



HARTLEPOOL BOROUGH COUNCIL

MANAGING DIRECTOR'S DECISION RECORD

Department:	Legal
Division:	Human Resources
Date of Decision:	15 December 2022
Officer Making Decision:	Managing Director, in consultation with the s151 Officer and Monitoring Officer.
Subject / Description & Reason for Decision:	The Council's Recruitment & Selection Policy & Procedure dated back to 2003. This has been reviewed to reflect current legislative requirements and also in line with current HBC working practices.

The key changes to the policy are:

- Removal of re-location and interview expenses taking into account the council's current financial situation.
- Removal of the requirement to invite/consult the Chair and/or Vice Chair of the relevant departmental committee (subject to agreement of Constitution Committee & Full Council).

The changes were agreed by the Corporate Management Team on the On 27th September 2022.

The Trade Union were consulted on the Policy and associated changes and had no objections to the proposed changes. The Policy was approved at Single Table on 6th October 2022. The proposed changes to the Council's Constitution were approved on 15th December 2022.

Type of Decision:	Non-key Decision
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Nature of Delegation Being Exercised: Constitution Reference – Part 3 Finance and Policy Committee delegation (14) to the Managing Director (MD) for:

(10) Policies, plans and strategies which are not part of the budget and policy framework or otherwise reserved to a Policy Committee

Alternative Options Considered & Rejected:

Not applicable.

Any Declared Register of Interest

No

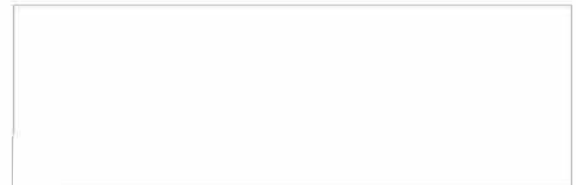
Signatures for retained copy only

Managing Director – Denise McGuckin

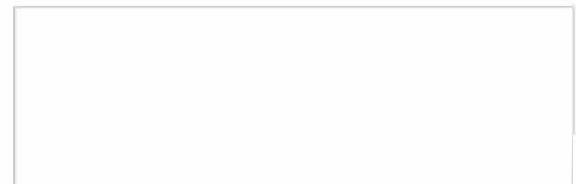


Decision made in consultation with:

s151 Officer – Chris Little



Chief Solicitor and Monitoring Officer – Hayley Martin





Recruitment and Selection Policy and Procedure

HR Service

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POLICY

Hartlepool Borough Council is committed to delivering a fair and professional recruitment process, providing equality of opportunity to all applicants. All employees of the Council should be committed to and able to make a positive contribution to the delivery of the Council's objectives, actively supporting the values of the Council.

This policy outlines the broad principles of the Council's approach to recruitment and selection. It is supplemented by recruitment guidance to support managers with responsibility for ensuring that recruitment processes are delivered in line with the Recruitment and Selection Policy.

SCOPE AND PURPOSE

This policy and procedure applies to all employees of the Council with the exception of those employed in schools where separate policies and procedures apply.

The purpose of this policy is to ensure that the recruitment and selection process is carried out in a fair, efficient manner applying best practice and taking account of relevant legislation, the Council's Constitution, the Single Status Agreement and all other relevant policies and procedures as referred to throughout this policy.

The Council aims to attract and select the best possible applicants to vacancies ensuring they are treated fairly throughout a robust recruitment process while meeting the statutory requirements of the Equality Act 2010. A priority of the recruitment process is to deter, identify and reject prospective applicants who are unsuitable for work with children, young people or vulnerable adults.

1. INTRODUCTION

The Council administers the recruitment process using Resourcelink (HR/Payroll system). Step by step guides are available for recruiting managers on the Councils Intranet, [Recruitment, Forms and Guidance](#).

All employees are selected on the basis of ability. Applicants will have the opportunity to demonstrate that they have the knowledge, skills, experience and competencies to carry out the role they apply for. Objective and measurable job related criteria will be consistently applied to all applicants.

A minimum of two people must be on the recruiting panel. It is recommended that the same people be involved at each step of the recruitment process. For safer recruitment posts (see Safer Recruitment paragraph below for definition), at least one member of the panel must have attended safer recruitment training. Safer Recruitment training can be booked via departmental Workforce Development Representatives.

All recruiting managers are responsible and accountable for recruitment in their services areas. Human Resources will provide advice and guidance where required.

2. THE LEGAL FRAMEWORK

2.1 Equality in HBC

The Councils Equality in Employment Policy and practices aim to promote an environment that is free from all forms of unlawful discrimination and values the diversity of all people.

