Recruitment Procedure including Safer Recruitment

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North Tyneside Council

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This document does not form part of an employee's terms and conditions of employment and can therefore be reviewed, amended, or withdrawn at the discretion of North Tyneside Council.

1 Introduction

Recruitment and selection are key managerial tasks and getting them right is crucial to both service delivery and enabling North Tyneside Council (the Authority) to achieve its aim of providing excellent service to the residents of North Tyneside.

The recruitment process is also a key method in supporting the Authority's commitment to promoting a diverse and inclusive organisation; a place where we can all be ourselves and succeed on merit.

In order to provide support in performing these tasks, this procedure takes managers through all the things they need to consider, and the steps to take, when recruiting to a role. In support of this there is a section of the HR Toolkit on Learning Pool, containing all the advice and guidance managers need, as well as forms, templates and a recruitment checklist which managers can use to track the process.

Safer Recruitment

A key element of the recruitment and selection process for many managers will be considerations regarding Safer Recruitment and taking steps to prevent the recruitment of people who pose a risk of harm to children or vulnerable adults. The necessary additional considerations and actions in relation to Safer Recruitment are covered in section 16 of this procedure.

Data Protection Considerations

It must be remembered throughout the recruitment process that it is a confidential process, and all aspects of the procedure must be treated as such.

During the recruitment process candidates provide a great deal of personal data including information considered as special category data under GDPR such as conviction information, medical information and equalities data. All individuals involved in the recruitment process must therefore ensure they deal with this information in accordance with the Authority's Information Governance policies and the Candidate and Employee Privacy Notices.

Important information for managers about how to, for example, store applications, what information needs to be kept, and how to ensure candidates are informed about how we use their data, is provided in the procedure.

For candidates, the full details of all the information that we collect from them, what this is used for and how it is shared and stored, is set out in the Authority's Candidate Privacy Notice. A copy of this is made available on the North East Jobs portal through which candidates make their application and on the North Tyneside Council website.

2 Reasons to recruit

The potential need to recruit will arise in the following situations:

- an employee leaves the organisation resulting in a vacant position in the structure
- new work is awarded/identified
- the volume of existing work increases.

These scenarios all provide an opportunity to evaluate how the work can be delivered in future, with the aim of realising efficiencies and/or service improvements.

For example:

- Can the additional tasks be undertaken by existing employees?
- How will the service be affected if the vacancy is not filled?
- If it is an existing post are all the tasks still required? Can they be carried out in a different way?
- Can the use of technology allow any of the tasks be completed more easily or automatically?

3 Defining the role required

If it is decided that a new employee is required, the first part of the process is to clearly define the role required and how the work is best delivered. These should then be reflected in the Job description/Person specification. (A template is available on Learning Pool. This standard template should be used in all cases)

Considerations should include:

- **What is the business need?**
    - Can additional hours be offered to existing employees?
    - Where the need is short term, would this present a development opportunity for an existing employee e.g. via an honorarium?
    - Are there any current workforce planning and/or restructuring activities that may have an impact on the role and what are the timescales for these?
    - Can potential redundancies be avoided by consideration of existing employees within a service* e.g. ringfenced to new post?
    - Would an internal or external secondment* be appropriate?
    - Would this be a redeployment* opportunity for an existing employee?
    - Are any changes anticipated which will require additional and/or different skills?
    - What funding is available for the post and for how long? Confirm this with your Finance Officer.

(* A Request to Fill a Post Form must be completed in these cases so we can monitor spend and link through to HR New Starters for contract creation)

- **What kind of contract/terms and conditions can I offer?**
    - What terms and conditions can I offer? See section 4.
    - What type of contract can I offer? On a fixed term, permanent or secondment basis?

- Is the post potentially suitable to be an apprenticeship?
- What are the hours of the post? Full time, part time, casual or annualised?
- What working arrangements can be accommodated? E.g. via a flexible working arrangement or a mixture of office and home working.
- What kind of working patterns are required, e.g. weekends or shifts?
- Is there information from exit interviews that suggests improvements to the post?
- Can the job be redesigned to make it more attractive?
- If there is a very short term/immediate need, that cannot be filled internally, would an agency worker be appropriate?
- Would it be appropriate to enter into a contract for services with a self-employed person via an intermediary? If so, consider the implications for IR35 tax rules. Details are available on the Intranet under HR, Recruitment.

- **What are the special requirements of the role?**
    - Consider whether the essential criteria are genuinely essential, and which are simply desirable. This helps to prevent unintended discrimination. The Authority is a Disability Confident Employer and guarantees an interview to all disabled candidates who meet the essential criteria.
    - Are there any safeguarding issues that need to be considered? (See Section 16 Safer Recruitment)
    - Are there any Occupational Requirements under the Equality Act 2010 e.g. age or gender requirement?
    - What level of contact or responsibility will the post-holder have for children, young people or vulnerable adults? See the DBS and Safeguarding Checks Procedure and the Recruitment FAQs for further information.
    - Is it a politically restricted post? Guidance is on the HR section of the Intranet.

- **Which recruitment/pre-employment checks will be needed?**
    - Which selection processes will best assess suitability in accordance with the person specification? See the Selection Methods Guidance.
    - Which recruitment checks are required? For example, is a Disclosure and Barring Service (DBS) check or other Safeguarding Check required? (See section 9)
    - Would the Fluency Duty apply to the post? (See section 5.2)

The recruiting manager will need to demonstrate that consideration has been given to the above as they will need to provide a business case to their Director/Head of Service on the Request to Fill a Post Form as part of the recruitment approvals process.

4 Post creation or amending an existing role – job evaluation

If a new position needs to be created or an existing role **significantly** amended (and the post is on Green Book terms and conditions – see below*), this needs to go through the Job Evaluation process. In order to begin the process the manager should email an up-to-date job description/person specification to “HR Job Evaluation” along with a Job Evaluation Pro-forma (templates and guidance for both are available on the Intranet here - all job description/person specifications must be created on the standard template).

