

Recruitment & Selection Policy

**THE TRUST**

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**1. INTRODUCTION**

This policy supports employees and Trustees involved in the recruitment and selection process.

It sets out the principles which must be taken into consideration to enable the Trust to achieve a consistent approach in the critical area of recruitment and selection, complying with employment legislation and associated codes of practice. It also reflects best practice and advice in the recruitment process.

The recruitment and selection policy reflects the B.E.S.T. values and behaviours adopted by the Trust and supports the creation of a workforce who are positive, caring, engaging, inclusive and who take responsibility by ensuring that all recruitment activity has these values and behaviours at its core.

The Trust is committed to the protection of vulnerable groups by ensuring that “Safer Recruitment through Better Recruitment” practices are in place. A robust recruitment process, compliant with all relevant legislation, will safeguard and promote the welfare of the service user which is continuously reviewed to ensure best practice. A fundamental principle is that all Recruitment and Selection panel members will be appropriately trained.

The principles, which are set out in the following pages, apply equally to the recruitment of all employees including promotion and transfer appointments and to both internal and external applicants.

**All appointments are based on merit and all job applicants will be treated equally.**

The recruitment and selection process will be treated as confidential and all information gathered is confidential to those involved in the recruitment and selection process and will not be discussed with any third party. It is important to maintain the confidentiality of candidates in line with best practice and GDPR legislation.

The importance of recruitment and selection is critical, as there is no doubt that people are the most valuable resource within any organisation. Accordingly if the Trust does not employ the right person for every job, its aims, objectives and goals will not be fully achieved. It is a process of sourcing, screening, shortlisting and selecting the right candidates for the required positions and is crucial for organisational performance and long-term success.

Further clarification on any matter referred to in this document can be obtained from Human Resources.

**1.1 EQUALITY AND DIVERSITY IN RECRUITMENT AND SELECTION**

As an employer and provider of services, the Trust actively promotes diversity and equality of opportunity for all with the right mix of talent, skills and potential. In respect of Recruitment and Selection no employee or job applicant will receive less favourable treatment than any other on any of the protected characteristics as covered by the Equality Act 2010.

The 9 protected characteristics covered by the Act are: Age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex or sexual orientation.

This Policy outlines the procedures which will give applicants the opportunity to demonstrate their abilities regardless of their protected characteristic and that the principles of equality of opportunity will be applied consistently in all stages of the recruitment and selection process. It will also ensure that we avoid discriminatory practices, ensure equal access to all job opportunities and comply with employment legislation.

The Trust does not discriminate on the grounds of age and accordingly there is no default retirement age. Applications are welcomed from all members of the community irrespective of age, **although there is a minimum working age of 16, which we must comply with.**

**1.2 DISABILITY**

The Equality Act 2010 defines disability as “a physical or mental impairment which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities”. The Trust undertakes to interview applicants with a disability who meet the essential criteria for a job vacancy and give every assistance when required e.g. signer, wheelchair access etc.

**1.3 DATA PROTECTION CODE OF PRACTICE: RECRUITMENT AND SELECTION**

The Trust is committed to full compliance with the General Data Protection Regulations, the Data Protection Act 2018 and any subsequent future amendments. Additionally, the Information Commissioner has previously produced The Employment Practices Code which includes recommendations on recruitment and selection, detailing best practice guidelines for handling sensitive personal data during the recruitment and selection process. The Trust incorporates the principles of the data protection legislation and the code into this Policy and Procedures.

Data Protection legislation and the Code give individuals certain rights in respect of the processing of personal data during the recruitment and selection process. It places responsibilities on the Trust to process personal data that it holds in a fair and proper way.

The Data Protection Act allows for an applicant to make a “subject access” or “access to records” request to the Trust to obtain any recruitment and selection information held on them. This should be complied with and reference should be made to the Trust’s Information Governance pages for general guidance on dealing with a subject access request. For further specific information on what to do if an individual requests access to references about them, please see section 8 below.

**Line Manager Responsibilities**

Line Managers must: -

* Understand their responsibilities for data protection compliance in respect of recruitment and selection information about job applicants; and
* Ensure that their employees are aware of how data should be processed.

**Employees Responsibilities**

Employees must: -

* Understand their responsibilities for data protection compliance in respect of recruitment and selection information about job applicants;
* Comply with the Trust’s guidelines on processing data.

**1.4 MONITORING INFORMATION**

Each applicant will provide Equal Opportunities Monitoring information when submitting an application for any vacancy to facilitate monitoring of the Trust’s Equal Opportunities Policy.

All monitoring information will be analysed by Human Resources to determine that the Trust’s employment related Policies and Procedures remain effective. In addition this information is required by the Equalities/Human Rights Commission.

**1.5 JOB EVALUATION**

All new posts require to be evaluated in accordance with the Trust’s Job Evaluation Scheme prior to the vacancy being advertised. The evaluation will be undertaken by a suitably trained representative of EAC Human Resources who, taking into account the Job Evaluation Factor levels will determine the relevant grade for the post in terms of the Pay and Grading Scheme. All evaluations are considered by a Consistency Panel, made up of trained EAC HR and Trade Union representatives. A copy of the Job Evaluation policy can be found by contacting Human Resources.

**1.6 EMPLOYMENT OF APPLICANTS PREVIOUSLY EMPLOYED BY THE TRUST**

Any applicant who has accepted an early departure package from the Trust e.g. Local Government Pension Scheme arrangements; any redundancy payments; ill health provisions or compromise agreement etc. will require to have their application reviewed to ensure that a sound business case can be made for the applicant concerned to be employed by the Trust and that any such appointment could be justified. In addition, if an employee leaves the Trust’s service as listed above, and is also a bank worker, their current appointment to the bank register would terminate at the end of the annual period.

The Development Manager concerned will bring any applications received which meet the above criteria to the attention of the Head of Corporate Services or to the attention of the Chief Officer prior to any interviews being arranged.

The Chief Officer will discuss the application with EAC Human Resources and if justification can be made for the applicant to be interviewed for the post then a note is required to be kept within HR detailing the approval granted to proceed with the interview. Each application for employment with the Trust will be considered on an individual basis.

**2. ADVERTISING A POST**

**2.1 INITIAL CONSIDERATIONS**

Whenever a job vacancy arises an online RAF Vacancy Request (RAF) requires to be completed. There are a number of specific areas that managers need to consider before progressing to fill the vacancy. These are detailed below:

* Service Re-design

(Consideration of whether the vacant post will be impacted by future service structure. i.e. how can the post be used differently?)

* Succession Planning

(Employees within your service demonstrating leadership/management potential).

* Apprenticeship/Intern/Trainee

(Consideration given to how this post could be used to support the development of the younger workforce).

* Career change

(Consider the opportunity for other employees within the Trust to retrain to undertake this role).

* Job Carving

(Consider whether the job could be delivered in less hours with the remaining hours used for supported employment opportunities).

