
These notes taken by		Date	
Candidates informed of outcome?	YES / NO		

Vacancy Number	
----------------	--

VACANCY APPROVAL FORM

This form must be completed for all new and existing vacancies, extensions to contract, increases to contracted hours and appointments through employment / recruitment agencies **prior to any action being taken. The Recruiting Manager is responsible for ensuring that the form is appropriately authorised (see notes).**

POST DETAILS			POST NUMBER		
JE'D POST TITLE			REPORTS TO		
DIVISION			SERVICE		
UNIT			HEAD OF SERV/SERV LEAD		
NEW POST ?		NUMBER REQUIRED		POST VACANT FROM (date)	
JE completed ¹ ?	Yes/No	JE reference number		SCP	to
GRADE ¹ <small>Post must have been JE'd</small>		MANUAL RATE (hourly):	72.5% @ Age 16/17 100% @ Age 18+	WEEKLY HRS	37 hours
LOCATION		CRB DISCLOSURE REQUIRED ?	No	STANDARD or ENHANCED	
STATUS		DURATION <small>If not permanent</small>		CONTRACT	Standard
CAR SCHEME ²	None	RELOCATION	No		
Is the post holder required to drive a council owned vehicle			What level of driving licence will be required?	Please State N/A	
If this is an existing post – Replacement for whom?			New post		
ADVERTISING REQUIREMENTS					
INTERNAL		EXTERNAL		AGENCY	Yes/No
COST CODE		If external please state which publications you wish to use			
Please provide details of your proposed recruitment timetable below:					
Anticipated date of Approval (<i>week following Management Team</i>):			Advertising date:		
HR given draft Advert, JD & PS:			Closing date (<i>must allow a minimum of 1 calendar week from advert date</i>):		
			Interviews (<i>must allow a minimum of 1 calendar week from short listing</i>):		
<u>All requests must be accompanied by a Job Description and Person Specification</u>					
For HR use only					
Successful Applicant			Commencement date		

PLEASE ENSURE THAT THIS 2-PAGE DOCUMENT IS PRINTED BACK TO BACK AND ACCOMPANIED BY A JOB DESCRIPTION AND PERSON SPECIFICATION

Vacancy Number	
----------------	--

PROVIDE DETAILS OF THE RECRUITMENT

1. Reason the job is required
2. Confirm budget is within 2.5% savings target for the service or give details of funding and period covered.
3. Provide copy of the current/new job description and any relevant targets and BVPI's.
4. Provide details of any partnership working arrangements that have been investigated or alternatives to recruitment that have been explored.
5. Provide a business case to support recruitment for this post.

APPROVAL TO RECRUIT

Signed by:	Signature	Name	Position	Date
Recruiting-Mgr				
Service Lead				
Budget checked ³			Finance Manager/Officer	
Contractual info checked			Human Resources Officer/Manager	
Management Team Representative				

Notes

¹ - For all new posts, and posts where the Job Description is changed, salary will be dependant on JE outcome. The recruiting manager is responsible for ensuring that any significant changes to the post are discussed with HR to determine the need for a JE review of the role.

² - Only posts requiring the use of a vehicle can be designated essential or casual user. All other posts should be designated 'none' but will be entitled to casual user mileage rates should the post-holder use their car for purposes in connection with their job.

³ - Finance Officer to clearly indicate if there is an increase to establishment.

Mid Devon District Council

Pre-employment guidance

All UK employers have a duty to prevent illegal migrants working in the UK. Sections 15–25 of the Immigration, Asylum and Nationality Act 2006 (the `2006 Act`) set out the law on the prevention of illegal working.

Recruitment is a costly exercise if you get the process wrong; to enable you to employ the best candidate we need to carry out a number of pre-employment checks to establish they are who they say they are and have the experience and qualifications they claim to have and that they are able to work in the UK.

Entitlement to work in the UK Check

It is a criminal offence to knowingly employ an individual who does not have permission to work in the UK. Therefore we need to comply with the home office [‘Full guide for employers on preventing illegal working in the UK’](#).

