

Recruitment & Selection Policy

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1. Introduction

- 1.1 We have a reputation as a fair and equitable employer who provides good working conditions and where high standards of service can be achieved and maintained.
- 1.2 Employees are our most precious resource and it is they that will support the delivery of excellent services to our customers. We need to attract and retain staff of a high calibre. It is our goal to have a workforce that both understands and reflects the diverse nature of the community we serve.
- 1.3 The purpose of this procedure is to provide clear guidance on the key stages in recruiting and selecting for a post.

2. Scope of the Policy

This policy and the procedures outlined encompass all activities that form part of the recruitment and selection process. It applies to all council staff except JNC Chief Officers.

3. Guiding Principles

These are our 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 people within the community 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. Aims

The aims of the Recruitment & Selection policy are to:

- (i) ensure anyone involved in the recruitment and selection of employees to the Council is following good management practice and adhering to relevant legislation;
- (ii) promote a planned, consistent yet flexible approach to recruitment and selection, taking into account the needs of the Council, the needs of the service, the existing skills, competencies and knowledge available and the required skills, competencies and knowledge;

- (iv) give practical guidance to those involved in recruitment and selection, at all stages of the process;
- (v) equip selection panels 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;
- (vi) give a positive impression of the Council as an employer and provider of services; and
- (vii) enable applicants, whatever the outcome, to feel that they have had a positive experience.

5. Recruitment and Selection Procedure

There are a number of key stages in recruiting and selecting for a post.

5.1 Vacancy arises

When a vacancy first arises, whether this is due to the current postholder moving internally or externally or a new role being created, it is important to evaluate carefully the continuing need for the role in context of the council's strategic and financial future plans. Questions to ask include:

- Can some or all of the work be passed to another team member (perhaps as a development opportunity) or another team?
- Can the work be reorganised to create a lower-graded role, or an apprenticeship?
- Can we stop doing some or all of the work?
- Can we reduce the hours of the post?

5.2 Initial Authorisation

Approval to fill a post must be obtained from the Head of Service or Chief Officer, followed by the Chief Executive and the Head of HR. Managers should complete a [VAC1](#) form outlining the need for the new post, budgetary implications and any other relevant information. If it is a fixed term contract, specify the duration and how the post will be funded.

If a post is new or requires the job description or person specification to be updated or changed, this post (or other posts in the team) will need to be considered against the job evaluation scheme and may need a formal evaluation. The VAC01 should make it clear if the grade and salary are indicative only. Any authorisation will need to be confirmed at a later stage if the financial implications change.

Without a completed and signed VAC 1 form, Job Description, Person Specification and advert, the vacancy will not be accepted by HR for advertising.

5.3 Job description and person specification

5.3.1. A job description and person specification must be reviewed (and updated if necessary) or created.

5.3.2. The job description must accurately reflect the purpose and duties of the post.

5.3.3 The person specification should state both the essential and desirable criteria in terms of skills, aptitudes, knowledge and experience that are required for the job, all of which should be directly related to the job and applied equally to all applicants. Essential criteria are essential. You may not shortlist or appoint someone if they do not meet this. Criteria must be capable of being evaluated either through an assessment or at interview.

5.3.4 You must avoid including criteria that may have the effect of indirectly discriminating against groups of applicants or potential applicants with protected characteristics under the Equality

Act 2010, unless there is a legally justifiable reason. Guidance should be sought from HR where required.

5.3.5 Both the job description and the person specification should be written in plain language, without jargon, management speak or acronyms. Ensure the language used can be clearly understood by an external candidate as well as an internal one.

5.3.6 The recruiting manager must consider if there are essential requirements for the posts for example, a criminal record check or a check to ensure that applicants hold a valid driving licence with the required category of licence. If this is the case it must be clearly stated on the person specification and it must make clear the method of verification.

A Template job description and person specification can be found [here](#).