**2.2 EXECUTIVE MANAGEMENT MEETING**

All external vacancies which are submitted for advertising must be approved at the Executive Management meeting, consisting of the Chief Officer, the Head of Corporate Services and the Finance and Business Development Manager.

This group will determine what posts can be advertised and whether they should be advertised internally and/or externally. They will also provide governance over the recruitment process in respect of other workforce planning arrangements which can be utilised such as Career Change, Job Enlargement/enrichment, Service structure changes and the use of Apprenticeships or Graduate Internships.

After completion of the online RAF process outlined at 2.1 above, and agreement has been received from the Executive Management that the post can be advertised, consideration should be given to the most appropriate method of attracting applicants to the vacancy.

This may include advertising internally only, advertising externally through our recruitment portal – MyJobScotland.

All vacancies approved to be filled will be advertised either internally and/or externally by Human Resources except those deemed:

* suitable for employees identified by the Trust as requiring redeployment from their existing post.
* appropriate for a restricted selection exercise to be undertaken within the service work group who could reasonably be expected to undertake the duties.
* where alternatives are considered appropriate. E.g. apprenticeship, job carving, career change.

In addition, where the post requires registration or compliance or is politically restricted then this will be reflected in the advert e.g. PVG Scheme membership etc.

The advertising details which will appear on the online advert will be taken from the RAF completed by the recruiting manager. In addition the Job profile will be attached to the advert to assist applicants in the completion of their application. On some occasions there will be a recruitment pack available for prospective applicants containing details about the Trust, demographics of the area, the service and the role. This would usually apply to the Chief Officer post.

**2.3 PREPARING A JOB PROFILE**

A Job Profile consists of a job outline and person specification. The Job Outline is a statement of what a job involves and what the main responsibilities of the post are. It should detail where in the Trust’s structure a post sits and contains details of the reporting lines, working relationships and accountabilities of the post.

The Person Specification identifies both the essential and desirable skills, knowledge, experience and qualifications required to enable a person to carry out the duties of the post and should be based on the responsibilities contained in the job outline.

**Essential criteria** are those which are considered fundamental to allow the post holder to carry out the duties of the post competently and represent a minimum standard required by any applicant. **Desirable criteria** are those additional factors that allow the post holder to carry out the duties of the post more effectively.

A clear job outline and person specification makes it much easier to assess the skills, experience, knowledge and qualifications required for the post and should be used at both the screening and interview stage. Each duty and responsibility within the person specification must be analysed to determine what skills, knowledge etc. are needed and great care must be taken when categorising criteria to prevent unintentional discrimination occurring.

The job profile also contains the BEST Qualities and Behaviour standards that are expected of all employees across the Trust no matter what role they are undertaking or applying for and should be utilised as the basis of specific questions within both the application and interview process.

Prior to advertising any post, the Job Profile must be reviewed by the line manager and where necessary amended to reflect any administrative updates to the post; for example structure changes; changes to designations; changes to terminology. Where more substantial changes require to be made, for example changes to roles or responsibilities, this will be done in consultation with any staff currently in post and then be subject to Job Evaluation in the usual manner.

The line manager should refer to the Head of Corporate Services to determine if the post needs to be re-evaluated, to ensure the responsibilities are accurately reflected within the existing Job Evaluation Overview document and subsequent grade.

If there is no existing job profile, one must be prepared and the post will be subject to the job evaluation process before the vacancy is advertised. The Trust’s agreed Job Profile Template can be found in the intranet or from Human Resources.

The overall job profile will support the preparation of the advert, the short listing process and within the interview to evaluate applicants in the final selection decision making stages.

**3. DEPLOYMENT AND CAREER PATHWAYS POLICY**

**3.1 REDEPLOYMENT**

Human Resources will maintain a register of employees who have been determined to have the right to be redeployed under the Trust’s Redeployment Policy and employees on the Register will be given first consideration for all suitable vacancies which arise while they remain on the register in order of priority.

Human Resources will review all the Trust vacancies against the employee(s) Personal Profile(s) with a view to identifying their suitability to be considered for a vacant post. Where the review indicates no suitable applicants for the vacant post, it will be advertised in accordance with the Recruitment and Selection Policy.

**3.2 CAREER CHANGE**

Where a post has been identified as an opportunity for career change (as detailed at 2.1 above), the Development Manager, in consultation with Head of Corporate Services will identify the minimum criteria e.g. skills, knowledge etc required for the post. The career change opportunity will then be advertised internally with the minimum criteria identified for the post.

Where an employee is successfully appointed to a post identified as suitable for career change, a training programme will be established for the employee to work towards gaining the necessary skills, experience and/or knowledge to undertake the full range of duties for the post. This training programme may include coaching, work shadowing or completion of the appropriate SVQ through in house assessment or college placement.

**4. BANK REGISTER**

The Trust maintains a Bank Register for particular skill areas for which ad-hoc cover is required. This includes those individuals who are available at short notice to take up employment. Bank registers are maintained and managed by Human Resources.

Inclusion on the bank register will require completion of an on-line application, a successful interview and satisfactorily meeting any post requirements in relation to registration or compliance checks where appropriate. The bank register will be used to provide appropriate temporary/relief cover within the Trust.

Names will be retained on the bank register until the annual bank register update which takes place each March. If the date of formal acceptance onto the register is less than 12 months at the point of the update, the individual will be retained on the register until the following March. Where appropriate, individuals on the bank register must be members of the PVG scheme or be vetted through Disclosure Scotland before being retained on the register or considered for employment.

**4.1 SEASONAL EMPLOYMENT**

Seasonal employees who have given satisfactory service, will be given the first opportunity of employment in similar seasonal jobs which may be available the following year, subject to the normal checks.

**4.2 ARRANGEMENTS FOR REPLACING A JOB SHARER**

If a job sharer leaves the service of the Trust, a decision will be taken to establish if there is a need to fill the vacant part of the post. This would be done through completing the online RAF for justification and final decision at the Executive Management meeting. If approval is received to fill the other half of the post, the remaining partner will be offered the post being shared on a full time basis. If full time working is not acceptable to the remaining job sharer, the vacant job share post will be advertised following the usual procedure.

**4.3 POST VACATED WITHIN 13 WEEKS OF APPOINTMENT**

Where a vacancy has been filled and subsequently the original post or another with the same job outline falls vacant within a 13 week period from the date the candidate has been notified that they are the preferred candidate then the original applications may be reviewed by the interview panel to consider either offering the post to the second choice applicant, re-interviewing those applicants identified from the selection interview as suitable or proceeding to re-advertisement.

**4.4 TEMPORARY POSTS/SECONDMENTS**

It is essential that employees discuss any proposed application for a temporary post/secondment with their Development Manager prior to applying to ensure that in consideration of the exigencies of the service, a post would be available for them to return to on the expiry of the period of temporary employment as this cannot be guaranteed on every occasion.

**5. APPLICATION FORM**

**5.1 INTRODUCTION**

All applicants for posts must complete an on-line application form. Employees who are applying for restricted posts may be asked to complete an Employee Personal Profile Form rather than using the online application through the recruitment portal. Personal Profile Forms can be obtained from Human Resources.