Part of the government checks on employing people to work in the UK, a Baseline Personnel Security Standard (BPSS) check needs to be carried out prior to employment.

There are three "minimum requirement" sections of [BPSS screening](#) which are explained as follows:

1. Identity check and UK right to work.

HR needs to check and verify the identity of the new employee and keep copies of original, acceptable documents **before** they commence work at MDDC. If a person has a time limit on their stay then HR should carry out repeat checks at least once every 12 months. If a person has a restriction on the type of work they can do and, or, the amount of hours they can work, then MDDC must not employ them in breach of these restrictions.

There are two lists ‘A’ and ‘B’ which outline the acceptable documents for checking eligibility, if you can check a document from list A; you will not need to carry out further checks. If you check a document from list B, you will need to complete a recheck in 12 months.

2. Disclosure of any unspent criminal offences subject to the Rehabilitation of Offenders Act 1974.

There are 3 types of disclosure, please see the box below:

Type of Criminal Record Check				
Information Searched	Basic	Standard DBS	Enhanced DBS	Enhanced DBS (incl. barred list check)
Unspent convictions	Yes	Yes	Yes	Yes
Spent convictions	No	Yes	Yes	Yes
Cautions, Warnings, Reprimands	No	Yes	Yes	Yes
Other relevant police info.	No	No	Yes	Yes
Childrens or Adults barred list	No	No	No	Yes

A basic check

You will be asked to apply for a basic disclosure which will provide you with details of convictions that are considered unspent (where under certain circumstances an offender is allowed to have a 'wiped' criminal record after an agreed period). A basic check is a requirement for all employees who have access to the councils

A standard check

A standard check would be a requirement for an individual who works in the finance service or legal service and would give information on spent, unspent and warnings.

A enhanced check

There are two levels to the enhanced check; they depend on the nature of the work and how much responsibility they have with working / caring for children and vulnerable adults. For further guidance go to [disclosure and barring service checks](#)

3. Employment history references (normally 3 years)

To ensure that prospective employees are not concealing any associations or gaps, HR should, as a minimum, verify recent (past 3 years) employment or academic history. Approaches to a previous and/or current employer should not be made without the individual's prior written permission.

There is an increasing reluctance on the part of employers to provide references for an individual's character and suitability for employment because of DPA/FOI concerns, references are not required as part of the BPSS.

For periods of self-employment, evidence should be obtained (e.g. from HMRC, bankers, accountants, solicitors, trade or client references, etc.), confirming that the individual's business was properly conducted and was terminated satisfactorily.

Additionally, prospective employees are required to give a reasonable account of any significant periods (6 months or more in the past 3 years) of time spent abroad.

PRE-EMPLOYMENT MEDICAL SCREENING

There is a pre-employment medical screening procedure. This ensures that potential employees are able to do the job without risk to themselves or others while providing equal access to employment.

The successful candidates will be required to complete a pre-employment health questionnaire. Some successful candidates, depending on the answers given to the questionnaire may be invited to a medical examination with our occupational health practitioner.

REFERENCES

The HR Team will request employment references for the successful candidate. These will be requested a maximum of twice before the candidate is asked to provide an alternative.

Minimum level of reference checking required:

- written references must be obtained from employers within the past 3 years
- minimum of 2 references
- must be in writing, either in hard copy or via e-mail

References for the successful applicant should be retained in their personnel file.

QUALIFICATIONS

Where a particular qualification is essential for the post, or where there is a minimum standard of education expected for the post, this should be reflected in the job description and person specification that has been evaluated.

The successful candidate should provide the original documents for verification. These should then be copied and held in the HR Team. If no certificate can be provided, a recorded check should be made with the awarding institution or

examination body. A check can also be carried out if it is suspected that the certificate is not original, is forged, or has been tampered with.

PROFFESIONAL MEMEBERSHIP

If the candidate is required to be registered with a regulatory body (e.g. CIPD), obtain and keep a copy of his or her registration certificate or number. This will be verified by the HR Team with the regulatory body as appropriate. In case of a dispute or if there is a reason to doubt that the claimed registration is genuine, clarification should be sought from the regulatory body.