5.4 Job Evaluation

Any changes made to a job description or person specification may mean the post has to be re-evaluated. Any significant changes to a post will trigger a job re-evaluation. This will need to be carried out prior to gaining authorisation to fill a post. Managers must liaise with HR who will arrange a Job Evaluation panel. HR will also periodically check JE scores to ensure that they still look correct and arrange a re-evaluation if appropriate.

5.5 Final Authorisation (if required)

If changes to the job or job evaluation mean that the costs of filling the post as planned are greater from those detailed on the original VAC01, the form must be resubmitted before HR are asked to advertise.

5.6 Contract Types

There are a number of different types of contracts depending on the nature of the work or project.

5.6.1 Permanent Contract - This is the most common type of contract and is suitable for posts where the business need for the post is long term.

5.6.2 Secondment - Secondment is the temporary movement or 'loan' of an employee to another part of an organisation (internal secondment) or to a separate organisation (external secondment). Typically, secondments last up to twelve months.

Secondment is increasingly recognised as valuable for both employee and organisational development. As organisations adopt ever flatter management structures, traditional opportunities for promotion through a succession of line management positions are limited. Secondments offer employees career development opportunities. Examples of when a secondment may be appropriate include:

- When specialist skills are required for a time-limited period to deliver a particular piece of work.
- To support operations in an area that has recruitment difficulties.
- When external funding is available for a limited period to complete a project.
- Supporting restructuring activities.

5.6.3 Fixed Term Contract (FTC) - This is suitable for covering work over a specific time period, in particular that which is project based or reliant on external funding. A FTC must be advertised externally and give clear start and end dates. If the FTC is so short term that it is

felt the cost of advertising is prohibitive then it may be more appropriate to consider a secondment.

Employees on FTCs must not be treated less favourably than permanent employees. In addition FTC employees can ask for the status of their employment to be confirmed in writing when they have been employed on a succession of FTCs for over four years. The Council is obliged to respond to such requests within 21 days. Advice on the Fixed Term Employees' (Prevention of Less Favourable Treatment) Regulations 2002 can be obtained from HR.

5.6.4 Job Share – A selected candidate may request to job share. It will not be possible to advertise every vacancy as a job share opportunity. However, Heads of Service are encouraged to consider the merits of offering job share for as many vacancies as possible as they arise.

Key Considerations include:

- The nature of the work and office space;
- The working arrangements proposed and how this fits in with the needs of the service;
- The division of responsibilities. For example, an agreed arrangement may split the total duties and responsibilities (effective both do the same jobs each week) or specific duties may be allocated to each job sharer. Although this may affect the content of a job sharer's individual workload, the job description for the whole job should remain unchanged. Both job sharers must be capable and willing to carry out the whole range of duties attached to the post.

Further information is in the Flexible Working Policy.

5.6.5 Agency worker - There are occasions where agency workers offer the most practical solution, for example to cover short absence periods or unanticipated peaks in work demands. There is a list of preferred agency work suppliers which must always be used in the first instance.

Where it is known in advance that the need for an Agency worker is for over three months then a secondment or Fixed Term Contract should normally be advertised instead. Extending an existing Agency worker beyond three months can only be done following a review by a senior manager and the HR department.

5.6.6 Short Term Cover – e.g. Sickness absence, where the initial duration is estimated to be between 4 and 12 weeks cover can be arranged locally at the discretion of the Service Manager. In these circumstances staff can only be recruited for a maximum period of 12 weeks: after this the contract will normally be terminated. In exceptional circumstances the line manager may contact HR for approval to extend the contract beyond a 12 week period, (e.g. to allow a permanent recruitment process to be finalised).

5.6.7 Off-payroll working – there are occasions where workers may need to be contracted to work through their own limited company or an intermediary company. Before taking on workers under these circumstances please contact HR. The HM Revenue & Customs 'Employment Status for Tax' will need to be completed to check the employment status of the worker before the contract or the worker starts as the status will need to be included in the contract.