It should be noted that any change to the role in question may have a knock-on impact on other roles within the team or service, which could in-turn impact on their grades. For example, does giving responsibility for budget monitoring to the post result in a reduction in the amount that another colleague may have? Or, would giving line management responsibility to a new post reduce the number reporting to an existing role? In both examples it is possible that this could result in a change of grade for the existing post. Where this is the case (including where there is risk of redundancy), an appropriate consultation process should be held with effected individuals and their union representatives.

Once the outcome of the job evaluation is known the line manager needs to create the post on BMS. Guidance regarding BMS Support and Manager Self-Service is available on the Intranet under the ICT section, *ICT Application Support*.

* The majority of roles will be created under the Green Book terms and conditions (full name the “National Joint Council for Local Government Services, National Agreement on Pay and Conditions of Service”) unless there is a specific alternative agreement in place such as The Craft Agreement or where there is a specific professional requirement such as Educational Psychologists (who are on Soulbury Terms and Conditions) or where it is a Chief Officer post.

4.1 Using inclusive language in recruitment documentation

Most people are familiar with the need to not use directly discriminatory language within a job description or advert such as requiring a “handyman” rather than a “handyperson”. We need to go further than this, however, and ensure the language we use is inclusive and does not include anything that could be a barrier to candidates with protected characteristics.

It can be easy to fall into the trap of thinking about the “type of person” we need for a role rather than simply the skills that the person requires to do it. This can sometimes lead us to look for people who are like employees we have previously had within a role or team, or according to a traditional role stereotype. This could be in terms of their age, sex, or race etc, or whether they have a medical condition or disability. As a result, these unconscious assumptions can then be reflected in the language that we use within our job descriptions and person specifications, and within our job adverts. In doing so we risk preventing ourselves from achieving the diverse and representative workforce that we want to create.

It is good practice to consider whether the language used is suggesting a “type of person.” Does the overall language imply only certain people could do the role or would it make people feel that they would not fit if they do not match that stereotype? Below are some examples of the types of language which may imply certain groups are required, or may deter people from applying:

- People with health conditions or disabilities - Dynamic, energetic, athletic, or requiring a driving licence as an essential criterion, where the requirement is really to be mobile and willing to travel
- Age – Dynamic, energetic, youthful, mature, gravitas, requiring a specific number of years' experience if there is no clear basis for this
- Gender: (These words are not incorrect but, especially in combination, may imply the post is suited more to one gender than another).
    - Male coded words include - ambitious, assertive, challenging, competitive, decisive, self-sufficient
    - Female coded works include - collaborate, responsive, receptive, co-operate, agree, inclusive

A useful tool for identifying if the advert is biased towards a specific gender stereotype is http://gender-decoder.katmatfield.com/faq.

This, of course, does not mean that a woman cannot be ambitious or a man co-operative, that an older person cannot be active, or that a disabled person cannot be dynamic; we know that any person can possess any one of those qualities. As a society, however, we often have existing internal biases that influence our thinking and decisions. As a result, managers should not just avoid individual words, but be aware of the overall message they are putting across and ensure it is a positive, inclusive one.

5 Advertising the role

For an overview of the process, from the creation of a post to its advertisement, please see the Recruitment Flowchart, which contains indications of typical timescales.

(Please note whilst not all jobs require an advert, any process used to appoint an employee to a post will require authorisation via the Request to Fill a Post Form available on Learning Pool)

5.1 The advert

An effective advert allows prospective candidates to self-select; maximising the field of those who meet, at least, the essential criteria for the role. It must accurately portray the council and the role including any special requirements established in Section 3. The recruiting manager's email address and/or phone number should be included in the advert to address any queries from candidates.

Managers should ensure they use non-discriminatory language within adverts e.g. those which suggest a non-disabled person is needed or someone of a specific gender (see section 4.1 above).

There is Advert Guidance on Learning Pool which includes all the key details managers need to consider when creating their advert before adding this to the Request to Fill a Post Form.

5.2 The Fluency Duty

The Fluency Duty applies to public sector organisations where employees are required, as a regular and intrinsic part of their role, to speak to members of the public in English. This could be speaking face to face and/or over the telephone. If this is a requirement it is recommended that the person specification includes the following in the essential criteria:

"The ability to converse at ease with members of the public and provide advice in accurate spoken English."

Setting the necessary standard of English spoken language ability will depend on the role. Managers should consider the nature and extent of the spoken communication necessary for the effective performance of the role, including the complexity of the information to be communicated. Further guidance is in the Recruitment FAQs in the HR Toolkit on the Learning Pool.

5.3 Where to advertise

It is important to carefully consider where to advertise, taking into account the costs and the level of the position. Managers can also consider other factors such as previous advertising methods and whether they provided value for money in attracting the right calibre of candidates. Options include advertising internally only (both via North East Jobs and Teamwork), externally, and/or in other specialist or targeted publications/on social media. Advice regarding social media is available from HR Recruitment & Safeguarding.

Managers can also consider promoting employment at job-fairs, open days and events attracting diverse communities e.g. Northern Pride, Newcastle Mela or those held by health or disability charities/organisations. Guidance regarding advertising and legal considerations is in the FAQs.

5.4 Obtain approval to advertise/fill the post

- The recruiting manager should complete the Request to Fill a Post Form which is available on the Learning Pool.
- All requests to recruit should be made through the Request to Fill a Post Form including where the intention is to appoint in an alternative way e.g. via either a secondment (see the Secondment Policy), the redeployment of an employee who is internal to the service, or to provide the opportunity for internal development where otherwise there would be a risk of redundancy e.g. the successful candidate's post would be amended, and no resulting change to post numbers.
- This should be submitted to their Director/ Head of Service for service approval
- And then sent to HR Recruitment & Safeguarding for corporate approval from Finance and HR
- When approved the manager will be notified and where relevant advised of the date the post will be advertised

5.5 After the advert closing date

The Recruitment & Safeguarding team will collate the applications, separate out the Personal Details and the Equality Monitoring Form, and send the applications to the recruiting manager.