**Curriculum Vitaes or speculative applications will not be accepted and any applicant applying in this way will be advised of the online recruitment portal where all vacancies are advertised.**

**5.2 ALTERNATIVE FORMATS**

For applicants who are unable to complete an application form in the usual way an alternative format must be considered e.g. large print, audio file or alternative medium such as the provision of a video clip. Human Resources will liaise with services on these issues where appropriate.

Video clip applications may be most relevant for some entry level posts where there is minimal qualification required and the focus is on the demonstration of our B.E.S.T. values and behaviours. They may on occasion be used as an alternative screening process for applicants. This option is still in development at present and therefore managers considering this option should consult with Human Resources in the first instance.

**6. SHORTLISTING AND INTERVIEW PROCESS**

**6.1 INTRODUCTION**

Services will establish interview panels to shortlist applicants who must be assessed against the criteria identified in the person specification. Shortlisting must be carried out by the persons who will be conducting the interview. In order to promote objectivity and consistency one person should never have sole responsibility for shortlisting and interviewing/selection. An EAC HR representative will be involved in the recruitment process where necessary. Direct EAC HR support is mandatory for all management posts normally grade 12 and above. For certain senior posts the Trust may appoint an external adviser to assist in the recruitment and selection process.

Following the closing date for receipt of applications the interview panel should access the applications on Talent link and panel members should make decisions on each candidate individually, by assessing each application against the Person Specification for the post and then completing a rating on the online system. Only information contained in the application form is used to make decisions about applications. In the instance of all panel members not being in agreement they should meet jointly to discuss their decisions and reach agreement on a final shortlist.

The shortlisting panel should read thoroughly the application forms, the job outline and person specification. Every member of the panel should be clear about the criteria and apply them consistently.

The minimum size of a shortleet for interviewing must be at least two applicants. All panel members **must** be trained in the Recruitment and Selection process.

Where a first shortlist is considered excessive, the panel may decide to weight some of the essential criteria as being more important or strategically useful for the job in addition to considering which applicants meet as many of the desirable criteria as possible listed in the person specification. **However, applicants with a disability who meet the essential criteria will automatically be interviewed.**

All shortlisting decisions should be recorded within the ratings in Talent link by all panel members for future reference.

Where individual panel members may have some personal knowledge of job applicants, care should be taken to ensure that judgements regarding them meeting the criteria are objective and can be justified.

**Where anyone directly involved in the appointment process has a personal relationship with an applicant which could be deemed to affect their impartiality, they should declare their possible interest to their manager or in the case of Trustees to the Head of Corporate Services with a view to being excluded from the selection process.**

If there is any doubt about the qualifications held by any of the applicants, advice is available from Human Resources. No assumptions should be made about academic attainments.

Panel members should be aware of the effects of in-built prejudices against certain groups for specific jobs, accept that these prejudices do exist and be prepared to challenge other people’s views.

Applicants whose experience has been gained outwith paid employment e.g. people returning to the workplace or those who have carried out voluntary work should not be disregarded. Their past experience may enable them to make a valuable contribution to the Trust and consideration should be given to their current skills and future potential.

**6.2 B.ES.T. VALUES AND BEHAVIOURS**

Our B.E.S.T. values and behaviours are embedded within all our employment policies and ensures that the Trust is fully committed to “Investing in Our People and Embracing Our Values”. In order that we continue to employ people with these values, questions around these broad general areas are asked within the application stage and also through our interview questions. Accordingly interview panels will use competency based recruitment methods incorporating the B.E.S.T. values and behaviours.

Being positive, caring and empathetic are the qualities we need to build an outward reaching Trust, with the associated behaviours making people most effective at work. Behaviours such as being able to develop and maintain positive and productive working relationships, team working, positively embracing change and having pride in your role in the Trust are imperative.

Values and Behaviour based recruitment methods includes shortlisting based on how best applicants have demonstrated the qualities we are looking for either through their application or through the video clip submitted, as well as focusing on the knowledge, skills and experience identified for the vacancy concerned. In addition a range of behaviour based questions focused on these areas have been developed and can be used at the interview stage of the process. (Further details at paragraph 7.1)

**6.3 SHORTLISTING APPLICANTS WITH A DISABILITY**

Any requirements about what the job involves or the person to be recruited should be related to what’s needed as part of the job. The Trust must avoid direct discrimination against applicants because of their protected characteristics in what we say or write about the job.

Where there is any uncertainty regarding the shortlisting of an applicant with a disability because of insufficient information on the nature of their disability and how this effects their ability to do the job, **assumptions must not be made** - advice is available from Human Resources.

The shortlisting panel must consider what ‘reasonable adjustments’ can be made. (See further information at 11.9)

**Applicants with a disability who meet the essential criteria for the job must be interviewed in accordance with Trust Policy.**

**6.4 RECORDING DECISIONS**

It is important to remember that job applicants are entitled to have access to all interview notes retained as a record by the Trust. If an applicant is not selected for interview it is essential that the reasons for non-selection are recorded. Records will be kept for a period of 6 months and will then be securely destroyed.

**7. INTERVIEW TECHNIQUES**

When applicants have been shortlisted, the date and location of the interviews, along with any other selection techniques, need to be arranged. Arrangements will normally be undertaken by the chair of the interview panel.

**7.1 BEHAVIOUR AND COMPETENCY INTERVIEWS**

The main component of the selection process is the behaviour based interview which should incorporate 1 or 2 questions around B.E.S.T. Behaviour based interviews are structured, with questions that relate directly to the essential skills, knowledge and experience within the person specification as well as the behaviours expected of all employees.

Competency based interviews are based on the concept that the best prediction of how someone will perform in a new job is to closely examine past performance and past behaviour in similar work situations.

The interview panel’s goal is to obtain specific examples of when and how particular behaviours have been demonstrated.

The questions will focus on key competencies required in the job and the applicant will require to demonstrate from their past experiences that they have direct and relevant experience in the competency area highlighted for scrutiny.

Questions can be asked about:

* Past behaviours and performance
* Learning from past behaviours
* Future adaptability to new post
* Knowledge and understanding of issues in relation to the post.

Questions usually start with “Please give me an example of when…”, “Please describe an occasion…” etc. This style of questioning encourages applicants to give situational examples of times in the past when they have performed particular tasks or achieved particular outcomes using certain skills.

In addition to the behaviour based interview there are a range of other selection methods which can be used depending on the nature of the post.

Variation in the assessment methods employed may be necessary in order to ensure that all applicants are given equality of opportunity e.g. some testing/assessing of applicants may place some groups of people at a disadvantage.

**7.2 OTHER SELECTION METHODS**

Using additional selection methods will improve the quality and quantity of information and will ensure applicants have the opportunity to demonstrate how they meet the essential requirements and expected behaviours of the post. In addition using a mix of methods allows the interview panel to look at the results in an integrated way to build up a picture of the applicant.