5.7 Attracting applicants

Once approval has been granted, the post will be ready to advertise. HR will need the VAC1 form, job description / person specification and advert in order to advertise the post.

5.7.1 Redeployment

There may be employees who are at risk of redundancy or for whom medical or other factors mean they qualify for inclusion on our redeployment register. Managers must consider redeployees before advertising the post. HR will send the job details to those employees on the redeployment list and liaise with managers accordingly.

A copy of the Redeployment Procedure can be found [here](#).

5.7.2 Previous shortlists

If a similar or the same job in the same work area at the same grade was filled in the last six months and there was more than one appointable applicant it is permissible to offer the job to the next ranked applicant from that recruitment process.

5.7.3 Advertising

The advert, job description and person specification all make up part of the contract for the successful candidate; therefore it is important that these all accurately reflect the job.

A good advert can attract high quality candidates and promote the council. Managers will need to sell the benefits to potential applicants in working in the post and for Hyndburn Borough Council.

A template advert can be found [here](#).

External adverts can be advertised cost-free in the following places;

- Other local authorities
- Job Centre
- Local community centres
- Social media (e.g. Hyndburn Council Facebook/twitter page)

Adverts that would attract costs include:

- Local publications (e.g., Lancashire Evening Telegraph, Accrington Observer)
- National Newspapers
- Professional Magazines
- Specialist Media
- Internet (e.g., jobsgopublic.co.uk, greaterjobs.co.uk)

Internal / external advertising

Posts will be advertised to internal candidates first, for a minimum period of 5 days.

5.8 The application process

All applicants should complete an application form and submit this by the published closing date. All application forms are submitted to HR, where they will be logged. Equality information and other personal details are removed. Applications will be forwarded to the selection panel for shortlisting.

If there is only one candidate then the same principles will apply although it may not be necessary to use the same detailed assessment and scoring. Managers should take advice from HR in these situations.

5.9 Shortlisting

- 5.9.1 A selection panel member should withdraw from the process if a member of their family or a close friend applies for the post.
- 5.9.2 Shortlisting for all posts must be done by a minimum of two people on the selection panel. This is to avoid any possibility of bias.
- 5.9.3 Each selection panel member must read the application forms individually and assess the application against the relevant person specification criteria. Shortlisting forms are available [here](#). Information obtained informally from other sources, such as social media, will not be used.
- 5.9.4 The shortlisting panel will assess each applicant against the essential and desirable criteria and record this on the shortlisting form. Criteria which are to be assessed by interview only should not be transferred to the shortlisting form. Applicants who do not meet the essential criteria will not be shortlisted. See **below** for information about applicants with a disability who may be guaranteed an interview.
- 5.9.5 If a large number of applicants meet the essential criteria then the desirable criteria should be considered in order to reduce the shortlist. This can be all the desirable or certain specific desirable criteria which have priority. The important thing is that all panel members are consistent and that this is applied to all applicants. Any criteria used must be in the original person specification and be job related.
- 5.9.6 Application packs state that applicants should assume they are unsuccessful if they are not contacted within four weeks of the closing date.
- 5.9.7 All panel members must agree the shortlist and this should be recorded on the form.

5.10 Applicants with disabilities

- 5.10.1 All applicants who indicate that they have a disability and who meet the essential criteria for the job will be guaranteed an interview. Human Resources will indicate to the recruiting manager if an applicant is disabled prior to shortlisting.
- 5.10.2 Reasonable adjustments to the selection process may need to be made for disabled applicants. These may include:
- Using a venue with suitable access;
 - Amending materials if tests are to be administered;
 - Ensuring written or printed material is easy to read, for example in a large font.
- 5.10.2 Managers must ensure consideration is given to making reasonable adjustments to the post, for example if the location of the vacancy has poor access. It is illegal to discriminate against disabled applicants because you know that the workplace would cause access difficulties for a successful candidate.