CONDITIONAL OFFER

Offers of appointment should be provisional until all the pre-employment checks have been satisfactorily completed. Failure to do so will place Mid Devon District Council exposed to public liability insurance and financial risk, and loss of access to the public sector network.

Private & Confidential

Human Resources

Phoenix House
Phoenix Lane
TIVERTON
Devon
EX16 6PP

Tel: 01884 255255
Fax: 01884 234395
E-mail: HR@middevon.gov.uk
Website: www.middevon.gov.uk

Your Ref:

Date: 27 November 2014

My Ref: Baseline Personnel Security Standard

Contact: HR Section

Dear

Subject: pre-employment checks - employment history report form
Name:

You may be aware that we are required to verify employment history to help confirm the reliability of persons who may have access to Government assets. The person named above who (is an employee of) / (has applied for employment with) this organisation comes within the terms of this procedure.

S/he has given us your name as a (previous employer). It would be appreciated, therefore, if you would be good enough to let us have (confirmation (with dates) of his/her employment with you) by completing the attached Report Form and returning it to us by no later than [insert date]. Your reply will be treated in the strictest confidence.

Your cooperation and understanding in this matter will be greatly appreciated.

Yours sincerely,

HR Business Partner

Requests for alternative formats will be considered on an individual basis. Please telephone 01884 255255 or email customerfirst@middevon.gov.uk

SUBJECT: PRE-EMPLOYMENT CHECKS

NAME:

1. How long did the subject work for you and in what capacity?

From:	To:
Capacity (i.e. appointment/post)	

2. Are you related to the subject? If so, please state your relationship.

3. Over what period have you known the person?

From:
To:

Name:

Signature:

Date:

Contact address:

Tel No:

Email:

Company Name and Address (Stamp if applicable):

Important: Data Protection Act (1998). This form contains "personal" data as defined by the Data Protection Act 1998. It has been supplied to the appropriate HR or Security authority exclusively for the purpose of the Baseline Personnel Security Standard. The HR or Security authority must protect the information provided and ensure that it is not passed to anyone who is not authorised to see it

BASELINE PERSONNEL SECURITY STANDARD VERIFICATION RECORD

1. Employee/Applicant details

Surname:

Forenames:

Address:

Tel No:

Date of birth:

Place of birth:

Nationality:

Former or dual nationality:
(with dates if applicable)

2. Certification of identity

Document:

Date of issue:

A

B

C

D

3. References (if taken)

a. Referee:

Relationship:

Address:

Length of association:

b. Referee:

Relationship:

Address:

Length of association:

C. Referee:

Relationship:

Address:

Length of association:

4. Other information (i.e. verification of employment history (past 3 years); verification of nationality and immigration status, whether and when such immigration status needs to be rechecked and by whom; disclosure of unspent criminal record; academic certificates seen; additional checks carried out etc.):

I certify that in accordance with the requirements of the Baseline Personnel Security Standard:

I have personally examined the documents listed at 2 above and have satisfactorily established the identity of the above named employee/applicant.

I have obtained the references (if taken) and information listed at 3 and 4 above and can confirm that these satisfy the requirements.

Name:

Appointment/Post:

Signature:

Date:

Important: Data Protection Act (1998). This form contains "personal" data as defined by the Data Protection Act 1998. It has been supplied to the appropriate HR or Security authority exclusively for the purpose of the Baseline Personnel Security Standard. The HR or Security authority must protect the information provided and ensure that it is not passed to anyone who is not authorised to see it.