Additional selection methods may include:

* practical skills tests
* presentations
* report writing
* prioritisation exercises
* individual/group discussion
* assessment centres

**Advice on the appropriate use of these techniques should be discussed with the Head of Corporate Services in the first instance and before any action is taken.**

Assessment results should not be used as the sole basis for decision-making. The panel should agree in advance the weighting which will be given to the different selection methods used.

**7.3 PRACTICAL SKILL TESTS**

All tests used should measure skills or attributes identified as necessary to do the job. Skills not required on the job or in training should not be tested simply as a preference of style by the interview panel. E.g. demonstration of cooking skills for catering staff, demonstration of the use of tools/measuring devices for a craft role.

**7.4 PRESENTATIONS**

Depending on the duties of the post to be filled, the panel may feel it important to ask applicants to do a short presentation of a stated duration e.g. ten minutes on a subject, chosen by the panel, and intimated to the applicant in the interview invitation. In doing so, the panel will be able to assess an applicant’s: -

* Understanding and knowledge of the topic
* Ability to identify major issues and concepts
* Ability to present an argument in a logical and persuasive manner
* Ability to structure a presentation in a professional way
* Ability to control time
* Public speaking skills

The panel should ensure that any equipment, which is available for applicants to use e.g. laptop and projector is correctly set-up and in working order.

**7.5 REPORT WRITING**

Depending on the duties of the post to be filled, the panel may feel it is appropriate for applicants to submit a written report on a particular subject/topic which reflects the job content. Alternatively they may ask them to complete an unseen written task as part of the interview process. This will measure an applicant’s ability to summarise a complex matter, to demonstrate their knowledge of a topic fundamental to the skills, knowledge and experience requirements of the job. Care must be taken not to ask for subject matter which requires knowledge specific to the Trust that would put external applicants at an unfair disadvantage.

**7.6 PRIORITISATION EXERCISES**

These exercises simulate the types of demands and day-to-day issues an employee may face in actually doing the job. They typically require applicants to work through a list of daily/weekly priorities consisting of a mixture of letters, telephone messages, e-mails and other documents relevant to the job. Applicants are set a time to read the documents, state what priorities they would make and what action they would take in each situation. Care must be taken not to include subject matter, which requires knowledge specific to the Trust that would put external applicants at an unfair disadvantage.

**7.7 INDIVIDUAL/GROUP DISCUSSION**

The interview panel may feel that it is appropriate for a forum of individual or group applicant discussions with peer colleagues or customers to take place in advance of the interview. This allows a suitable report to be tabled to the interview panel on the applicant’s practical or professional knowledge and abilities, their general competence to provide advice and a perception of their ability to “fit in”.

Examples include – group discussion of how to prioritise a range of tasks in terms of importance/urgency, with group agreeing a final order. Creating an activity with a range of resources that the group need to use to achieve the outcome. E.g. use a range of craft materials to create a learning experience for children.

To meet the Trust’s objective of safer recruitment through better recruitment the involvement of the appropriate people from vulnerable groups may be used as part of the assessment process, with structured and relevant feedback being provided to the interview panel. For example young people being involved in group work, creating their own questions or taking part in a lesson.

**7.8 ASSESSMENT CENTRES AND CHIEF OFFICER RECRUITMENT**

Assessment Centres will be used when recruiting the Chief Officer to the Trust. At the discretion of the Chief Officer, and with guidance from the relevant EAC HR, Assessment Centres can also be used to recruit the Executive Management Team where it is believed this will add value to the recruitment process.

Assessment Centres are used within the recruitment process to supplement the consideration of applications and subsequent interview through the provision of

* Psychometric Testing
* Critical thinking and numerical reasoning testing
* In tray/scheduling exercises and/or
* Role Play observed against agreed criteria

Candidates performance at Assessment Centre is summarised in a report matched to the recruitment criteria and considered as part of the wider recruitment process. Assessment Centres are shown to add value when used as part of the recruitment process to support appointment of the most suitable candidate by using researched and tested industry standard testing.

**8. REFERENCES**

**(A) BEING RECEIVED BY THE TRUST**

References are not required where internal employees are applying for restricted posts where they have completed an Employee Personal Profile Form. Otherwise, references will only be sought for the applicant who is being recommended for appointment.

The Trust’s Application Form asks for the details of two referees who will be contacted with at least one of the referees knowing the applicant in a work capacity and should be from the applicant’s current/most recent place of work wherever possible.

Requests for references should be specifically framed to elicit information about the applicant which is directly relevant to the post and the essential and desirable selection criteria of the person specification, in addition to confirming or otherwise the basic factual information i.e. job title, attendance record etc. Therefore when contacting referees, copies of the job outline should be enclosed.

A reference should not be sought without first obtaining the recommended candidate’s consent and this is reflected in the Application Form.

References can be helpful but should be used with care. In the first instance, the factual information contained in the reference should be compared with the application form and any discrepancies highlighted. Next, the referees’ comments on the recommended candidate’s suitability to carry out the duties of the post should be considered. Particular regard should be paid to any specific strengths or weaknesses highlighted by the referee. The nuances of language must be considered. Finally it should be noted that some organisations only give factual information and therefore no conclusions about the recommended candidate’s overall suitability for a post, either positive or negative, should be drawn from such a reference.

Any issues arising from the reference should, where applicable, be clarified in the first instance with the referee and with the recommended candidate, as appropriate. Accordingly, any offer of appointment will be made subject to receipt of satisfactory references.

The Chair of the panel in conjunction with the other panel members must be satisfied with the content of the references prior to the offer of appointment being issued.

Where potential employees will be required to undertake cash handling duties, interview panels should obtain references which cover a period of at least 3 years previous employment.

Where anyone directly involved in the appointment process is listed as a referee for any applicant, they must either decline from acting as a referee with an appropriate alternative being indicated by the applicant or take no further part in the interview process.

All communications with applicants and their referees will be by email using the Scottish Recruitment Portal – myjobscotland.

**(B) BEING GIVEN ON BEHALF OF A TRUST EMPLOYEE OR EX- EMPLOYEE**

Managers may be asked to provide a reference for an employee or an ex-employee who is applying for a vacancy either within or out with the Trust. This reference can be either a work related reference or a character based reference.

Employees may be asked to provide a character based reference for a work colleague. Employees should advise the organisation that they are submitting the reference they are providing a character reference which is based on their personal opinion and has not been written on behalf of the Trust.

The employee providing the reference must clearly state their current or previous working relationship with the applicant in the reference. Work related references must only be given where the employee providing the reference has or had a managerial/supervisory relationship with the applicant.