5.11 Interviewing/Selection

- 5.11.1 It is the recruiting managers' responsibility to inform HR of:

- the selected candidates for interview;
- the interview date and times;
- the venue;
- who to report to on the day of the interview; and
- any other selection methods to be used, e.g., presentation / tests.

5.11.2 HR will write to the candidates informing them that they have been shortlisted, who will be on the panel and the selection methods to be used.

5.11.3 There must be at least two people on the interview panel. This avoids bias and supports an objective decision. Ideally, the same people who shortlisted must be on the interview panel unless exceptional circumstances prevent this.

5.11.4 There should be at least one week's notice of the interview date, unless the proposed interview date has been included in the advert when less notice may be reasonable.

5.11.5 The purpose of the interview is to:

- provide the selection panel with relevant information, beyond that already contained in the application form, about a candidate's ability to do the job;
- allow a candidate the opportunity to demonstrate their skills, knowledge and abilities against the person specification; and
- provide the candidate with more information about the job, the service area and the council to help them decide if the job is right for them.

5.12 Other selection methods

For some roles, a range of selection methods for assessing both the essential and desirable criteria in the person specification will help in making the right decision. Some recommended assessment methods are:

Occupational tests – This would involve a practical test preferably prior to the interview that tests knowledge, experience or accuracy of actual job tasks, e.g., constructing a letter, inputting data on a spreadsheet, identifying horticulture plants, working with machinery, detailing responses to specific work scenarios.

In-Tray Exercises – These are a test of a candidate's ability to deal with a real work scenario – requests, demands on your time, and information overload. The exercises are used to test the candidate's ability to process information quickly, analyse problems, make decisions, take action, manage time, work accurately and express themselves clearly and succinctly in a business context.

Presentations - The candidate is provided with a topic and given a timeframe to deliver a presentation on that topic. The presentation topic is usually sent with the interview letter, however in some situations it may be given to candidates on the day of the interview and the candidate has a set period to prepare the presentation before the interview. If technological applications (e.g. PowerPoint) are required for the presentation, it should be agreed with the candidate as to how this will be done and the technology checked prior to the selection process to ensure that it is in working order.

Role Play - Role playing is where the candidate assumes the role of the incumbent of the position and must deal with another person in a job- related situation. A trained role player is used and responds "in character" to the actions of the candidate. Performance is assessed by observers. Advice should be taken from HR about how to use this method.

Group Exercises - Candidates are given a topic or a role-play exercise and are invited to discuss the topic or role-play in a group. During the discussion/role play, observers who are looking for specific attributes award marks to each candidate. This of course means you may need four or more candidates to make this a meaningful exercise and enough people to mark the candidates properly according to an agreed methodology. Advice should be taken from HR about how to use this method.

Assessment centres – These are generally used for senior posts and are a method for assessing aptitude and performance; applied to a group of candidates by trained assessors using various aptitude diagnostic processes in order to obtain information about applicants' abilities or development potential. Advice should be taken from HR about how to use this method.

Driving Assessment (Practical and Theory) – These are used for all posts where driving a Council vehicle is primary to their role. Trained assessors are available at Willows Lane. Any existing members of staff who are required or wish or to drive a council owned vehicle must also pass the Driving Assessment

Psychometric tests – These assess specific skills and relevant personality preferences of applicants. Advice should be taken from HR about how to use this method.

Telephone / video call interviews – These can be carried out in circumstances where the applicant is unable to attend an interview in person, for instance if the candidate is overseas.

Some of these methods will involve a cost which would need to be met by the recruiting service.

5.13 Interview questions

5.13.1 Interview questions structure the interview and should be consistently applied to all candidates. However, this does not prevent interviewers from asking follow up questions to obtain more details that are specific to individual candidates.

5.13.2 Interview questions must be based on the person specification as this is the criterion which is to be assessed at interview.