2.1.1 Equality Act

The Equality Act 2010 exists in order to protect individuals against discrimination in employment on the grounds of:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

In limited circumstances there can be a genuine occupational requirement (GOR) to advertise for people with a certain protected characteristic to do a particular job. If there is a requirement the recruiting manager must obtain approval from their Human Resources Advisor who will agree wording for the advert.

2.2 Underrepresented Groups

Applications from underrepresented groups are welcomed. The Council may take positive action to encourage applicants from disadvantaged groups to apply for vacancies.

2.2.1 Disability Confident Scheme

As an employer the Council is committed to the Disability Confident Scheme and aims to make the most of the opportunities provided by employing disabled people. Applicants who report a disability and who meet the essential criteria outlined within the person specification will be guaranteed an interview in accordance with the guaranteed interview scheme.

2.2.2 Armed Forces Covenant

In 2019 the Council signed the Armed Forces Covenant and obtained Gold Award status, under the Ministry of Defence Employer Recognition Scheme (ERS), in recognition of its commitment to supporting the armed forces community and efforts to inspire others to do the same. As part of this commitment current serving and ex-Armed Forces personnel who meet the essential criteria outlined within the person specification will be guaranteed an interview in accordance with the guaranteed interview scheme.

2.3 Fluency Code

Part 7 of the Immigration Act 2016 requires public authorities to ensure that any person who works in a customer-facing role speaks fluent English.

It must be ensured that all employees involved in the recruitment process understand the level of English fluency required for the role being recruited to and have an objective means of assessing applicants against criteria.

2.4 Safer Recruitment

Safer recruitment is a set of practices to help make sure employees are suitable to work with children, young people and vulnerable adults. It is a vital part of creating a safe working environment and making a commitment to keep children, young people and vulnerable adults safe from harm. One of the key features of safer recruitment is to deter or prevent the appointment of unsuitable people.

Recruitment to safer recruitment posts will follow the principles set out in the statutory guidance that is Keeping Children Safe in Education (KCSIE) from the Department for Education (DfE).

For applicants applying for a safer recruitment post, it is essential that they have been cleared to work with the completion of all necessary pre-employment checks in line with the relevant safeguarding and statutory guidance.

Managers must identify if a post is subject to safer recruitment measures at the point of creating the new vacancy.

2.5 Rehabilitation of Offenders Act

The Rehabilitation of Offenders Act (1974) and the amendments to the Exceptions Order 1975, 2013 and 2020 is a piece of legislation introduced to help ex-offenders re-enter the workforce. It enables some offences to become 'spent', or disregarded when a rehabilitation period is complete. Applicants do not need to disclose these offences, and if they are disclosed, the Council cannot take them into account.

There are safer recruitment posts within the Council that are exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020, as the employee will work with children, young people, vulnerable adults or have access to sensitive data. An applicant applying for a safer recruitment post must provide additional details at the interview stage.

3. VACANCY APPROVAL PROCESS

Before any post can be released for advert, it must be approved via the vacancy approval process. To complete this process the recruiting manager must ensure that the vacancy is available within their establishment, the job description and person specification are up to date and that they are on the appropriate Council template.

If there are any vacancies or applications that could potentially sit outside of the normal recruitment process managers are asked to contact Human Resources.

All vacancies are approved by the Chief Officer of the service area and checked by Human Resources for policy compliance prior to being released to advert.

3.1 Job Description and Person Specification

The job description and person specification have a vital role in the recruitment and selection process. They should be clear and concise to enable recruiting managers to make an effective and justifiable appointment.

The recruiting manager must ensure that the job description and person specification are up to date, meet the requirements expected of the role and be on the correct Council templates.

The job description must detail the main duties and responsibilities of the post. The person specification must detail the essential and desirable attributes that are required of an applicant to enable them to perform the job effectively. The person specification must be relevant and contain measurable criteria which can be tested or assessed throughout the recruitment process via application form, interview, tests or references.

It is important that recruitment documents, particularly the advert and person specification do not unwittingly contravene the Equality Act 2010.

3.2 Job Evaluation

When a new post has been created, or where recruiting managers have made changes to a job description and/or person specification, then job evaluation may have to take place. This will be applicable for roles that fall within the National Joint Council (NJC Green Book) pay and grading structure.

3.3 Redeployment

The Council will make every possible effort to identify suitable alternative employment for employees that are eligible for redeployment and are placed on the redeployment register.

Any vacancy going through the approval process will be reviewed by HR taking into account those employees that are on the redeployment register prior to the vacancy being released for advert. Where a vacancy is identified as potentially suitable for a redeployee the recruitment process will be placed on hold and the redeployment process implemented. If the vacancy is not deemed to be suitable the recruitment process will recommence at the stage it was held.