Employees providing a reference are under a duty to provide a reference which is in substance true, accurate and fair. The reference must not give an unfair or misleading impression overall and there are a number of matters to bear in mind when giving a reference:

* Care must be taken to ensure the reference is factually accurate, fair and not misleading in the overall impression it gives to the recipient.
* The reference must contain all the relevant information regarding the applicant to enable the checking of employee information, such as dates of employment, career history and record of absenteeism etc.
* The reference should be addressed to a named person rather than 'to whom it may concern' or to a job title.
* Particular care should be taken if asked about the applicant’s absences and only the total number of days’ absence in a specific period should be given. No details of the reason for the absence should be given without the consent of the applicant.
* If supplying a reference where a compromise agreement has been reached, contact must be made with Legal Services to agree the precise wording of the reference in order to avoid any breach of the compromise agreement.
* There is no liability for defamation provided the employee providing the reference believes the information contained is correct and is given without malice. However, if untrue malicious comments are made, then the employee concerned may be liable. No opinions should be made which cannot be substantiated with factual evidence.
* The provider of a reference owes the recipient of the reference a duty of care under the principles of negligent mis-statement if the latter suffers loss as a result of inaccuracies in a carelessly drafted reference. A negligence claim could be made by a new employer if the employee providing the reference failed to reveal something which ultimately causes the new employer loss.
* If an inaccurate reference is given, attempts should be made to correct the error by sending an accurate reference and a covering letter as soon as the writer becomes aware of inaccuracy.
* When you are requested by an individual to provide a work-based reference and you are unsure about any aspect of the request then you should discuss the matter with your line manager or Human Resources.
* You should not under any circumstances seek to portray yourself as a manager or supervisor where you have been cited to provide a character reference only.

Further information and advice is available from Human Resources.

In circumstances where an individual makes a request for sight of a reference written about them, and where this information has not been destroyed in terms of the Records Retention Schedule, consideration should be given to its release.

In general terms, individuals have a right to access information held about them. Although data protection legislation contains an exemption from the release of confidential references, in some circumstances it may be considered reasonable to release the reference. When consideration is being given to release, the Trust will require to weigh the referee’s interest in having their comments treated confidentially, against the requester’s interest in seeing what has been said about them. One such consideration should be the opinion of the referee which should be captured on the reference form.

Where the referee has not consented to disclosure of the reference, the Trust may consider if a redacted version of the reference could be released, which omits third party information. It is unlikely that this will be possible in the majority of cases as the employee is likely to be aware of the author of the reference.

Where redaction is not appropriate, consideration requires to be given to how reasonable it is to release the reference. Relevant considerations are likely to include:

* Any clearly stated assurance of confidentiality given to the referee;
* Any reasons the referee gives for withholding consent;
* The likely impact of the reference on the requestor;
* The requestor’s interest in being able to satisfy himself or herself that the reference is truthful and accurate; and
* Any risk that disclosure may pose to the referee.

The above advice applies to both references received by third parties into the Trust and references given by current the Trust employees.

Further advice on the release of reference can be sought from the Trust’s Information Governance team.

**9. CRIMINAL RECORD CHECKS**

**9.1 REHABILITATION OF OFFENDERS ACT 1974**

The provisions of the Rehabilitation of Offenders Act 1974 generally provide protection to persons with a criminal record, with a conviction that has been “spent” from being discriminated against when applying for jobs. Rehabilitation periods vary according to the nature of the crime, the sentence given and the age of the offender at the time of the conviction. A sentence of imprisonment of more than 30 months will never be “spent”.

**9.2 REHABILITATION OF OFFENDERS ACT 1974 (EXCLUSIONS AND EXCEPTIONS) (SCOTLAND) ORDER 2003 (AS AMENDED)**

The above Order identifies occupations which are exempted from the provisions relating to “spent” convictions and all applicants called for interview for such posts will require to disclose all previous convictions.

In order for the Trust to establish whether the successful applicant has a conviction that is not "spent", all applicants who are not subject to a check by Disclosure Scotland will be required to complete a Criminal Conviction Declaration Form. Human Resources will issue the criminal convictions form along with the other pre-employment documentation following the recommended candidate being notified.

Each service must maintain a list of posts identified as "accepted" in terms of the above legislation.

The provisions contained in Part 2 of the Management of Offenders (Scotland) Act 2019 will be coming into force on **30 November 2020**. A guidance note will be issued to the preferred candidate along with the other pre-employment documentation and will provide further guidance around the reduction to the periods of disclosure for ‘spent’ sentences.

**9.3 EMPLOYMENT OF EX-OFFENDERS**

Applicants with a criminal history are entitled to apply for any vacancies advertised by the Trust, with the exception of applicants who are disqualified from working with children and protected adults, who are precluded from applying for positions which involve Regulated Work with these groups.

Accordingly, interview panels require to respond positively to the challenge of employing people with criminal records in responsible balanced ways that maintain a duty of care to employees and customers, protect business interests and give access to the widest pool of talent.

The suitability for employment of a person with a criminal record will vary depending on the nature of the job and the details and circumstances of any convictions. Deciding on the relevance of convictions to specific posts is not an exact science. An assessment of an applicant's skills, experience and conviction circumstances should be weighed up against the risk assessment criteria for the job.

An applicant's criminal record should be assessed in relation to the tasks they will be required to perform and the circumstances in which the work is to be carried out. Consideration should be given to the following points when deciding the relevance of offences to particular posts: -

* Does the post involve one-to-one contact with children or other vulnerable groups as employees or service users?
* What level of supervision will the post holder receive?
* Does the post involve any direct responsibility for finance or items of value?
* Does the post involve direct contact with the public?
* Will the nature of the post present any opportunities for the post holder to re-offend in the course of work?

In some cases, the relationship between the offence and the post will be clear enough for the interview panel to decide easily on the suitability of the applicant for the job. The interview panel should make arrangements to discuss the relevance of each offence with the recommended applicant for appointment taking into account the following issues: -

* The seriousness of the offence and its relevance to the safety of other employees, customers, service users or property.
* The length of time since the offence occurred.
* The age at date of offence.
* Any relevant information offered by the applicant about the circumstances which led to the offence being committed.
* Whether the applicant’s circumstances have changed since the offence was committed, making re-offending less likely.
* Whether the offence has been decriminalised by Parliament.
* The country in which the offence was committed, some activities are offences in Scotland and not in England and Wales and vice versa.
* The degree of remorse or otherwise, expressed by the applicant and their motivation to change.
* A note should be retained of the reasoning for the decision taken.

In all cases, services must ensure that information regarding offences is kept confidential. Applicants need to feel confident that information about their offences will not be disclosed to anyone unless there is a specific reason for doing so.

Further advice on Criminal Record Checks is available from Human Resources.

**10. DISCLOSURE SCOTLAND**

The Trust is registered with Disclosure Scotland for the purposes of accessing criminal history information on individuals applying for certain posts ‘excepted’ under the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions (Scotland) Order 2003 (as amended) and also for those posts included in the Police Act 1997 (Criminal Records) (Scotland) Regulations 2010.

**10.1 PROTECTION OF VULNERABLE GROUPS (SCOTLAND) ACT 2007**

The above (PVG) Act established the Protecting Vulnerable Groups (PVG) Scheme which Disclosure Scotland, as an executive agency of the Scottish Government, manages and delivers.