5.13.3 It can be helpful to also prepare a summary of expected responses. The interview question template must be used and can be found [here](#).

5.13.4 Structuring the interview can help improve its ability to predict performance in the job. A structured interview means that:

- Questions are planned carefully before the interview;
- All candidates are asked the same initial questions, although it is important that interviewers ask follow up questions of candidates to ensure that they have sufficiently detailed evidence on which to make an assessment. So whilst the opening question may be asked of all candidates for the sake of consistency, it is inevitable that more probing follow up questions will vary slightly from one candidate to another; and
- Questions focus on the attributes and behaviours needed for the job, as set out in the person specification.

For help devising questions ask HR.

5.13.5 Different types of questions can help to reveal different kinds of information, examples of questions can be found in [Appendix 1](#).

5.14 Scoring Questions

5.14.1 The Council has a standard scoring system:

0	Poor/unacceptable
1	Insufficient / some weaknesses
2	Meets criteria
3	Very Good
4	Outstanding

5.14.2 Interview scoring sheets need to be retained. Notes recording the main points of the interview should be recorded on the interview sheet. Each interview panel member should score after each interview for consistency then confer with the other panel members at the end of the interview process to examine their evidence and seek to resolve any anomalies and build a consensus decision.

5.14.3 Interview scoring sheets must be returned to HR where they will be kept for a period of 6 months. The successful applicant scoring sheet will be kept on the individuals personnel file.

5.15 Confirming the outcome of the selection process

5.15.1 Before making a final decision on whom to offer the post to, ensure that the process has been handled appropriately and all the paperwork is completed correctly.

5.15.2 The Chair of the Panel must contact the successful candidate as soon as possible after the decision has been made. The successful candidate must be told that the offer is subject to the relevant pre-employment checks (e.g. references, medical clearance). It is important that they realise that it is not yet a firm offer and, if they are working, they should not give notice to their current employer at that stage.

5.15.3 It is normal practice to offer the lowest spinal column point for the grade. However, it may be reasonable to take into account the candidate's existing salary and the skills and knowledge that they bring to the post. Following consultation with HR, a higher point within the grade can be offered as long as this can be objectively justified.

5.15.4 HR must be informed of the successful candidate when they have accepted the post to enable the relevant paperwork and pre-employment checks to be made.

5.15.5 The Chair of the Panel must contact the unsuccessful interviewees and inform them that they have not been successful on this occasion.

5.16 Providing Feedback

5.16.1 Candidates are entitled to receive feedback about how they performed at interview against the selection criteria. The feedback should be given by the Chair of the Panel. Verbal feedback is most commonly given, however, written feedback must be provided if requested.

5.16.2 Feedback should be objective, thorough and relate specifically to the criteria against which the assessment was made. The aim of feedback is to provide helpful information for any future development and/or future interviews.

5.16.3 When giving feedback, start with the positives by choosing criteria against which the candidate performed well, for example:

“We asked you to tell us about a time when you had dealt with a difficult customer. You gave us an excellent example of this, you told us about the language you used and how you had diffused the situation”.

5.16.4 Move on to areas where there was less evidence, focussing on areas where the applicant could develop, for example:

“We asked you to give us a specific example of a time when you prioritised effectively for you and your team to meet an objective. You gave us a good example of how you prioritise your own work. We probed a number of times but you gave us less evidence of how you would go about prioritising for your team”.

Offer examples to the candidate based on what evidence they gave you in the interview situation. Use words like: “You demonstrated...”; “You said...”; “You stated...”

5.16.5 Keep a record of feedback given to unsuccessful candidates and return this to HR where it will be retained with the recruitment file for 6 months.

6. References

6.1 References will be required, including one from the last or current employer, which show details of the last three years of employment. This is also a requirement for insurance purposes. HR will write off for references and pass them, once received, to the manager who should confirm that they are satisfactory. In the event that references are unsatisfactory the recruiting manager must discuss this with HR before any decision is made to withdraw the offer of employment.