Pre-employment Employers Right to Work Checklist












Name of person:

Date of check:

Type of check: First check before employment

Repeat check on an employee:

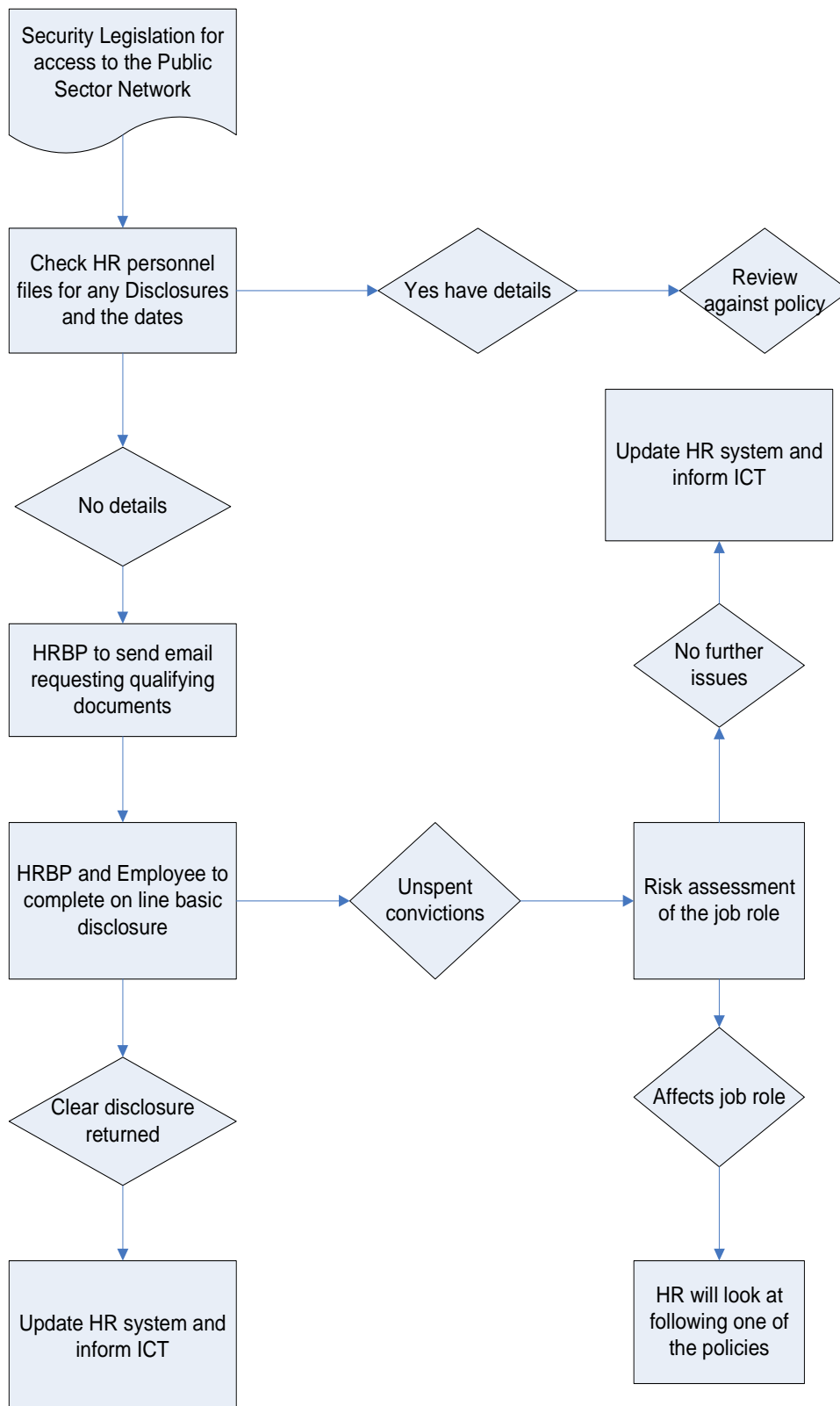
Step 1	<p>You must ask for and be given an acceptable document.</p> <ul style="list-style-type: none"> ➤ You must be provided with one of the documents or combinations of documents in List A or List B below as proof that someone is allowed to work in the UK. ➤ You must only accept original documents. <p><u>Acceptable Documents List A</u></p>		
	1		A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and colonies having the right of abode in the UK
	2		A passport or national identity card showing that the holder, or a person named in the passport as the child of the holder, is a national of an EEA country or Switzerland
	3		A residence permit, registration certificate or document certifying or indicating permanent residence issued by the Home Office to a national of an EEA country or Switzerland
	4		A permanent residence card or document issued by the Home Office to the family member of a national of an EEA country or Switzerland
	5		A Biometric Residence Permit issued by the Home Office to the holder indicating that they are allowed to stay indefinitely in the UK, or have no time limit on their stay in the UK
	6		A passport or other travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK
	7		An Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK together with an official document issued by a previous employer or Government agency with their name and National Insurance number