The PVG Act also introduced the concept of Regulated Work of which there are two types:

* regulated work with children; and
* regulated work with adults.

Successful applicants for posts which involve carrying out Regulated Work with either or both of these groups will be required to become a PVG Scheme member, or if they are already a Scheme member be subject to a PVG Scheme Record Update, before any formal offer of employment can be made by the Trust. The relevant Application Forms must be countersigned by an authorised officer of the Trust. The successful applicant will be responsible for the cost associated with Scheme Membership which will be deducted from their salary. Where the successful applicant withdraws their application after the disclosure form has been sent to Disclosure Scotland they will be required to pay the fee.

Services must ensure that those employees with access to PVG Scheme Records or Scheme Record Updates are aware of the Trust’s policy on the secure handling, use, storage and retention of disclosed information.

Each service must maintain a list of posts which involve Regulated Work requiring PVG scheme membership or requiring a Disclosure Scotland check to be completed.

**11. THE INTERVIEW PROCESS**

**11.1 RESPONSIBILITY IN SELECTION**

Trustees will be involved in the appointment of the Chief Officer. Responsibility for all other appointments is delegated to a suitably trained member of staff (normally G8 and above).

**11.2 COMPOSITION OF INTERVIEW PANEL**

For some jobs, it will be appropriate for the direct line manager/supervisor to be assisted by a Representative from EAC Human Resources. This is mandatory for all management (normally G11 and above) posts. Managers now have greater flexibility and control over the interviewing process as the tools are available to allow recruiting panel members to participate in interviews without EAC HR present on every panel. However EAC HR support will always be available where necessary.

It should be borne in mind that the aim of the process is to glean the maximum amount of information in order to make an informed decision on the applicant’s suitability. Where appropriate the direct line manager should conduct the interview together with other officers with whom the applicant would be expected to have a functional relationship.

The size of the panel will be determined by the nature and grade of the post but the panel must consist of at least two people and normally not exceed four. In respect of the Trust’s Equal Opportunities Policy every effort should be made to have an appropriate panel composition in relation to the applicants to be interviewed. All interviewers must be present at all interviews barring illness. Whatever the composition it should enable a rapport to be developed with the interviewee and not act as a barrier to discussion.

A tool box talk has been developed to highlight the key areas within the interview process and to also support Managers in setting up their own interviews.

It is a fundamental principle of these procedures that all employees and Trustees in the recruitment and selection process must be properly trained in the Trust’s recruitment and selection procedures, prior to participation in any selection process including shortlisting and interviewing.

**11.3 ROLE OF HUMAN RESOURCES REPRESENTATIVE**

Where it has been agreed (normally for G11 and above posts) by the Chair of the panel and EAC Human Resources, an EAC Human Resources representative will attend the interview, they will be a full member of the panel and provide advice on the Trust’s recruitment and selection procedures and generally oversee the whole process. They will participate in both the shortlisting and the interview process. Where it is not deemed necessary for an EAC HR representative to be appointed to the interview process, there will always be a nominated EAC HR rep to offer guidance if required.

For posts where selection methods in addition to the interview are being considered the Head of Corporate Services will advise on the suitability of such methods.

**11.4 OBSERVERS**

In exceptional circumstances, the interview panel may agree that an observer should be present during the interview. It is important that the role of the observer is communicated to the applicant as part of the introductions at the start of the interview with the applicant being advised that the observer will play no part in the formal decision making process.

**11.5 COMMUNICATING WITH APPLICANTS**

Arrangements should be in place to ensure that applicants are kept informed at every stage of the process. All communication with applicants should be made via e-mails from Talentlink.

**11.6 CHECKLIST**

1. Barring illness of a panel member, panel membership must remain consistent throughout the process. Where a panel member is ill and is unable to attend the interviews, the remaining panel members must decide on whether to continue with the interviews or alternatively postpone them to another date.

2. Members of the interview panel must be present during all interviews and should have been involved in the short listing process.

3. Where anyone directly involved in the interview process has a personal relationship with an applicant which could be deemed to affect their impartiality, they should declare their possible interest to their line manager or in the case of Trustees to the Chief Officer with a view to being excluded from the interview process.

4. Where anyone directly involved in the interview process is listed as a referee for any applicant, they must either decline from acting as a referee with an appropriate alternative being indicated by the applicant or take no further part in the interview process.

5. It is impossible to determine how long an interview should be. However, as a general guide it is likely that for most posts, half an hour is appropriate while for more senior posts, depending on the additional selection techniques that are to be used, the interview could be around one hour.

Care should be taken to allow time in the process for completing applicant assessment forms and meal breaks where appropriate. **Remember that the Trust has to make a positive impression on the applicant and keeping people waiting for excessive periods of time does not do so.**

6**.** Evidence of qualifications and membership of Professional Bodies etc. must be sought from applicants at the point they have been notified that they are the recommended applicant subject to the relevant checks. The relevant documents **must** be provided by the applicant **prior** to any appointment being made.

**11.7 APPLICANTS INABILITY TO ATTEND INTERVIEW**

Where an applicant advises that they are unable to attend at the time requested and are able to give early notice, the panel should try where possible to reschedule the interview depending on the urgency to fill the post and the length of any delay. The chair of the panel will make the final decisions on rescheduling or not.

**11.8 THE INTERVIEW STRUCTURE**

The following structure will assist in ensuring that all applicants are given the opportunity to participate fully in the interview: -

* Introduce the panel members to the applicant in terms of name, operational function and interview role.
* Ask open rather than closed questions. Closed questions normally only require yes/no answers, whereas open questions will require a more detailed and lengthier answer. Further information can be found on the Recruitment and Selection e-learning course.
* Be aware that asking questions relating to an applicant’s personal circumstances may be discriminatory. Questions should relate to the requirements of the post and not to an applicant’s personal circumstances.
* Questions should be about whether the applicant has the relevant skills, qualities, behaviours or experience to undertake the job and should not be about their health or about any disability they may have.
* Questions relating to previous sickness absence should not be asked at interview as they count as questions that relate to health or disability.
* It is important that during the interview the interview panel limit the questions to those that are relevant to making a recruitment decision. If information is volunteered, only record and retain that which is relevant to the recruitment decision or necessary to be able to demonstrate that the decision was properly taken.
* Provide the applicant with the opportunity to ask any questions relating to the job duties, conditions of employment etc.
* Indicate when and how applicants will be told of the result of the interviews.
* Thank the applicants for applying for the post and attending the interview.
* Complete the interview assessment sheet after each interview.
* Do not discuss with other panel members until all interviews have taken place.

Applicants have a legal right to see both the assessment sheets and any other notes taken by the interview panel following their interview. Therefore employees involved in the interview process should be aware that any notes taken may be copied to the applicant. Accordingly it is essential that the interviewer(s) must not use inappropriate comments regarding gender, ethnic origin, sexual orientation, attractiveness, etc. Applicants can only get access to their own assessment sheets and notes.