7. Induction

7.1 Induction is an essential part of ensuring that new recruits are familiarised into the Council. Employees are the Council’s most important asset. Induction gives the manager the chance to welcome new employees and build on their positive attitude and enthusiasm for their new job. It also gives the opportunity for the new employee to familiarise themselves with the Council’s policies and practices. Having a comprehensive, structured induction process has been shown to play a big part in improving long term staff retention and staff satisfaction.

7.2 Ensure that time is blocked out of diaries to welcome the new employee on their first day and to spend time with them during the first week introducing them to colleagues and working practices.

A copy of the induction checklist can be found [here](#).

8. Probationary Period

8.1 All new entrants to Hyndburn Borough Council are subject to a six month Probationary Period. This will be outlined in the new employees’ appointment letter. Managers should discuss this with the employee when they start and ensure that regular review dates are arranged in line with the [Performance Improvement Procedure](#).

9. Legal Background

The Recruitment & Selection Policy has been drawn up in accordance with statutory provisions. The main legislative requirements are summarised below:

9.1 Equality Act 2010

The Equality Act came into force on 1 October 2010 and it aims to provide a simpler, more consistent and more effective legal framework for preventing discrimination. The stated aim of the Act is to reform and harmonise discrimination law, and to strengthen the law to support progress on equality.

It is unlawful to discriminate against a job applicant on the grounds of: age, being or becoming a transsexual person, being married or in a civil partnership, being pregnant or on maternity leave, disability, race including colour, nationality, ethnic or national origin, religion, belief or lack of religion/belief, sex, sexual orientation. Applicants who believe they have been discriminated against have the right to take their case to an employment tribunal. Internal candidates would have to exhaust the internal grievance procedure prior to appealing to an employment tribunal. It is important that documentation relating to recruitment selection is retained so that they can be produced as evidence in the event of a challenge.

9.2 Asylum and Immigration Act 1996

It is a criminal offence to employ someone who does not have permission to live and work in the U.K. To ensure compliance HR department will require proof of evidence of approval to work in the UK e.g. birth certificate, passport, NI number etc.

9.3 Police Act 1997

It is a legal requirement to carry out a Disclosure and Barring Service check on employees who will be working with children or vulnerable adults. Again, this process will be arranged by the HR department before confirmation of an offer of a post is given to a successful candidate.

9.4 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. New starters are advised that their working week should not exceed 48 hours over a rolling 17 week period unless they have expressly agreed otherwise in writing with Hyndburn Borough Council.

9.5 Data Protection Act 1998 and any subsequent Data Protection legislation

Applicants are 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 HR departments will retain documents relating to successful candidates. All documents relating to unsuccessful candidates will be retained by the HR department and destroyed after agreed timescales.

9.6 Freedom of Information Act 2000

The basic principle of the Freedom of Information Act is that anyone can submit a written request to see any information we hold and we have to provide it to them within 20 working days, subject to any fees or exemptions. This reinforces a culture of openness. We cannot assume that any information is exempt because it is 'internal' or 'confidential'. FOIA applies to all information we hold, in any format and is fully retrospective. In principle all of this information is now accessible to anyone who submits a written request, and we can only refuse to disclose it by reference to an exemption in the Act.

9.7 Fixed Term Employees' (Prevention of Less Favourable Treatment) Regulations 2002

The Regulations have established a statutory mechanism for limiting the use of successive fixed-term contracts to four years, unless objectively justified. There is no time limit on the first contract and only service accumulated after 10th July, 2002, will count towards the four year time limit. The renewal of a contract of four years or more, without objective justification, will lead to the contract being treated as a permanent one. In order to provide objective justification it is necessary to give detailed and specific reasons why the Fixed Term Contract will expire at the given date, for example when funding will cease or a project will end.