The Equality Monitoring Form is retained for the purposes of gathering information, about the diversity of our candidates, in order to identify recruitment and employment trends over time. This allows us to compare differences between the Authority's workforce and the local community in order to assess whether our Equality Policy is effective. This information is not given to the recruiting manager in order to prevent it from being considered in recruitment decisions.

The Personal Details section (which includes the name and email address of the individual) is also retained until the short-listing process has been completed. This is done in order to avoid considerations such as sex, race and religion being taken into consideration.

If there is only one candidate, the same process will apply as if there were multiple candidates. If there are few candidates, or no-one applies for the role, the recruiting manager should try to ascertain why this may have happened, before deciding how to proceed. Potential issues could include:

- The role itself – for example, the job content or the salary offered, in comparison with other organisations in the local job market, in which case managers may consider applying a Market Supplement (See the Market Supplement Policy for guidance and/or speak to their HR Business Partner.
- That the language used within the advert did not appeal to the target audience, including possibly an unclear job title, or out of date terminology
- That it was not advertised widely enough, or the timing was not ideal, for example over the Christmas or summer holiday periods when job seekers may be away.

6 Redeployment candidates

Where redeployment candidates meet the essential criteria for the role or could do so with a reasonable amount of training (in accordance with the guidance in the Redeployment Procedure) the Authority will normally guarantee them an interview. They will normally be considered before the post goes to advert or, if the post has already been advertised, before any other candidates.

The Authority is also committed to supporting its apprentices who will be treated as redeployment candidates in accordance with the Redeployment Procedure.

7 The Selection Process

For an overview of the process and additional guidance regarding the process from the advert closing date to the selection of a candidate please see the FAQ's and the Selection Flowchart.

7.1 Selection panel

The recruiting manager is responsible for setting up and chairing a selection panel which will be involved in the shortlisting and interview/testing stages. The panel members should have the required skills in interviewing and understand the job being recruited to. There should be a minimum of two people on the panel to ensure fairness and impartiality, and the panel will usually consist of representatives of the management team. In addition, consideration should be given to having, wherever possible, a selection panel which is representative of the population of North Tyneside.

In some instances, where appropriate, this may be supplemented by service users and/or internal or external experts, for all or part of the selection process. See section 7.2

The panel should also understand the danger of unfair discrimination in the process, which has legal implications and consequences for the diversity of the organisation. Further guidance on how to avoid discrimination is in the Recruitment FAQs in the HR Toolkit on Learning Pool.

To ensure consistency the selection panel must consist of the same people throughout the selection process unless there are exceptional circumstances (i.e. sickness or unavoidable absence).

7.2 Involving service-users (including children and young people)

Service users can make a valuable contribution to the recruitment process. Their participation should be considered for key strategic and managerial posts and posts where staff will have a high level of responsibility for their day-to-day care, such as residential staff. They will not have responsibility for deciding who will be appointed, but instead consideration should be given to how their views can be included whilst still maintaining objectivity. Their role in the process, the weight that their input will be given, and how they will receive feedback, should be agreed and clarified before the process takes place. They should also be given suitable preparation and/or training. Further information and support are available from the Participation, Advocacy and Engagement Team at participation@northtyneside.gov.uk

7.3 Ensuring Fairness

If a member of the panel is a relative of, or has a personal relationship with, a candidate they should declare this and a new panel member should be appointed to replace them. If this causes difficulties finding a suitable panel further advice should be taken from HR.

7.4 Written records

The panel should keep written records to support their decisions at all stages of the process. Templates are available to assist with this in the Managers' Toolkit on Learning Pool. This helps to demonstrate that the selection process has been fair, non-discriminatory and transparent if an appointment decision is challenged. Candidates may ask to see the records made about them so the panel should ensure they only record factual information and avoid making any comments that cannot be evidenced.

Where several candidates have been through a selection process, the records will aid the panel's recollection of what each person said and how they performed in any tasks or exercises if these were used. As well as assisting the panel's decision of who to appoint, they will also enable the recruiting manager to provide feedback to candidates on their performance if requested.

7.5 Short-listing selection of candidates

Short-listing is a screening process where applications are reviewed against the job criteria in order to identify a suitable pool of candidates for interview, testing, or further assessment.

The following stages must be followed in short listing:

- The recruiting manager and panel create a short list using the essential and desirable criteria as set out in the person specification for the role.
- Managers should check that the application is fully and properly completed and that the information in the application is consistent and does not contain any discrepancies. Any anomalies, discrepancies or gaps in employment or education, and reasons for these, should be noted so that they can be taken up as part of the consideration of whether to short-list the candidate. A history of repeated changes of employment without any clear career or salary progression or move from permanent to temporary post may be highlighted. Incomplete applications should not be taken forward.
- Consider any redeployees, including apprentices, who meet the essential criteria for the role (or could do so with reasonable training) in accordance with the Redeployment Procedure.
- Identify any candidate who has confirmed that they have a disability and has met the essential criteria. In accordance with the "Disability Confident" scheme, the Authority has committed to these candidates being guaranteed an interview (see Application Form).
- Identify any candidate who is, or has been, in the Armed Forces. If the candidate meets both the essential **and** desirable criteria for the role the Authority has committed to their being guaranteed an interview. (See application form)
- Identify any candidate who has declared that they are a relative of an NTC employee or Councillor. If successful their appointment must be confirmed with the Director of Service, or officer nominated by them, before an offer is made.
- The final decision taken must be recorded on the Shortlisting Form
- Upon completion of shortlisting the recruiting manager should request the personal details (names, email, addresses etc) of the shortlisted candidates by providing the Applicant Reference Numbers (see the application form) to HR Recruitment and Safeguarding. The recruiting manager can then send out interview invitations.