**11.9 APPLICANTS WITH A DISABILITY - REASONABLE ADJUSTMENTS**

Interviews should focus on the person specification, not on any disability which an applicant may have. Interviewing panels may need to consider the way in which adjustments would allow a person with a disability to be given equality of opportunity when assessed against the selection criteria.

The duty to make reasonable adjustments aims to make sure that a disabled person has the same access to everything that is involved in getting and doing a job as a non-disabled person, as far as is reasonable. The adjustment must be effective in helping to remove or reduce any disadvantage the disabled person is facing.

A solutions focused, ‘can do’ approach should be adopted and it may be necessary to consider whether any adjustment is required to enable an applicant with a disability to take up the duties of the post. This should be discussed with the applicant who may be able to offer suggestions as to ways in which their disability can be accommodated.

In determining if a reasonable adjustment is possible the panel should consider:

* the extent to which the adjustment overcomes the effect of the disability
* the practicality of making the adjustment
* the extent of any disruption caused by the adjustment
* the financial and other costs involved
* the financial and other resources available

It is important that the panel does not make assumptions; does not invent difficulties; is flexible; is positive and asks for information and advice if needed. It should be noted that two thirds of adjustments cost nothing.

It is management’s role to determine if and how a specific disability can be accommodated in relation to a specific post, not the applicant’s.

If, having taken all of the relevant issues into account, it is decided that an adjustment is reasonable then it must happen if the applicant is appointed to the post concerned.

Advice can be sought from our occupational health service as to what reasonable adjustments may be appropriate and funding may be provided through Access to Work. This support programme helps disabled people start or stay in work and provides practical and financial support for people who have a disability or long term physical or mental health condition.

**12. THE SELECTION DECISION**

At the end of each individual interview, the interviewers should make an assessment of the applicant (based on the application form, assessment sheets, the notes taken and information recollected) against the criteria in the person specification.

**12.1 USING THE INTERVIEW ASSESSMENT FORM**

By using the Interview Assessment Form the interviewer can summarise thoughts and make an initial judgement. **After each interview, each member of the panel must complete an Interview Assessment Form** to ensure safer and better recruitment.

The format of the Interview Assessment Form may vary in accordance with the type of post but each interviewer should be able to record their assessment of each applicant against the essential criteria and at the same time provide comments to justify why an applicant has or has not met a particular criterion. Each interviewer should complete their Interview Assessment Forms independently without discussing their basis of judgement with other panel members.

The Data Protection Code of Practice recommends that only data which is relevant to and necessary for the recruitment process (or for defending it against a challenge) should be recorded and retained. It is therefore important, and clearly good practice in any event, that any interview notes in addition to the assessment form are accurate, relevant and objective.

The Interview Assessment Forms together with any interview notes, questions etc. should be kept for a minimum period of **6 months** following the date on which each applicant was notified of success or failure. This information can then be used for applicants seeking feedback, or in order to respond to any complaints or claims of discrimination. Further information on safe storage and retention are detailed at 13.12. **The Interview Assessment Form is available from Human Resources.**

**12.2 MAKING THE SELECTION DECISION**

In arriving at a final decision, the interviewers have to decide which applicant is the most suitable when compared against the entire selection criteria.

This process involves sifting through all the information gained from the selection process about each applicant - that is examining application forms, interview notes and assessment forms and other selection tool outcomes, as appropriate to look at applicants’ abilities, skills, knowledge, experience and likely commitment.

Every effort should be made by interview panels to achieve a unanimous decision. If a decision cannot be reached unanimously then discussion should be aimed at reaching a consensus decision. If there is still no agreement then a second interview should be arranged with the prospective applicants.

**It is important to note that each applicant should be compared against the selection criteria and not against the other applicants.**

**12.3 THE SELECTION DECISION**

The essential question is, “Which applicant best demonstrates that they meet all the essential criteria?”

An interviewer will be asked to justify their ranking of applicants where there are substantial inconsistencies between that person’s observations and those of other interviewers.

After the final selection is made, the panel’s decision in respect of each applicant should be recorded on each interviewer’s assessment form and agreement reached on the recommended applicant. The next step will be the Chair should complete the relevant section of the Notification of Appointment Form (HRPR/1) and pass it to Human Resources. It is important that the Human Resources Representative is satisfied that the recommended applicant has met all of the requirements of the selection process e.g. qualifications, authorised to work in the UK, Disclosure/PVG check where applicable etc. Offers of employment will be conditional upon the satisfactory completion of pre-employment checks including health assessment, references, Criminal Convictions Declaration Form if applicable or a Disclosure/PVG form.

The recommended candidate’s criminal convictions declaration form should be considered and if the content suggests that further information is necessary, then the panel Chair should contact the applicant directly to clarify any issues arising.

It should have been decided in advance how and when to inform the applicants of the outcome of the interview. The recommended applicant must be advised of the decision **as soon as possible after the interview** with the recommended candidate email being issued thereafter. Unsuccessful applicants must be informed by email and normally after the successful applicant has verbally indicated their acceptance.

The HRPR/1 Form is available on the intranet or from Human Resources.

**12.4 HEALTH QUESTIONNAIRE**

The Trust has an obligation to protect employees from any activities detrimental to their health and has a right to ensure that anyone appointed to a post is fit to carry out the duties involved.

All successful applicants will be advised that the offer of a post is subject to satisfactory completion of pre-employment health assessment.

An online Health Questionnaire will be required as part of recommended candidate for appointment documentation. The recommended applicant will be sent an email asking them to complete an online health questionnaire. The Occupational Health Service will determine if there are any health issues which are of a concern in relation to the nature and content of the job. Following this advice it may be that the interview panel need to re-consider the selection decision.

A drivers health questionnaire will be required to be completed for all essential driver posts. Recommended candidates for essential driving posts will be advised at interview that there is a requirement to complete the standard online Health Questionnaire together with a separate Drivers’ Health Questionnaire which needs to be completed and signed off by their GP. The Trust will meet any cost from the GP. Both questionnaires need to be completed before being considered by Occupational Health to confirm fitness.

Where appropriate, Human Resources should contact the Occupational Health Service to arrange an early medical examination to ensure that the selection process is not delayed.

It is crucial that employers do not discriminate against a disabled person in the recruitment process.