If a fixed term contract worker has been employed for more than 12 months, non-renewal of that fixed term contract is legally considered to be a dismissal. It will therefore be necessary to identify why the contract is not being renewed and follow a fair process in selecting and dismissing the fixed term worker. Under the Dispute Resolution Regulations 2004, an employee with over 12 months service must be consulted, in line with the statutory Dismissal and Disciplinary Procedure, if their Fixed Term Contract is not being renewed, otherwise the dismissal will be automatically unfair.

9.8 Local Government and Housing Act 1989

All council appointments must, and in accordance with the Local Government and Housing Act, be made on merit.

10. Complaints

- 10.1 If you have a complaint about the operation of this Policy, you should contact the Chair of the Panel. If their response does not satisfy you, please write to the Head of HR, or email via recruit@hyndburnbc.gov.uk.

Appendix 1: Examples of Interview Questions

(i) **Open questions** - e.g. "Tell me about...". These generally help candidates to relax and encourage them to talk. They avoid 'yes' or 'no' answers. They may need to be followed up with more detailed probing questions as they are unlikely to provide sufficiently detailed evidence on their own.

(ii) **Probing questions** - e.g. "Exactly what happened next?" or, "Could you provide an example of ...") aim to elicit more detailed information about the candidate. Typically start with what, why, when, where, who and how.

(iii) **Closed questions** - e.g. "Would you be able to start next week?" are used to establish facts and clarify specific points, these help to find out single facts or restrict candidates who are rambling.

(iv) **Reflective questions** - e.g. "Am I right in saying your experience includes...?" These repeat what the candidate said, therefore helping to check the accuracy of your understanding and can be used to summarise and lead to a close, or encourage applicants to expand further.

(v) **Competency/behavioural questions** – These aim to identify exactly how a candidate has tackled a real situation in the past as this is an effective predictor of how the candidate would tackle similar issues in the future. Effective competency based questions start by requiring the candidate to provide a specific example of how they have behaved in relation to a given competency, e.g. influencing skills, oral communication skills.

Once the initial example has been provided further probing questions should be asked to gain a detailed understanding of the situation, the behaviour of the candidate in that situation, i.e. how they managed the situation, the impact of that behaviour and what they learned from the experience.

So the starting point is an open question which allows the candidate to provide a specific example:
"Tell me about a situation when you had to influence a group of stakeholders"

Then probing questions are asked:

"What did you do exactly?"

"Describe how you influenced them?"

"How did you deal with those people that did not agree?"

Then get the candidate to reflect on the impact of their behaviour:

"To what extent did you influence the group?"

"How did the group respond to you?"

Finally get the candidate to reflect on what they learnt from the experience and what they would do differently the next time:

"What did you learn from this experience?"

"How would you deal with this situation if it happened again?"

"Would you do anything differently next time round?"

(vi) **Situational questions** - e.g. "Suppose you were presented with this situation...?" These involve asking candidates how they would react in specific situations that might be encountered in the job in question. General hypothetical questions are usually to be avoided as hypothetical answers may not always reflect how a candidate would behave in practice. Asking about how someone would advise in a given situation can test specific knowledge, for instance what relevant procedures or legal requirements they would consider.

Appendix 2: Employment of Ex-Offenders Policy

1. Purpose

Hyndburn Borough Council actively promotes equality of opportunity for all with the right mix of talent, skills and potential and is committed to eliminating prejudice in employment and taking positive steps to counter effects of disadvantage. It believes that people are its more valuable resource and endeavours to create a fair and just workplace for all its employees.

The purpose of this policy is to ensure that ex-offenders are treated fairly in the recruitment process. This policy enables Hyndburn Borough Council to fulfil its responsibility of care and be fair to all applicants at the same time.

2. General Principles

The Council has put in place procedures as part of its recruitment and selection process to guard against any further disadvantage and to ensure that ex-offenders are not barred from employment due to irrelevant offences.

This policy will be made available to all applicants, for positions of trust, at the outset of the recruitment process.