7.6 The assessment process

The aim of the assessment process is to identify the most suitable candidate for the position from the short-listed candidates. All candidates for the same post must go through the same assessment process (subject to reasonable adjustments about how they do so), and the selection methods chosen will depend upon several factors including the following: (see sections 7.7 and 7.8 regarding selection methods)

- **Type of position.** What is the type of work to be undertaken?

- **Status and salary.** The more complex and demanding the role is the more skills and behaviours will need to be tested, using a variety of methods such as presentations or report writing.
- **Budget.** There needs to be a balance between accurately assessing the candidates for the post and the time and money spent on the process.
- **Timescales.** Timescales must be considered for each selection method and factored into the recruitment plan.

The selection methods chosen must not unfairly discriminate against any of the candidates and should only test skills and behaviours directly related to the role. Candidates are asked to advise managers of any adjustments needed for the selection process and these should be discussed with the candidate. Managers should consider reasonable adjustments including the following:

- considering the accessibility of interview venues – the building entrance and the floor, lighting, and layout
- letting candidates know about the subject and nature of any selection processes including where these are timed. This helps reduce anxiety and allows candidates to anticipate any adjustments they may need,
- allowing extra time for tests,
- using alternative formats for test materials or assessments e.g. paper based,
- allowing the candidate to have a break during selection processes,
- having assistive technology in place e.g. specialist mouse or a screen reader or simply ensuring the candidate can adjust display screens, or for those with hearing impairments consider signing support for any verbal explanations within tests.

Remember that holding an interview is not the only way to assess suitability for a role and having more than one selection process can give a more complete picture of a candidate’s abilities. The more senior or complex the role, the more likely it is that multiple selection processes will be needed in order to be confident of getting the right person (see section 7.8). Further advice is available in the Recruitment Selection Methods Guidance in the HR Toolkit on Learning Pool.

Before inviting the candidates to interview/selection processes, managers must consider the necessary arrangements:

- Notify candidates in advance if they will be required to undergo written tests or any other form of assessment. This is done via the Invitation to Interview Letter.
- Candidates are notified on the invitation letter that they will be required to provide evidence of; their right to work in the UK, training/qualifications or professional registration, and for the DBS identity check where relevant.
- Managers should ensure they enclose a copy of the Right to Work in the UK Evidence Submission Form (provided by the Recruitment & Safeguarding team) with the Invitation to Interview.
- Arrange for someone to oversee any test or exercise which the candidates will undertake if the panel will be busy in other interviews.
- Any health and safety issues arising.
- Arrange the venue, ICT resources etc.
- In cases where holding a face-to-face interviews is difficult (especially for those where travel is difficult) managers may wish to conduct selection

processes remotely, using online video links via Microsoft Teams. (See Appendix 1 for more details)

Once all these points have been considered the candidates can be invited to interview/selection process. The HR Recruitment & Safeguarding Team will have sent the manager the Invitation to Interview Letter template and a copy of the Right to Work in the UK Evidence Submission Form which should be enclosed/attached to the invitation. Candidates are asked to bring the completed form with them to interview. This will be used as part of the Right to Work in the UK evidence checks carried out at the interview.

Copies of the Invitation to Interview Template and the Right to Work in the UK Evidence Submission Form are also available on Learning Pool.

7.7 Interviewing

Managers can find more detailed advice in the Recruitment Interview and Questions Guidance on Learning Pool.

Interviewing is the most commonly used selection method and can be used to recruit to all jobs as a minimum, but is often best combined with other selection processes

Structured interviews predict job performance better than unstructured job interviews and therefore they should be planned carefully. The interview should consist of a range of questions relevant to the requirements of the post as set out in the job description. These should be prepared in advance by the panel. They should be clearly linked with both the essential and desirable criteria within the person specification, including our Values. This can be done through a combination of types of questions which assess the different elements of the person specification:

- Knowledge of a particular area, whether it be legislation, statutory guidance or best practice e.g. when working with a particular group.

This can be tested through specific fact-based questions where specific responses are required. Alternatively, this may be more suited to a written test or presentation.

- Skills, e.g. specialist communication skills AND/OR
- Experience gained through previous jobs/voluntary work or life experiences.

These can be tested by asking Skills & Behaviours-Based Questions, in which the panel ask the candidate to give an example of a time when they have done a particular piece of work, or how they would handle specific situations, in order to see if they demonstrate the necessary skills and behaviours. These questions can also be linked to the Authority's Values which are included in all person specifications. An example of this is the question "Tell us about the different types of people you are used to speaking to; How do you adapt your message?" which links to communication skills and also to the Value "We Listen".

(Further guidance regarding Skills & Behaviours-Based Questions, including how to write them and how they can align to the Authority's Values can be found in the Recruitment Interview and Questions Guidance document on Learning Pool).

At the start of the interview or selection process the panel/manager should try to put the candidate at their ease; openly welcoming them and taking the time to help them feel comfortable is likely to help them give their best performance. Managers should also consider their own body language, using an open stance, giving eye contact and using a friendly tone of voice.

All candidates must be asked the same set of core questions but supplementary questions may be asked in order to probe or clarify. Questions may also have to be asked to address any issues regarding the information in the application form e.g. gaps in employment or explore unusual career paths, where relevant.

The Authority's interview template and scoring system should be used to record the candidate's responses. All members of the panel should take notes using the template forms in the Managers' Toolkit on Learning Pool. Notes of the interview must then be collated by the recruiting manager and stored securely.