Step 1 cont:	8		A full birth or adoption certificate issued in the UK including the name(s) of at least one of the holder's parents together with an official document issued by a previous employer or Government agency with their name and National Insurance number
	9		A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland together with an official document issued by a previous employer or Government agency with their name and National Insurance number
	10		A certificate of registration or naturalization as a British citizen together with an official document issued by a previous employer or Government agency with their name and National Insurance number
	11		A letter issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK together with an official document issued by a previous employer or Government agency with their name and National Insurance number
Acceptable Documents List B			
	1		A passport or travel document showing they are allowed to stay in the UK and is allowed to do the type of work you are offering
	2		A Biometric Residence Permit issued by the Home Office to the holder indicating that they can stay in the UK and are allowed to do the work you are offering
	3		A residence card or document issued by the Home Office to a family member of a national of an EEA country or Switzerland
	4		A work permit or other approval to work issued by the Home Office together with either a passport or travel document showing the holder is allowed to stay in the UK and to do the work or a letter issued by the Home Office confirming the same
	5		A Certificate of Application less than 6 months old issued by the Home Office to or for the family member of a national of an EEA country or Switzerland stating they are allowed to work together with a positive verification letter from the Home Office's Employer Checking Service
	6		An Application Registration Card issued by the Home Office indicating that they are allowed to work together with a positive verification letter from the Home Office's Employer Checking Service
	7		An Immigration Status Document issued by the Home Office indicating that they can stay in the UK and are allowed to do the type of work together with an official document issued by a previous employer or Government agency with their name and National Insurance number

