



COLNE TOWN COUNCIL

Recruitment & Selection Policy

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1. Introduction

Colne Town Council is committed to providing value for money services to the residents of Colne, by preserving its reputation as a fair and equitable employer who provides good working conditions and where the highest standards of service can be achieved and maintained.

Recruitment and Selection requires a flexible approach towards recruiting employees who are capable of responding to the challenges presented by:

- The pace of change.
- What is now expected of employees.
- Changing workforce competencies and knowledge requirements as new services are considered.
- Developments in technology.

2. Aims of the Policy

The aims of the Policy are to ensure:

- Good management practice and adherence to relevant legislation is followed when recruiting and selecting new employees.
- The Council adopts a consistent but flexible approach to recruitment and selection, taking into account the competencies, knowledge and skills required to deliver quality services.
- Guidance is provided to those involved in recruitment and selection, at all stages of the process.

- Panels selecting candidates are able to assess, objectively and fairly, the skills, competencies and knowledge of candidates against those required for the job so that the most effective candidate for the post is selected.
- The Council is positively viewed as an employer that has a professional approach to recruiting the right people to deliver it's services.

3. Guiding Principles

The Policy has been drawn up having regard to the following guiding principles:

- Fairness and Equality – ensuring that we always appoint the most suitable person for the job by assessing skills, abilities and knowledge using fair and transparent methods.
- Service Improvement – striving to employ a diverse workforce that generally reflects the local population. This enables the Council to respond to our customers and develop services that are accessible and that meet their needs.
- Safe Recruitment – The Council is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.
- Consistency – ensuring that the agreed process is applied consistently across the organisation. Whilst it is recognised that a variety of recruitment and selection methods can be used depending on the circumstances, it is essential there is a record of the methods used and the selection decisions made.
- Workforce Planning – ensuring that Managers recognise the need to have in place appropriate systems to facilitate the effective planning of human resources across the Council to meet both current and future service needs and the needs of staff.
- Monitoring – recognising the need to monitor staffing levels on a regular basis to provide effective strategic management information on the composition of the Council's workforce and comply with statutory requirements.

4. The Legal Framework

The main legislative requirements are summarised below.

Discrimination - It is unlawful to discriminate against a job applicant on the grounds of race, gender, disability, age, gender reassignment, sexual orientation, religion or belief, marriage and civil partnership, pregnancy, maternity or any other protected characteristic.

It is important that you keep documentation relating to selection activities so that reasons for your decisions are clear. In the event of a challenge you will be required to produce evidence and explain your decision making.

Equality Act 2010

The Equality Act 2010 covers the same groups that were protected by existing equality legislation – age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. These are now called ‘protected characteristics’.

- **Types of Discrimination:**

Direct discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic.

Discrimination by association

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perception discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect discrimination

Indirect discrimination occurs when a condition or requirement is applied to a post which has the effect of disadvantaging the group that are protected by the legislation. Indirect discrimination is concerned not only with less favourable treatment but with inherent or acquired disadvantage of some groups in relation to others.

- **Protected Characteristics:**

Age

The Act protects people of all ages.

Disability

Under the Act, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. As before, the Act puts a duty on the employer to make reasonable adjustments to help individuals overcome disadvantage resulting from an impairment. In terms of recruitment and selection, managers must ensure that selection activities are accessible and consideration is given to how the post can be adjusted e.g. by considering reduced hours, acquiring specialist equipment or redistributing duties.

Gender reassignment

The Act provides protection for transsexual people. A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The Act no longer requires a person to be under medical supervision to be protected – so a woman who decides to live as a man but does not undergo any medical procedures would be covered.

Marriage and civil partnership

The Act protects individuals who are married or in a civil partnership against discrimination.

Pregnancy and maternity

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled.

Race

For the purposes of the Act 'race' includes colour, nationality and ethnic or national origins.

Religion or belief

In the Equality Act, religion includes any religion. It also includes a lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Belief means any religious or philosophical belief or a lack of such belief.

Sex

Both men and women are protected under the Act.

Sexual orientation

The Act protects bisexual, gay, heterosexual and lesbian people.

Other Relevant Legislation

Rehabilitation of Offenders Act 1974 - Under the Rehabilitation of Offenders Act 1974, a conviction can be regarded as spent when the rehabilitation period is complete.

Once it is spent, the individual does not have to reveal its existence in most circumstances (i.e. they can answer 'no' to the question 'do you have a criminal record?'). Certain occupations, such as those involving work with children and vulnerable adults are exempt from the Act.

The relevance of an applicant's criminal record is a matter for the selection panel to consider as some of the Council's work involves working with Children or vulnerable adults, this will be stated in job descriptions on advertisement. The risk assessment should be based on:

- The nature of the offence in the context of the work, the work environment, exposure to money, property or vulnerable people.
- The circumstances leading up to an offence.
- Repeat offences.
- The length of time since the offence.
- The extent of supervision available in the post.

An applicant should be assessed on whether they meet the requirements of the job and not automatically rejected on the basis of a declared conviction. It is important to note that all Council Staff must be DBS-checked and therefore it is valid to ask an applicant if they are aware of anything that may come to light when this is done.