Finally, managers must carry out the following pre-employment checks:

Remember if the selection process has been carried out over video-call the following evidence checks must be conducted again in-person once the successful candidate has been chosen. (For guidance about online interviews please see Appendix 1)

1. **Qualifications/Professional Registration -** Checks of documentation for posts which require training or qualifications (including driving licences for those driving council vehicles) or professional registration. If a candidate does not have documents to confirm their educational or professional qualification, they must request this from the awarding body. Professional registration certificates (or online registration systems) must be checked to ensure they are within date.
2. **DBS identity checks –** for posts which require a DBS check. (See Section 16 Safer Recruitment and the checking process in the DBS and Safeguarding Checks Procedure)
3. **Right to Work in the UK** checks - View the candidate's Right to Work in the UK Evidence Submission Form. The form is available on the Learning Pool.

   The Right to Work in the UK Evidence Submission Form asks candidates to confirm the details of their nationality and legal basis for working in the UK including, for example, non-UK nationals who may require visas or sponsorship under the UK immigration system.

   Managers must then carry out a check of the candidate's evidence documentation in accordance with the guidance in Appendix 1 of the Evidence Submission Form or the government checklist guidance here https://www.gov.uk/government/publications/right-to-work-checklist. (Full government guidance regarding right to work checks is available here https://www.gov.uk/government/publications/right-to-work-checks-employers-guide.)

   Please note, some candidates who are not UK Nationals (British) will require a check to be carried out using the Home Office Online Checking Service. Advice regarding the online check is also included in Appendix 1 of the Evidence Submission Form.

   If the candidate indicates on the Evidence Submission Form that they are any nationality **other than a UK national** (and an evidence check has been carried out) line managers must contact their HR Business Partner. This will allow us to ensure that managers have collected the correct right to work status evidence and whether any further checks or administrative processes are required e.g. applications for sponsorships or support for visas.

Please note checks of documentation for business mileage claims, from employees driving their own vehicle, should be carried out later, during induction. Please complete the Vehicle Documents Check Form available from HR New Starters.

In addition, where a candidate is currently leasing a car from NHS Fleet Solutions and has requested permission for the lease agreement to be transferred to North Tyneside Council the candidate should be advised that this will not normally be approved. If a manager believes this would cause difficulties for a hard-to-recruit post, they should contact their HR Business Partner for further advice. Candidates can then apply for a Car Leasing Agreement if they are appointed.

7.8 Assessment centres

An assessment centre is a series of activities designed to fully test the candidates' abilities and potential.

All candidates must be given the same tasks (subject to reasonable adjustments about how they are carried out) and they should relate directly to the person specification and reflect the reality of the job. The activities chosen will depend on the nature of the job and tests that ask candidates to try out real work are the strongest predictor of performance in the job. These could include:

- role play
- a written exercise,
- a presentation, (a Presentation Assessment Form is on Learning Pool)
- a group activity or exercise
- aptitude or ability tests
- an IT/computer skills test.

Further advice is available in the Recruitment Selection Methods Guidance on Learning Pool. Managers are reminded of the need to make and retain notes as evidence. (See section 7.4.)

The selection activities and the roles of the panel must be fully agreed in advance. This will include:

- where the assessment centre will take place, to ensure a suitably quiet and uninterrupted environment
- making adjustments for candidates who have indicated a specific requirement.

7.9 The appointment decision

At the end of the selection process the panel should total their scores and determine their first and second choice candidates. Where there have been multiple selection processes the Selection Processes Combined Scoring Matrix (available on Learning Pool) can be used for this.

If the successful candidate has declared that they are the relative of an employee of the council or a Councillor, their appointment must be authorised by the service Director, or their nominated officer, before an offer of employment is made.

On occasion none of the candidates may be suitable for the position. In this situation the recruiting manager should try to ascertain why this has happened before deciding how to proceed. They must not simply appoint the best candidate from those assessed, simply to fill the position. The issue may lie with the role itself, for example the job content or the salary, or it may be that the advert (where it was placed or the timing of the advert) did not reach or appeal to the target audience. Where pay is confirmed to be the main barrier in attracting suitable candidates, a market supplement may be appropriate (see the Market Supplement Policy for further details.)

8 Making a job offer/Pre-employment checks

The recruiting manager must contact the chosen candidate by telephone to offer the post, making it clear it is subject to satisfactory pre-employment checks including the relevant ones from the following list:

(Remember Right to Work in the UK Checks should already have been carried out at Interview see section 7.7 for details. If the candidate requires sponsorship and a visa to work in the UK under the UK immigration system, managers **must** contact their HR Business Partner before making an offer.)

- Final in-person checks of evidence if these have only been shared over video-call. This re-check **must** be conducted before the Appointment Details Form is submitted to HR New Starters
- Medical clearance **–** (required for all new employees and existing employees being appointed to a safety critical role)
- References
- Evidence of a candidate's qualifications and/or professional memberships if these are required for the role (if not already obtained at interview). This also includes a check of driver's licence if the role requires driving a council vehicle. The licence penalty points, or disqualifications check via DVLA should also be conducted at this stage.
- *If required,* a Disclosure and Barring (DBS) criminal records check, Teachers Check or DUCA Childcare Disqualification Check. (See the DBS and Safeguarding Checks Procedure).

Please note it is an offence to employ a person who is barred from working with children or adults at risk of harm where the post involves their working with these groups. It is also an offence to employ a person who does not have the right to work in the UK. **As a result, candidates must <u>not</u> start employment before all checks have been successfully obtained**.

The recruiting manager must email all documentation about the successful candidate to HR New Starters with a copy of the Appointment Details Form. This will enable them to send out the formal offer letter and contract of employment subject to satisfactory pre-employment checks.

If a market supplement has been agreed for the post, the manager should advise the candidate that they will receive a separate written confirmation regarding this (it is not part of their standard contractual documentation as it is temporary).