4. ADVERTISING

External vacancies are advertised on the North East Jobs platform and if necessary other methods such as professional publications, social media and websites may be used.

Where a restructure situation exists advertising may be restricted in accordance with the Managing Restructure and Redundancy Policy and Procedure.

4.1 Internal / External Advertising

The recruiting manager will initially determine whether a post will be advertised internal only or internal / external at the same time within the vacancy approval process.

When posts are advertised internal only, this will restrict applications to HBC employees but will also include:

- Casual Workers who have undertaken work within HBC at some point within the previous 3 month period.
- Any Agency worker currently engaged in an assignment with HBC.
- Apprentices who have achieved 80% of their apprenticeship, are on target to complete by their end date and where the essential criteria is at the same level and vocation as the apprenticeship they are working towards.

4.2 Applications

Application forms must be completed fully and accurately. Curriculum vitae will not be accepted or considered. If applications are not fully complete upon submission, they will be rejected at shortlisting.

Applicants must ensure all personal data is completed accurately and be prepared to promptly answer any queries the Council may have. Failure to assist with enquiries may lead to an application being rejected.

4.2.1 Ex-Employees and Councillor's

In accordance with the Pay Policy the Council will generally not re-employ or engage any individual under a contract of service or a contract for services who has previously been employed by the Council and left that employment with the benefit of a severance, early retirement or redundancy payment under voluntary arrangements, unless it is in the best interests of the Council to do so or there are exceptional circumstances which would justify doing so. Where an applicant has been previously employed by the Council under any of these circumstances then you must contact Human Resources, prior to interview and certainly before making any offer of employment.

In accordance with the Local Government Act 1972, Councillors applying for a post must have ceased being a member of the Local Authority for at least 12 months before engaging in employment with the Council.

4.3 Apprentices

The Council is committed to recruiting, training and where possible securing employment for Apprentices. Reasonable efforts will be made to secure employment or where necessary support Apprentices in seeking employment upon the successful completion of their Apprenticeship.

5. SHORTLISTING

Each application will be considered against the criteria contained in the person specification which are measurable from the application form, and an objective assessment made of the degree to which it meets the criteria.

At least two people should carry out the shortlisting exercise and it is recommended that those who shortlist carry out the interview for a consistent approach.

5.1 Guaranteed Interview Scheme

Applicants who report a disability, or are current serving or ex-Armed Forces personnel, and who meet the essential criteria outlined within the person specification will be guaranteed an interview in accordance with the guaranteed interview scheme. Applicants will then be considered on their merit and abilities throughout the rest of the recruitment process.

5.2 Additional Checks at Shortlisting Stage

As part of the shortlisting process for safer recruitment posts consideration may be made to carry out an on-line search of the candidate which could highlight incidents or issues that have happened and are publicly available online. This is to identify if the candidate has shared information that is clearly unlawful / unacceptable, breaches confidentiality or does not uphold the British values. It is recommended that the on-line search be completed by an individual independent of the recruitment panel. If anything is found it can be shared with the recruitment panel and explored further with the candidate at interview.

An online search in this particular context relates to search engines (Google etc.) and not social media platforms as this could be seen as too intrusive.

6. INTERVIEW

A minimum of two people must be on the interview panel and it is recommended that they should be the same people who have been involved in the shortlisting process. Where this is not possible, one member of the panel must be present at both the shortlisting and interview stage to ensure consistency.

For safer recruitment posts, at least one member of the panel must have attended safer recruitment training.

The preferred method for interviewing is face to face however there may be circumstances for interviews to be held virtually.

6.1 Declaration of Interest

The Chair of the recruitment panel should declare to Human Resources if they or any of the recruitment panel have a potential conflict of interest and/or any close personal relationship to any applicant, including those declared by applicants themselves. If an employee fails to disclose this information it may lead to disciplinary action being taken.

6.2 Reasonable Adjustments

Applicants shortlisted will be asked whether they require any reasonable adjustments to enable them to attend an interview. To avoid discrimination the panel should, at interview, avoid asking questions about an applicant's ability to undertake the role linked to their health or disability. If a job offer is made the applicant will undertake pre-employment health screening. The Occupational Health Advisor will notify the manager of any reasonable adjustments that may be required.

6.3 Documents to be presented at Interview

Applicants will be asked to bring original documentation to confirm their identity, proof of eligibility to work in the UK and qualifications as outlined in the person specification.

6.3.1 Proof of Identification and Right to Work in the UK

All employers in the United Kingdom are required by law to ensure employees have the right to work in the UK and as such applicants will be asked to provide evidence of the right to work in the UK regardless of their nationality.