3. Main Responsibilities

- 3.1 As an organisation using the Disclosure and barring Service (DBS) to assess applicants' suitability of trust, Hyndburn Borough Council will comply fully with the DBS Code of Practice and undertake to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed.
- 3.2 Hyndburn Borough Council is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- 3.3 The Council will actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.
- 3.4 A Disclosure is only required after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all information contained within application packs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.
- 3.5 Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within the Council and we guarantee that this information is only seen by those who need to see it as part of the recruitment process.
- 3.6 Unless the nature of the position allows the Council to ask questions about your entire criminal record we only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.

- 3.7 The Council will ensure that those involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We will also ensure that they receive the appropriate guidance in the relevant legislation relating to the employment of ex-offenders e.g. the Rehabilitation of Offenders Act 1974.
- 3.8 At interview, or in a separate discussion, we ensure that any open and measured discussion takes place on the subject of any offences or other matters that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- 3.9 We make every subject of a Disclosure aware of the existence of the [DBS Code of Practice](#) and make a copy available on request.
- 3.10 We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment. Considerations will be whether or not the conviction (or other information) is relevant to the post, how serious the offence is, how much time has passed since the offence was committed, if the individual's circumstances have changed since the offence, the context of the offence and the individual's explanation.
- 3.11 Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.

Appendix 3: Disclosure Security and Information Handling Policy

1. The Council will take the necessary steps to ensure the correct handling and safe-keeping of all Disclosure information. Disclosures contain extremely sensitive personal information. Improved access to this confidential data means that there must be safeguards in place protecting human rights and individual confidentiality.
2. As an organisation, Hyndburn Borough Council uses the DBS service to help assess the suitability of applicants to positions of trust, including work involving children and vulnerable adults. In doing so, the Council fully understands the need to comply with the DBS Code of Practice and provisions of the Data Protection Act in relation to the correct handling, use, storage, retention and disposal of Disclosure information.
3. This policy outlines ongoing responsibility for all aspects of maintaining an effective security policy from effectively defining service needs for the use of Disclosures in recruitment through to the monitoring and maintaining of effective security controls.

Storage and Access

4. Disclosure information is never kept on an applicant's personnel files and is always kept separately and securely, in lockable, non-portable storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

5. In accordance with Section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. All Departments are required to maintain a record of all of those to whom Disclosures or Disclosure information has been revealed in the course of recruitment. All users of Disclosures need to recognise that passing on Disclosure information to anyone who is not entitled to receive it is a criminal offence.

Usage

6. Disclosure information is only to be used for the specific purpose for which it is requested and for which the applicant's full consent has been given.

Retention

7. Once a recruitment (or other relevant) decision has been made, Disclosure information should not be retained for any longer than is absolutely necessary. This is generally six months, as recommended by the DBS, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, the DBS needs to be consulted about this and full consideration given to the Data Protection and Human Rights implications before doing so. Throughout this time, the usual conditions regarding safe storage and controlled access need to be adhered to.

Disposal

8. Once the retention period has elapsed, Disclosure information needs to be immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information needs to be in a secure environment and not in waste bins or confidential waste sacks. No photocopies or any images of the Disclosures or

copies or any representation of the contents of the Disclosure information should be kept or retained. However, a record of the following may be retained for information purposes:

- Date of a Disclosure
- Name of the Subject
- Type of Disclosure requested
- Position for which Disclosure is requested
- Unique reference number of the Disclosure
- Details of recruitment decision taken.

Acting as an Umbrella Body

9. Before acting as an Umbrella Body, Departments must take all reasonable steps to ensure that they comply fully with the DBS Code of Practice and with the principles of the Council's Security of Information Policy in relation to the handling, use, storage, retention and disposal of Disclosures information. Departments must also ensure that any organisation or individual, at whose request applications for Disclosure are countersigned, has such a written policy and, if necessary provide a model policy for that body or individual to use or adapt for this purpose.