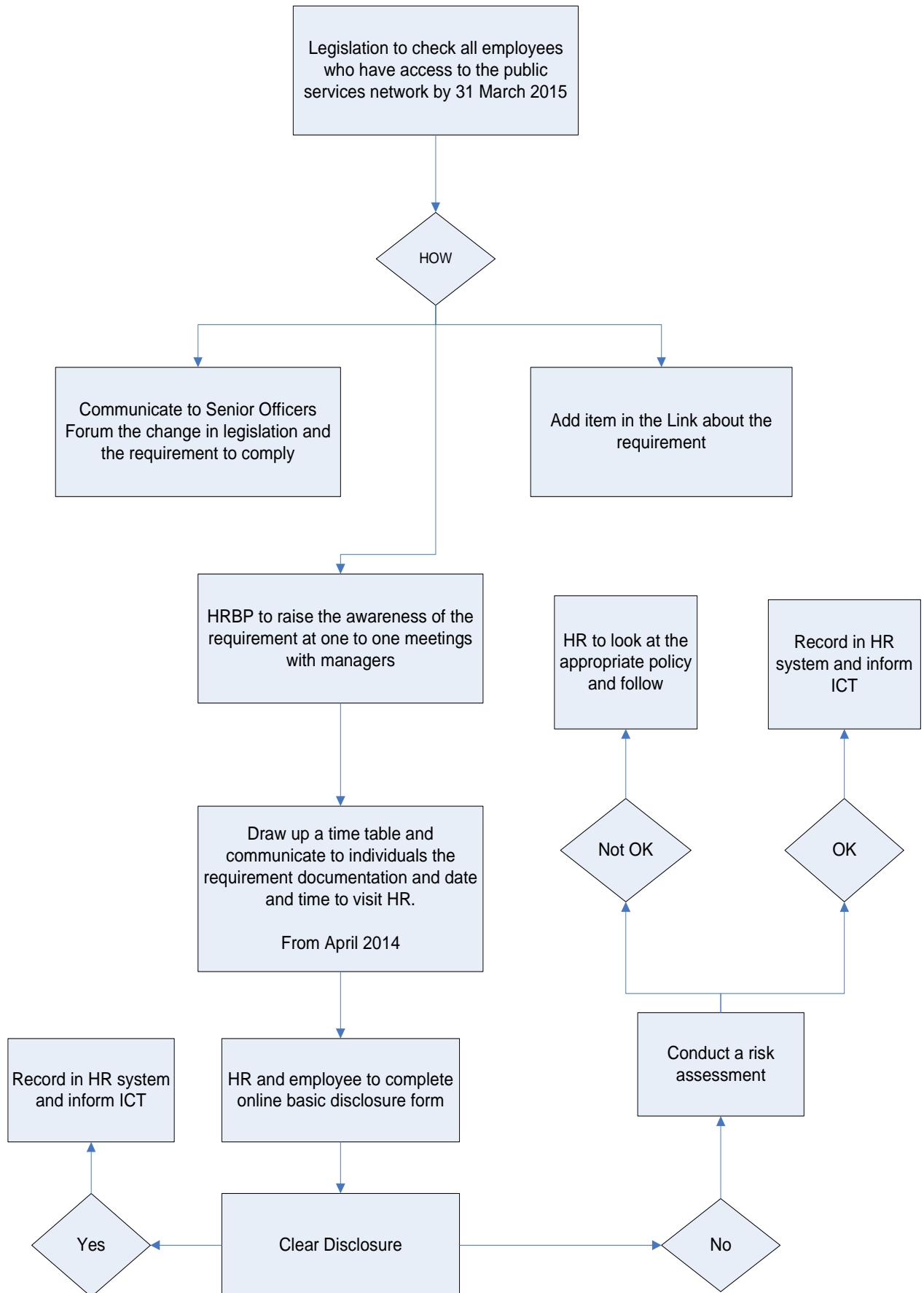
	8	<input type="checkbox"/>	A letter issued by the Home Office to the holder or to you as the potential employer, which indicates that the person named in it can stay in the UK and is allowed to do the type of work you are offering together with an official document issued by a previous employer or Government agency with the their name and National Insurance number
Step 2	<p>You must check the validity of the documents</p> <p>You must satisfy yourself that the documents are genuine and that the person presenting the documents is both the rightful holder and allowed to do the type of work you are offering.</p>		
	1	<p>Are photographs consistent with the appearance of the person?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	
	2	<p>Are the dates of birth listed consistent with the appearance of the person?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	
	3	<p>Are expiry dates for limited leave to enter or remain in the UK in the future (if applicable) i.e. they have not passed?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	
	4	<p>Do any endorsements show the person is able to work for you and do the type of work you are offering?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	
	5	<p>Are you satisfied that the document is genuine, has not been tampered with and belongs to the holder?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	
	6	<p>Have you asked for further documents to explain why you have been given documents with different names?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	
Step 3	<p>You must take and retain a copy the documents.</p> <ul style="list-style-type: none"> ➤ You must take a copy of the documents in a format which cannot later be altered and retain them securely. ➤ Is one of the documents a passport or travel document? <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No <p>If Yes then you must photocopy or scan:</p> <ul style="list-style-type: none"> ➤ the front cover and any pages providing the holder's personal details; 		