This check will be done by the recruiting manager at interview. Original documents, including photographic evidence of identification must be presented and checked to confirm the likeness to the individual attending interview. In the absence of required evidence managers are advised to contact Human Resources for advice.

6.3.2 Qualification and Registration

If an applicant states they have a qualification or professional membership they will be expected to produce the original certificate at interview for examination to evidence that they meet the essential requirements as outlined in the person specification. In some circumstances a validity check of qualifications / professional membership may be required.

6.4 Declaration of Criminal Conviction

If a post is subject to safer recruitment measures and an applicant has a criminal conviction(s), it is expected that if they are shortlisted they are open and honest at the interview and disclose the issue(s) to the panel. Applicants will be expected to take along any information they may have regarding the matter e.g. previous DBS Certificate.

6.5 Band 15 Appointments

The Chair and/or Vice Chair of the relevant departmental committee should be given the opportunity to attend or be consulted on the interview for a Band 15 post as outlined within the Council's Constitution.

6.6 Chief Officer Recruitment

Under the Council's Constitution an Appointments Panel must be arranged for the recruitment of all Chief Officer vacancies including the Managing Director, Directors and Assistant Directors.

6.7 Director of Public Health Recruitment

The appointment of a Director of Public Health or a Public Health Consultant will be managed following the external Faculty of Public Health, Advisory Appointment Committee (the AAC) process. This is coordinated by the Head of Human Resources following statutory guidance.

6.8 Expenses

There will be no reimbursement for expenses which applicants may incur relating to travel, accommodation or relocation when attending interview or following an offer of employment.

7. SELECTION METHODS

The application form and interview remain central to the selection process, however there are other selection methods that may be suitable for certain posts. Using a mixture of selection methods demonstrates a commitment to ensuring that the best person is appointed as a more rounded view of individuals may be obtained.

The purpose of any selection method is to gather information about applicants and to help predict their performance in the job. They should be fair, objective and add value to the selection process. Selection methods could include but are not limited to:

- Case studies
- In-tray exercises
- Presentations
- Problem solving
- Tests
- Work samples
- Psychometric testing
- Assessment Centres
- Group discussions

8. OFFER OF EMPLOYMENT AND PAY

It is the responsibility of the Recruiting Manager to contact the successful applicant, inform unsuccessful applicants and provide feedback where necessary.

The Council has agreed pay structures included within the Single Status Agreement (SSA). New appointments will generally be made at the bottom spinal column point of all pay bands unless there are special circumstances and payment at a higher level can be objectively justified. This must be authorised by a Human Resources Manager before any confirmation is made to the applicant.

In accordance with section 4.2.1, recruiting managers must ensure that any offer of employment made to an ex-employee is not in breach of the Council's Pay Policy and an applicant who has served as a Local Authority Councillor must have at least a 12 month break before being employed by the Council.

All offers of employment are conditional and will be subject to satisfactory pre-employment checks required for the post. The administration of conditional offer letters and the collation of pre-employment checks will be undertaken by Human Resources and Workforce Support.

8.1 Pre-Employment Checks

The Council is responsible for carrying out the appropriate pre-employment checks on applicants to which the relevant lawful criteria applies. For applicants applying for a safer recruitment post, it must be ensured that they have been cleared in line with the relevant safeguarding and statutory guidance.

Pre-employment checks include:

- Proof of Identification and Right to Work in the UK*
- Accountability for gaps in Employment History *
- 2 x References (1 x Internal Employee)
- Pre-Employment Health Assessment
- Qualifications (relevant to the role)*
- Registration (relevant to the role)*
- Evidence of Overseas Check (if applicable) DBS (Level to be determined by DBS criteria)

*these documents will be checked and verified at interview (see section 6.3)

Prior to the commencement of employment, applicants will be asked to declare that they have read and understood key Council policies and procedures such as the Council's Internet Policy, Email Policy, Data Protection Policy, GDPR Statement and Code of Conduct.

The Council reserves the right to determine whether an applicant satisfactorily meets a pre-employment check. Where an applicant receives an unsatisfactory pre-employment check advice should be sought from Human Resources as to whether or not the offer should be withdrawn.

8.1.1 References

References received must be deemed satisfactory to the Council. References must always be from appropriate sources and will not be accepted from friends, relatives or work colleagues. The recruiting manager is responsible for reviewing and approving references. If the post is subject to safer recruitment measures, the recruiting manager will also verify the reference via a telephone call to the referee.