**13. OTHER CONSIDERATIONS**

**13.1 ASYLUM AND IMMIGRATION ACT 1996**

To ensure that the Trust meets the requirements of the Act, successful candidates are required to produce documentary evidence to prove that they are authorised to work in the U.K. i.e

**One original document from List 1 below:**

* a passport showing that the holder is a British citizen or has the right to abode in the United Kingdom;
* a document showing that the holder is a national of a European Economic Area country or Switzerland. This must be a national passport or national identity card;
* a residence permit issued by the Home Office to a national from a European Economic Area country or Switzerland;
* a passport or other document issued by the Home Office which has an endorsement stating that the holder has a current right of residence in the United Kingdom as the family member of a national from a European Economic Area country or Switzerland who is resident in the United Kingdom;
* a passport or other travel document endorsed to show that the holder can stay indefinitely in the United Kingdom or has no time limit on their stay;
* a passport or other travel document endorsed to show that the holder can stay in the United Kingdom and that such endorsement allows the holder to do the type of work we are offering if they do not have a work permit;
* an Application Registration Card issued by the Home Office to an asylum seeker stating that the holder is permitted to take up employment;

**or**

**If not available, two original documents from First Combination or two original documents from Second Combination as follows:**

**First combination**

* a document giving a person’s permanent National Insurance Number and name. This could be a P45, P60, National Insurance card or letter from a Government agency;

**and**

One of the following

* a full birth certificate issued in the United Kingdom which includes the names of the holder’s parents;
* a birth certificate issued in the Channel Islands, the Isle of Man or Ireland;
* a certificate of registration or naturalisation stating that the holder is a British citizen;
* a letter issued by the Home Office to the holder which indicates that the person named in it can stay indefinitely in the United Kingdom or has no time limit on their stay;
* an Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the person named in it can stay indefinitely in the United Kingdom or has no time limit on their stay;
* a letter issued by the Home Office to the holder which indicates that the person named in it can stay in the United Kingdom and this allows them to do the type of work being offered;
* an Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the person named in it can stay in the United Kingdom and this allows them to do the type of work being offered.

**Second Combination**

* a work permit or other approval to take employment that has been issued by Work Permits UK;

**and**

One of the following

* a passport or other travel document endorsed to show that the holder is able to stay in the United Kingdom and can take the work permit employment in question;
* a letter issued by the Home Office to the holder confirming that the person named in it is able to stay in the United Kingdom and can take the work permit employment in question.

On appointment the relevant details for the successful applicant should be recorded and a copy retained in their personal file

As a result of Brexit, the UK is now in a transition period up to 31 December 2020 and during this time the above arrangements will remain. This will be monitored and reviewed further at the next annual desktop review or earlier if required.

If any applicant is unable to produce the required documentation then they will be unable to take up employment with the Trust.

**13.2 IMMIGRATION ACT 2016**

The above Act contains provisions on illegal working, the introduction of a skills charge and a new duty on public authorities to ensure that everyone who works for them in a customer-facing role speaks fluent English. Please speak with EAC Human Resources for further guidance on those posts identified where fluent English is essential and to ensure appropriate compliance with the above Act.

**13.3 INTERVIEW EXPENSES**

Applicants will not be reimbursed for interview expenses. Assistance may be available via the Department of Work and Pensions.

**13.4 POLITICAL RESTRICTIONS**

Human Resources will maintain a list of politically restricted posts and ensure that where a post is politically restricted this is highlighted in any related vacancy advertisement.

**13.5 OCCUPATIONAL PENSIONS**

The Trust will not discriminate against any applicant who holds an occupational pension but earnings limitation on pension payments may restrict the pension payments of potential employees. This issue is the responsibility of the applicant who should contact their pension administration office prior to taking up employment.

**13.6 POST INTERVIEW FEEDBACK**

As part of the continuing process of promoting best Human Resources practice, post interview feedback will be available on request to unsuccessful applicants which should normally be provided by the Chair of the panel.

Where an assessment centre has been used as part of the recruitment process, then it may be more appropriate for a representative of the assessment centre to provide feedback on that part of the process to the applicant.

The purpose of the post interview feedback is to help unsuccessful applicants to focus on all aspects of their application for the post to enable them to equip themselves better for any future job application. All requests for post interview feedback will be treated in confidence and will not affect the consideration of any future application submitted by the individual.

The purpose of the feedback should be outlined and the individual should be advised that **comments on other applicants or the successful applicant cannot be provided**. The interviewer should focus on positive action the applicant can take for further job applications.

Post interview feedback is available to all unsuccessful applicants and it is important that such an exercise is used positively in order to assist the applicant to identify developmental needs and minimise any damage to their morale.

**13.7 COMPLAINTS PROCEDURES**

Any applicant, who feels that their application for employment has not been dealt with fairly in terms of the recruitment and selection procedures, can contact the Head of Corporate Services who will investigate the matter thoroughly in accordance with the Trust’s complaints procedure and advise them of the outcome.

**13.8 MONITORING AND EVALUATION**

Human Resources will undertake appropriate monitoring and evaluation of the Trust’s Recruitment and Selection Policy to establish:-

* whether existing arrangements are effective and where they can be improved
* where individual recruitment exercises have not followed appropriate procedures
* how effectively equal opportunities policies are operating and whether further action is required.

The monitoring and evaluation process will include reviewing job outlines; person specifications; advertising methods; selection methods; costs involved and equality of access.

Monitoring performance is an essential element of any equal opportunities policy and aggregated statistics must be gathered to identify trends and patterns to ensure compliance with good practice, policy and current legislation. The Trust complies with the GDPR Data Protection Act regarding the gathering and handling of sensitive personal data.

The Trust will use the Equal Opportunity information provided to review the implementation of these procedures in relation to recruitment and appointment of recognised equal opportunities categories e.g. gender, race, disability etc.

**13.9 RETENTION OF RECORDS**

Employees must ensure that all personal data recorded or kept after an interview is justifiable as necessary and relevant to the recruitment process or for defending a claim relating to the process.

Accordingly all correspondence including interview notes, application forms, assessment sheets, e-mails, references etc. must be kept securely either electronically or in lockable, non-portable storage containers **for a minimum period of 6 months.** Access to storage containers must be strictly controlled to authorised and named individuals, who are entitled to see such information in the course of their duties.

It is important that this information is reviewed prior to storage to ensure that only appropriate data is retained.

This data will be securely destroyed either by deleting from the Trust’s system or by using an office shredder or by confidential waste disposal after the 6 month period.

**13.10 SOCIAL NETWORKING SITES**

It has been agreed, at present, not to routinely review any social networking sites as part of the Trust’s recruitment process.

**13.11 EXTERNAL INTERVIEW PANELS**

Employees, who are representing the Trust, on the interview panel of an external organisation should always seek advice from Human Resources prior to participating in the selection process.

**13.12 PROFESSIONAL FEES/REGISTRATION**

It is the responsibility of employees to maintain their registration with any relevant professional bodies that are required as part of their role with the Trust and to pay the relevant fees that are associated with registration/membership.

**13.13 COVID19 ARRANGEMENTS FOR INTERVIEWS**

Due to the current Covid19 pandemic, all current guidance and Health and Safety advice must be followed prior to face to face interviews being arranged particularly with regards to physical distancing measures and chosen venues must be signed off as Covid safe. This will be reviewed on an ongoing basis. Further information is available from your Human Resources and Health and Safety.

**13.14 REVIEW**

The Policy and Procedures will be subject to an annual desktop review to assess whether a more detailed review is required. The desktop review will take account of operational experience or impending legislative changes.

**Record of Change**

|  |
| --- |
| **Date Reviewed** |
| September 2021 |