Managers must confirm the details of the Market Supplement on the Appointment Details Form so that HR New Starters can send out the Market Supplement Letter.

9 Feedback to unsuccessful candidates

The recruiting manager should contact the other candidates by email or letter to advise them that they have not been successful on this occasion and offer them feedback. A template email/letter is available for this purpose in the HR Toolkit on Learning Pool.

Feedback must be accurate and constructive, identifying areas where the candidate performed well and any areas where their performance could have been improved, with any recommendations as to how they may do this. Giving constructive detailed feedback will help candidates to understand the work that they need to do in order to demonstrate their suitability for any future vacancies. It also sends the message that the Authority values their application.

10 Written offer of employment and pre-employment checks

Having carried out the selection process to determine suitability for a job role the recruiting manager should complete the Appointment Details Form and other documents relating to the successful candidate and email these to HR New Starters.

HR New Starters will then send out the Offer of Employment Letter, which is subject to the remaining pre-employment checks, and provide support with them.

The pre-employment checks include:

- Right To Work in the UK Checks (if not already carried out in-person at interview). Guidance regarding the checks is available in section 7.7. Please note, if the candidate requires sponsorship under the UK immigration system, managers must contact their HR Business Partner before making an offer.

- Professional registration and/or qualifications checks (if not already carried out at interview) – if this is a specific requirement for the job e.g. lawyer, social worker or health visitor.

- References – to provide a check of the information provided by the candidate during the recruitment process. HR New Starters request these on behalf of the manager. Once the references are received the recruiting manager will need to ensure they are satisfactory, and document this on the Reference Verification Form (where necessary) and the Clearances & Start Date Form. These forms and guidance regarding references are on the Learning Pool.

- Medical clearance – to establish whether a candidate can carry out tasks integral to the role. For all new employees and any existing employees being appointed into a safety critical post, the recruiting manager must complete a

Pre-Employment Referral via the Occupational Health Portal on their Desktop. The candidate is sent a link to the portal to complete their questionnaire. (Candidates without email receive a hard copy version). Where necessary, candidates will also have an assessment. Advice regarding fitness for the role is then returned to the recruiting manager via the portal.

- Disclosure and Barring Service (DBS) criminal records checks - to minimise the risk of unsuitable people being employed to work with children or vulnerable adults, or in positions specified by the DBS. (The recruiting manager should have conducted the required DBS Identity Checks at interview stage.) The recruiting manager/DBS Applicant Manager will then liaise with the candidate regarding the online checking process and any Overseas Criminal Records Checks required. See Section 16 Safer Recruitment. Guidance regarding eligibility and the process for DBS checks can also be found in the DBS and Safeguarding Checks Procedure.

- Teachers Checks or Disqualification under the Childcare Act 2006. (See section 16 Safer Recruitment and the DBS and Safeguarding Checks Procedure).

If the references are not provided, or something is highlighted that brings the candidate's suitability for appointment into question, the recruiting manager will be notified by HR New Starters or the Occupational Health Unit.

Where an issue is raised by any one of the pre-employment checks, depending on the nature of the concern, it will be necessary for the recruiting manager to do one or more of the following:

- Discuss the situation with the candidate and/or request further information
- Conduct a risk assessment and record the decision reached, using the appropriate form e.g. DBS Risk Assessment Form
- Withdraw the offer of employment (see section 12)

Where safeguarding concerns are raised refer to the Safer Recruitment guidance in Section 16 and the DBS and Safeguarding Checks Procedure regarding considerations to be made, and people/organisations to inform e.g. DBS or Police.

Where the concern relates to a medical condition, the recruiting manager should discuss it with the candidate to explore whether any reasonable adjustments can be made to enable the candidate to take up the post. Under the Equality Act 2010 the Authority is duty bound to make reasonable adjustments for any disabled employee. Guidance on Reasonable Adjustments is available on Learning Pool.

Where reasonable adjustments are agreed, the recruiting manager should ensure that they are in place prior to the employee's first day, (taking into consideration that putting them in place may take some time), or within a reasonable timeframe if agreed with the candidate. This should only be the case where the adjustment is not critical to, and would not cause significant delay to, the candidate starting the full range of duties.

During this time, the recruiting manager must ensure that all documentation regarding the recruitment process, including personal sensitive information is kept confidential and stored securely.

11 Confirming the offer

(Please note no employee can start their employment without the relevant checks being completed).

When the recruiting manager is happy that all pre-employment checks are satisfactory, they should contact the candidate to agree their start date. When this has been agreed the recruiting manager should complete the Clearances & Start Date Form and send to HR New Starters, who will then confirm the offer and start date in writing to the candidate.

Managers must then:

1. Scan and email the remaining documentation from the recruitment process to HR Recruitment & Safeguarding (<u>except DBS information</u>)
2. Scan and submit any DBS Risk Assessment documents to HR via the DBS Risk Assessment Retention and Review E-form on the Learning Pool. (Not including photocopies of the DBS Certificate which should be securely destroyed)
3. Securely destroy their copies of the recruitment documentation. If the manager needs to revisit the recruitment process the documentation can be requested from HR Recruitment & Safeguarding team.

12 Withdrawing a job offer

If any of the pre-employment checks are unsatisfactory it may be necessary to withdraw the job offer. The recruiting manager should seek guidance from Human Resources in this instance. (Where this relates to concerns regarding the DBS disclosure certificate information, please also refer to section 16 Safer Recruitment, and the DBS and Safeguarding Checks Procedure).

If the decision is taken to withdraw the offer the recruiting manager should contact the candidate by phone. They should clearly state the that the offer is being withdrawn due to unsatisfactory pre-employment clearances and the reason(s) for withdrawal, the steps taken prior to reaching the decision, and explain that the decision will be confirmed in writing.

If the pre-employment clearance checks are not completed within 8 weeks, the offer of appointment may be withdrawn.