8.1.2 Pre-Employment Health Assessment

All offers of employment are subject to a declaration of medical fitness by the Council's Occupational Health Service (having made reasonable adjustments in line with the Equality Act (2010) where necessary).

Once an applicant has completed their health questionnaire there may be a follow up required by the Occupational Health Advisor. Where necessary the Occupational Health Advisor may supply a report to the recruiting manager for consideration.

8.1.3 DBS

Where a trace has been identified on a DBS check, the applicant should have informed the interview panel and outlined the nature of the trace within the interview. The information shared will be reviewed by the relevant Assistant Director, taking advice from HR, and a risk assessment undertaken to consider whether the applicant is suitable for the post.

Every 3 years from the DBS issue date the employee will be asked to undertake a self-declaration or DBS renewal.

An employee must inform their Line Manager immediately if they are the subject of a police investigation or receive a caution or criminal conviction during the course of their employment. Failure to do so may result in disciplinary action being taken and treated as gross misconduct, which may result in summary dismissal.

9. RESERVE APPLICANTS

At the end of the recruitment process there may be instances where there is a reserve applicant (or applicants) suitable for the post.

Where a vacancy arises for the same post at the same grade within a six month period from the completion of the recruitment process, a reserve applicant may be offered, subject to consultation with Human Resources, the post without the need to re-advertise.

10. MONITORING AND RECORD KEEPING

All documentation relating to applicants will be treated in confidence and in accordance with the Data Protection Act.

All documents relating to unsuccessful applicants will be retained within Resourcelink and with Recruiting Managers for a period of six months and will then be destroyed. Documentation relating to the appointed employee will be retained on their personal file.

In accordance with the Equality in Employment policy applications for posts in the Council will be monitored by gender, ethnicity, disability and age, at all stages of the recruitment and selection process.

11. COMMENCEMENT OF EMPLOYMENT

Upon Human Resources confirming that all pre-employment checks are complete and verified it is then the responsibility of the recruiting manager to agree a start date with the successful applicant.

For the purposes of security, upon commencement of employment all employees will be issued with an identification badge to be worn at all times.

12. INDUCTION

Induction of new employees into their role is an important aspect of recruitment. It is the responsibility of the employee's line manager to ensure that the employee attends a corporate induction and receives a departmental induction to introduce them to the Council, the service and their role.

It is the line manager's responsibility to ensure that mandatory training identified on the person specification is undertaken.

12.1 Workforce Development Programme

The Workforce Development Programme sets out the Councils commitment to providing a wide range of development opportunities to staff across the organisation. If an employee is interested, or a manager believes a training opportunity will be of benefit to their job role, they should contact their departmental workforce development representative. Mandatory corporate training and management training is also identified on the programme.

13. PROBATION

All new employees with less than six months continuous Local Government Service prior to their date of commencement will be subject to a probationary period of 26 weeks. In some circumstances this may be extended. During this period your employment may be terminated by one weeks' notice.

14. COMPLAINTS

If an internal or external applicant is unhappy with any part of the recruitment process they can contact HR@hartlepool.gov.uk and an attempt will be made to resolve the complaint.

Where an external applicant is not satisfied with the attempts made to resolve the problem they can then make a formal complaint via the Council's Corporate Complaints Comments Compliments Procedure which can be found on the website www.hartlepool.gov.uk or by telephoning 01429 266522.

Where an internal applicant is not satisfied with the attempts made to resolve the problem then they can refer to the Councils Grievance Policy and Procedure.

15. USEFUL CONTACTS

For further information and guidance on this policy please email:

HR: HR@hartlepool.gov.uk

DOCUMENTATION

All HR Policies and Procedures and other documents referred to throughout the Recruitment and Selection Policy are available on the Council's Intranet under HR - Human Resources or the Council website.

Location	Document
HRPP-2 G1	Recruitment Guidance for Managers (Myview)
HRPP-2 G2	Guidance on Writing an Effective Advert, Job Description & Person Specification
HRPP-2 F1	Application Form
HRPP-31	Equality in Employment Policy
HRPP-27	Probation Policy
HRPP-41	GDPR - Employment Candidate Privacy Notice
HRPP-39	Pay Policy
HRPP-33	Reservists Policy
Intranet	Recruitment Forms and Guidance
Intranet	Single Status Agreement
Intranet	Code of Conduct
Internet	Council Constitution

POLICY REVIEW

This Recruitment and Selection Policy and Procedure was adopted **xx** 2022.

This policy will be reviewed on a 3 yearly basis, unless changes necessitate an earlier review. The latest version, which supersedes all previous versions, is available on HBC Intranet.

A history of most recent policy changes can be found in the table below:

Version	Date	Change