	<ul style="list-style-type: none"> ➤ their nationality; photograph; date of birth; signature; date of expiry and biometric details; and ➤ any pages containing UK Government endorsements' showing the person is allowed to work in the UK and carry out the work you are offering. <p>All other documents should be copied in full, including both sides of a Biometric Residence Permit.</p>
Step 4	<p>Know the type of excuse you have.</p> <p>If you have correctly carried out the above 3 steps you will have an excuse against payment of a civil penalty if the Home Office find the above named person working for you illegally.</p> <p>However, you need to be aware of the type of excuse you have as this determines how long it is valid for.</p> <p>List A</p> <ul style="list-style-type: none"> ➤ You have an excuse for the full duration of the person's employment with you. ➤ You are not required to carry out any repeat right to work checks on this person. <p>List B</p> <ul style="list-style-type: none"> ➤ You have an excuse for up to 12 months from the date on which you carried out this check. ➤ To keep your excuse you must carry out a repeat check on this person within 12 months. ➤ If the person's leave expires within a 12 month period you should carry-out your repeat check at that point to find out if they continue to have the right to work. <p>Date repeat check required:</p> <p>Date leave/right to work expires:</p>

Process Chart for Baseline Personal Security Standard Checks



Baseline Personnel Security Standard



MID DEVON DISTRICT COUNCIL
HUMAN RESOURCES
MEMORANDUM

From:

Human Resources

My Ref: «EmployeeNo»

To: «Managename»

To:

To:

Date: 27 November 2014

Subject: PROBATIONARY PERIOD - «EmployeeName»

It is important that monitoring of the performance of probationary staff should be carried out on a regular basis throughout the Probationary Period.

I am therefore enclosing a Probationary Period Monitoring Form.

I would be grateful if at each stage of the procedure you meet with the individual and complete the section relating to:

- (a) 1 Months' Service
- (b) 3 Months' Service
- (c) 6 Months' Service

The Probationary Period ends on «Probends». Please return the original copy of the Monitoring Form, with all sections completed, to the Personnel Division after 6 month's service.

Please return within ONE WEEK of these monitoring dates to enable appropriate action to be taken within the required time scales should a problem necessitate extension or termination.

HUMAN RESOURCES ASSISTANT

PROBATIONARY PERIOD MONITORING FORM

NOTE: THIS FORM IS TO BE COMPLETED (AND A PHOTOCOPY TO BE SENT TO HUMAN RESOURCES) AT THE END OF THE MONITORING PROCEDURE

NAME: «EmployeeName»	POST: «Jobtitle»	DIVISION: «Unit»	START DATE: «Startdate»
ELEMENT FOR APPRAISAL	1 MONTHS' SERVICE	3 MONTHS' SERVICE	6 MONTHS' SERVICE
(1) QUALITY OF WORK PRODUCED (Finish/Accuracy)			
(2) SPEED OF WORKING			
(3) ATTITUDE TO SUPERVISION (Discipline)			
(4) ATTITUDE TO SUPERVISION (Teamwork)			
(5) INITIATIVE AND ALERTNESS			

	AFTER 1 MONTH	AFTER 3 MONTHS'	AFTER 6 MONTHS'
(6) RELIABILITY (Sense of Responsibility)			
(7) PUNCTUALITY AND TIMEKEEPING			
(8) ABSENTEEISM			
OTHER ELEMENTS TO BE MONITORED [1] [2] [3]			
ADDITIONAL ELEMENTS RELEVANT TO POST [1] Training Required [2] [3]			

	AFTER 1 MONTH	AFTER 3 MONTHS'	AFTER 6 MONTHS'
TARGETS/OBJECTIVES TO BE ACHIEVED			
GENERAL OBSERVATIONS OF «Managename»: An entry should only be made here if you wish to make a significant comment, which will form part of the Officer's Work Record.			
COMMENTS OF «EmployeeName»			
SIGNATURE OF «EmployeeName»			
SIGNATURE OF «Managename»			
	Please complete at the end of 1 month	Please complete at the end of 3 months'	Please complete at the end of 6 months'

CHIEF OFFICER'S RECOMMENDATION (To be completed after 6 Months' Service)

- (a)* I recommend that in accordance with the Probationary Period Monitoring Record this Officer should be transferred to the permanent staff.**
- (b)* I recommend that a further probationary period of 13 weeks be granted to this Officer, by mutual agreement.**
- (c)* I recommend that this appointment be terminated.**

SIGNED:.....
(HEAD OF SERVICE)

DATE:.....

*Please delete as applicable.