13 Appointment not made

Where an appointment process is unsuccessful, (either because the candidate withdraws or management withdraw the offer) the recruiting manager can consider the other candidates who were identified as suitable, so long as this is within a period of three months from the closing date of the original advert. If this is the case managers should contact their HR Business Partner to ensure no further redeployees have been identified in the intervening period.

14 Preparation for the induction of the new employee

Once the candidate has accepted the post it is important to begin planning the induction process for the new employee. This process should include three key steps: (All documents and guidance referred to below are available on the Learning Pool).

1. Managers should refer to the Induction Procedure for advice and guidance on the steps to take to make the new employees start as positive as possible.
2. Create a service level induction plan tailored to the individual and the job. This could involve discussions about workplace adjustments for those with a disability or underlying health condition including, where the individual wishes, the creation of a Workplace Support Profile.
3. Refer to the Probation Procedure for any employees who are new to the Authority and implement the regular review meetings required.

15 Storage of documentation from the recruitment and selection process

As in section 11, when the manager completes the Clearances & Start Date Form (and sends it to HR New Starters) they must also:

1. Scan and email all remaining documentation from the recruitment process (except DBS information) to HR Recruitment & Safeguarding. They will retain the recruitment documentation for a period of 7 months before securely destroying it.
2. Scan any DBS Risk Assessment documents and submit to HR via the DBS Risk Assessment Retention and Review E-form on Learning Pool, (not including copies of the DBS Certificate which should be securely destroyed). DBS information sent to HR will be stored for retention and review under the terms of the Handing of DBS Certificate Information Policy.
3. Securely destroy their copies of the recruitment documentation. If a manager wishes to revisit the recruitment documentation this can be requested from the Recruitment & Safeguarding team.

16 Safer Recruitment

The Authority takes seriously its statutory duty of care to protect the well-being of the people of North Tyneside and in particular its most vulnerable groups, children and vulnerable adults. As such it requires managers recruiting to posts which work with vulnerable groups, to ensure those working with them are suitable.

For any Safeguarding Posts (those which require a Disclosure and Barring Service (DBS) criminal records check), **in addition to the steps already covered within this procedure or the guidance referred to**, there are some extra considerations to be made to make the process robust.

These steps are detailed below according to the different stages of the procedure.

16.1 Post creation

- Recruiting managers must identify the level of DBS check required when completing the Request to Fill a Post Form. Advert reference numbers for posts requiring a disclosure will start with DBS.
- Those requiring a Disqualification under Childcare Act 2006 self-assessment will be start with DBSC.
- Guidance regarding eligibility for the different types and levels of check can be found in the DBS and Safeguarding Checks Procedure.

16.2 Job Description/Person Specification

- For full information see the Job Description/Person Specification Guidance and Template Form on the HR Toolkit on Learning Pool
- Should be reviewed before going to advert to ensure compliance with this Safer Recruitment guidance
- Must include the correct DBS level and Barred List check required for the post and any Disqualification under the Childcare Act 2006 self-assessment needed. (See the DBS and Safeguarding Checks Procedure)
- Must clearly state the main duties of the post
- Should include details of the role requirements in relation to working with vulnerable groups e.g. consider what skills, behaviours and qualities a person with a responsible attitude to safeguarding would need to hold.
- Should include the extent of contact with, (and responsibility for safeguarding the welfare of), children, young people and adults at risk of harm. This would include family members or carers of the children or young people.

16.3 Advert/Application Form

- For full information see the Advert Guidance in the HR Toolkit on the Learning Pool.
- It is important to be clear about the mixture of qualities, qualifications, and experience a candidate will need to demonstrate - taken from the person specification.
- The advert must indicate the level of DBS or other Safeguarding Check required. (This will be applied by HR Recruitment and Safeguarding)
- Consider whether there is anything else that needs to be explicit in the advert in order to prevent unwanted applications; e.g. the need for a Disqualification under Childcare Act (DUCA) 2006 self-assessment
- All Authority adverts contain a statement about our commitment to safeguarding, commitment to promoting the welfare of children, young people and vulnerable adults.
- The application form adheres to our commitment to safeguarding children and vulnerable adults. No CVs should be accepted.
- The application form guidance advises on the DBS or DUCA 2006 process that will be followed.

16.4 Shortlisting & Interviews/Selection Processes

- The recruiting manager should ensure they have a full understanding of Safer Recruitment and this guidance.
- The panel should prepare questions to explore any issues highlighted on the application form when shortlisting e.g. gaps or repeated changes in employment, inconsistencies or discrepancies etc. For example, a history of repeated changes of employment without any clear career or salary progression or a mid-career move from a permanent to a temporary post can be highlighted.
- Consideration can be given to the participation of children and young people or service users in the selection process (see section 6.2).
- Consider using additional selection processes to gain a fuller picture of the candidate – including activities involving children/young people/adults
- The interview should explore the candidates' suitability to work with the relevant vulnerable group/s including their attitude towards them. For further detail on how this could be explored see the advice about questions linked to safeguarding within the Recruitment Interview and Questions Guidance.
- Ensure the candidate is clear that a thorough check will be made of their suitability, including the requirement for an online DBS check.
- A DBS identity check must be carried out (see the DBS and Safeguarding Checks Procedure for guidance). The candidate will be advised of this check within their invitation to interview, including the documents they need to provide.