Equal Pay Act 1970 - The Equal Pay Act 1970 makes it unlawful for employers to discriminate between men and women in terms of their pay and conditions where they are doing the same or similar work, work rated as equivalent or work of equal value. The Act applies to both men and women and any comparison must be with a person of the opposite sex. The Equal Pay Act was passed in 1970 and came into force in 1975.

Local Democracy Act 2009 - The Act places restrictions on the political activities of particular officers and defines those posts which are politically restricted.

The Chief Executive Officer is deemed to perform a role which give advice to Elected Members or is bale speak on behalf of the Authority and therefore is a Politically Restricted Post.

Immigration, Asylum & Nationality Act 2006 - It is a criminal offence to employ someone who does not have permission to live and work in the U.K. All selection panels are required to obtain proof of evidence of approval to work in the UK e.g. birth certificate, passport, NI number etc.

Police Act 1997 - It is a legal requirement to carry out checks on employees who will be working with children or vulnerable adults. This needs to be completed before confirmation of an offer of a post is given to a successful candidate.

Working Time Regulations 1998 - The Working Time Regulations incorporate standards that employers are obliged to comply with, for example for rest periods and maximum working hours. The standards are enforceable by the Health and Safety Executive. You will need to ensure that any working arrangements are within the scope of the Regulations.

Data Protection Act 1998 - Applicants should be notified that details in their application forms will be used in accordance with the Act. This means that information is confidential and can only be used for assessment and selection, and for employment records if their application is successful. At the end of the recruitment and selection process the employer will retain documents relating to successful candidates on their personal file. All documents relating to unsuccessful candidates will be retained for 6 months after which time they will be destroyed.

Candidates are able to apply to view any documents relating to their application including interview notes.

Children Act 2004 - Safe and robust recruitment practices are one of the key ways the Council can demonstrate a clear and tangible commitment to safeguarding and promoting the welfare of all children. Section 11 of the Children Act 2004 and its statutory guidance places a legal duty on a wide group of organisations to ensure that arrangements for the safe recruitment of individuals are in place and are effectively and consistently implemented.

5. Roles and Responsibilities in Recruitment and Selection

The Town Clerk is responsible for:

- Ensuring all involved in recruitment and selection, and any other selection panel members, are aware of this Policy.
- Understanding, referring to and complying with the Council's Recruitment and Selection Policy.
- Keeping up to date with relevant legislation and Council policies and referring for further information and guidance if necessary from HR specialists.
- Planning the recruitment and selection process to ensure sufficient time and effort is afforded to the activity.

- Following agreed procedures and processes to safeguard and promote the welfare of children and young people and which help to deter, reject or identify people who might abuse children, or who are otherwise unsuited to work with them.
- Convening the selection panel which should involve a minimum panel of three persons to include at least one Member.
- Preparing reports for obtaining approval to amend/increase staffing establishment, preparing relevant Job descriptions and ensuring relevant application information is made available on line or paper copies provided on request by applicants.
- Obtaining satisfactory references before formally issuing an appointment letter and contract of employment and subsequently ensuring an induction process for new employees is followed.
- Where the role being recruited is that of the Town Clerk, the Chairman of Colne Town Council will undertake the roles as described above.

Selection Panel Members (including the Chair) are responsible for:

- Ensuring that the whole recruitment and selection activity is well planned and that sufficient time has been allowed for each stage of the process.
- Ensuring selection methods and decisions are objective, fair and recorded.
- The Chair of the panel is responsible for providing feedback to applicants, or nominating an appropriate selection panel member to do this.
- Ensuring qualifications and evidence of eligibility to work are obtained as appropriate

Elected Members:

- Must understand the processes involved prior to any involvement in Recruitment and Selection.
- Are responsible for Town Clerk selection.

6. Contract Type

The Town Clerk in placing before Members proposal for amending, increasing or reducing the workforce must in doing so have considered the following options:-

- Permanent Contract
- Temporary/Fixed Contract
- Casual/Flexible hours

- Job share
- Short term cover including agency

7. The Procedure

	Activity	Who involved
Step 1 - if relevant	Action employee's resignation and arrange an exit interview. Document the reasons for the departure and any actions and/or learning points	Town Clerk
Step 2	Establish that a vacancy will exist and seek approval from Finance and Employment Committee. Consider if there needs to be a change in duties/level of post/remuneration	Town Clerk
Step 3	Update Job Description & Person Specification	Town Clerk
Step 4	Convene a selection panel	Town Clerk
Step 5	Consider assessment methods and record how on person specification.	Town Clerk
Step 6	Consider whether post is: <ul style="list-style-type: none"> • Subject to DBS check • Politically Restricted and include in job description and advert	Town Clerk
Step 7	Review whether vacancy needs to be advertised to those who may be at risk of redundancy	Town Clerk
Step 8	Advert placed ,vacancy file established and interview test/questions determined	Town Clerk
Step 9	Shortlisting & interviews take place	Selection Panel
Step 10	Candidate selected and related checks undertaken	Selection Panel
Step 11	References sent for and appointment process followed	Town Clerk
Step 12	Feedback given to unsuccessful applicants where requested	Town Clerk
Step 13	Ensure all records and documentation are safely secured	Town Clerk
Step 14	Plan induction	Town Clerk /Line Manager