16.5 Pre-employment Checks – References

- Any offer of employment can be made subject to satisfactory checks such as references, and disclosures, however, **no employee can begin their employment without these checks being completed**. The recruiting manager will be required to confirm that all pre-employment checks are complete and satisfactory on the Clearances & Start Date Form.
- References - for full information see the References Guidance and Template forms on Learning Pool
- There is a specific Reference Request Form for Safer Recruitment which asks additional relevant questions. The form should be returned via email wherever possible, or via post with an accompanying covering letter on headed notepaper.
- Two written references are required (apart from for "Specified Posts" as described in the References Guidance). Where the candidate has an employment history, one of these should be from the current or most recent employer (not a colleague).
- All references must be taken directly from the referee, not the candidate, and no open references ("to whom it may concern") will be accepted.
- Where the candidate's current post does not involve work with the relevant vulnerable group, but they have done previously, the second reference should be from the last employment which did. This will involve confirmation of duties and their reason for leaving

- References for Safeguarding Posts must be verified by phone and recorded on the official form in all cases, including for internal candidates and redeployees.
- References must be checked to confirm:
    - that all questions are answered satisfactorily
    - that they have demonstrated that the candidate meets the person specification
    - whether the referee is satisfied that the person has the ability and is suitable to undertake the job
    - whether the referee is satisfied that the candidate is suitable to work with children/young people/adults at risk of harm. If not, what the details of the referee's concerns are and the reason why the person might be unsuitable.
    - whether the candidate has been the subject of any disciplinary/performance management sanctions or had any allegations made against them, or concerns raised, which relate either to the safety and welfare of, or the candidate's behaviour towards, children and young people. Details about the outcome of any such concern must be sought.
- Any information about past disciplinary action or allegations must be considered on the circumstances of the individual case. Cases in which serious or recent concerns have been raised, or where issues identified were not resolved satisfactorily, are more likely to give concern than where an issue was:
    - satisfactorily resolved some time ago or
    - an allegation determined to be unfounded or
    - did not require formal disciplinary sanctions, and in which no further issues have been raised
- A history of repeated concerns or allegations over time may give cause for concern.

16.6 Pre-employment Checks – DBS, Safeguarding Checks and Qualifications/Professional Registration

- An offer of employment can be made subject to satisfactory checks such as DBS, however, **no employee may begin their employment without these checks being completed**. The recruiting manager will be required to confirm that all pre-employment checks are complete and satisfactory on the Clearances & Start Date Form.
- DBS **–** for full information relation to the points below, including eligibility and the checking process itself see DBS and Safeguarding Checks Procedure on the Learning Pool.
- The relevant DBS check and any Children's or Adults Barred List check, must be conducted, which includes a check of their identity documentation.
- An Overseas Criminal Records Check/Certificate of Good Conduct may also be necessary where the candidate has lived overseas for 12 months or more (continuously or in total) in the last 5 years, while aged 18 or over.
- When considering any offences or issues raised in the DBS Disclosure managers must only consider those which are relevant to the post in

question. There is a DBS Risk Assessment Form and Guidance document in the HR Toolkit on the Learning Pool to support this process.

- Any issues raised should be followed up with the candidate (and a risk assessment conducted and documented) before a decision is made regarding suitability and/or offer of employment confirmed.
- It must be noted that anyone who is barred from work with children or adults in regulated activity as set out under The Safeguarding Vulnerable Groups Act 2006 and Part 5 of the Protection of Freedoms Act 2012 is committing an offence if they apply for, offer to do, accept or do work in any of those regulated activities.
- It is also an offence for an employer to either;
    - offer work to,
    - procure work from,
    - fail to remove from work,

  any barred individual where the work is regulated activity.
- Where the candidate is found to be on the DBS Barred Lists, or if they have provided false information in their application, or if serious concerns about their suitability to work with vulnerable groups are raised, managers should obtain advice from their HR Business Partner regarding making referrals to the relevant authorities such as the Police, and/or DBS. (See DBS and Safeguarding Checks Procedure for more information).
- Thorough checks of qualifications and professional status/registration are required e.g. Social Work England for social workers, NMC for nursing and midwifery. Candidates are advised of the need to bring with them documentary evidence of any qualifications or professional memberships required for the post where online registration systems are not in place. Managers must check that that the registration certificate is in date or check their online registration. Where the candidate states that they do not have written documentation, they must be asked to provide written confirmation from the awarding body.
- Teachers check information (provided by HR New Starters) must be checked, including qualified status, and completion of probation and induction periods
- Any candidate who is required to make a self-assessment under the Disqualification under the Childcare Act (DUCA) 2006 must be advised of this by the recruiting manager and provided with the information to enable them to make the assessment. (See the DBS and Safeguarding Checks Procedure for guidance). If the criteria are met a waiver from Ofsted will be required.

17 APPENDIX 1 – Online Interviews/Selection Processes

It is anticipated that in the vast majority of cases interviews will be held in-person, in order to support communication and to allow for in-person identity evidence checks to be carried out. It is understood however that, in some circumstances it may be necessary to carry out interviews or selection processes online via video call e.g. where the candidate has an infectious disease but is still able to attend virtually, or where travel to the venue is difficult due to mobility issues or long-distances.

Pre-employment checks

In these cases, a virtual check of pre-employment check evidence (e.g. Right to Work, DBS or Qualifications/Professional Registrations required) can be carried out at interview, however the recruiting manager **must** check the candidate's original documentary evidence again **in-person before an offer of employment is confirmed**. This re-check must be conducted before the Appointment Details Form is submitted for the individual.

In addition, the manager **must** explain within the **verbal offer** of employment that the offer is subject to the required **in-person** evidence checks.

Using Microsoft Teams (or other video options) for Interviews with external candidates and those who do not have Teams

- Managers should agree with the individual which video software will be used. Guidance on using Teams, or other tools such as Zoom, for external meetings is available on the ICT Noticeboard on the Intranet
- If using Teams, and the candidate has an email address, just set up a Teams Meeting in your calendar and send the invite to them electronically using their email address. This sends a link for the meeting to the individual.
- Candidates do not need to already have the Teams app and downloading it is free. If required, candidates can be sent guidance on joining a Teams meeting from their own device (also available on the ICT Noticeboard).