

## **EMPLOYMENT MATTERS COMMITTEE**

**29 JUNE 2011**

### **RECRUITMENT AND SELECTION FRAMEWORK/UPDATED REDEPLOYMENT POLICY REVIEW**

Report from/Author: Tricia Palmer, Assistant Director Organisational Services

#### **Summary**

This report outlines the findings of the review of the Recruitment and Selection Framework and Redeployment Policy.

#### **1. Budget and Policy Framework**

1.1 It is within the Committee's terms of reference to make recommendations on matters relating to employment, and it is requested that Members review the information outlined below.

#### **2. Background**

2.1 The Employment Matters Committee agreed the revised recruitment and selection framework and redeployment policy in February 2010, at which point Members asked for a yearly update report on the impact of their implementation (minute no 590/2/2010 refers). The Policies are attached at appendices A and B for Members' information.

2.2 The agreed Policy included the following changes: -

- Introduction of a planning meeting with a Resourcing Officer and the Recruiting Manager prior to any recruitment activity commencing.
- Introduction of a post-interview meeting between the Resourcing Officer and the Recruiting Manager to review successful applicants and take appropriate action regarding re-advertising where necessary.
- Removal of an application form, replacing it with an application letter.
- Redefining job descriptions into job profiles.

- Introduction of a supplementary health information form and removal of the need for automatic referral to occupational health for new starters.
- One reference requested for all non-safeguarding posts.
- Introduction of hook adverts where external publications are used.
- Redefining the redeployment process.

### **3. Findings of Review**

- 3.1 Members originally requested a review regarding the changes to the application process and removal of the application form, it was considered that this was also a good opportunity to review some of the other wider changes, and the feedback received from recruiting managers and staff via questionnaires and face to face.
- 3.2 The introduction of the planning meeting both pre and post recruitment activity has been positively welcomed by recruiting managers, this has given them the opportunity to discuss their needs in a much wider context, and in some cases this has resulted in them deciding to fill the vacancy in a different way, and has helped us to support initiatives such as the Future Jobs Fund and Apprenticeships.
- 3.3 In the majority of cases the removal of the application form was widely accepted. Especially in the case of more senior or professional posts as this has resulted in managers reporting a higher quality of application. Some concerns were raised over the impact of removing the application form, predominantly within the children's care social work teams, and specifically around Ofsted inspections. It should be noted that the adult social care teams have not raised these concerns. Working with the teams who raised the concerns, it was agreed to introduce a modified application form, for recruitment to children's social workers and senior practitioners only. In discussing these issues with the managers it was apparent that many of their concerns were raised, as they would prefer a more standardised form to follow as this makes the shortlisting exercise easier for them, and to identify potential safeguarding issues as the question around any gaps in employment, for example, would be in a specific box.
- 3.4 At the February 2010 meeting Members requested that a view be sought from the Equalities and Human Rights Commission regarding the removal of the application form. Their advice was as follows:-

There is nothing specific regarding application forms in equality legislation. However, the Disability Discrimination Act (DDA) does require that application forms, where they are used and the job application process would need to be accessible.

They also recommended contacting the Advisory, Conciliation and Arbitration Service (ACAS) to check any statutory employment requirements.

ACAS advised as follows:

There is no employment legislation that requires the use of application forms

- 3.5 Feedback on the changes to the job profile in the main have been very positive. The advantages have included being a much more consistent approach towards writing job profiles, the inclusion of the competency frameworks and the ability to describe the main purpose of the role better. Some of the feedback received, which has been less positive, has predominantly been around the fact that there are two competency frameworks, and whether these are now fit for purpose. Further work will be undertaken to determine whether these need to be reviewed in light of this feedback.
- 3.6 We have introduced the supplementary health information form and a single reference request for non-safeguarding posts, both of which are working well, and are speeding up the recruitment process, as well as saving money overall. The supplementary health information form has been modified slightly to take account of the changes introduced by the Equality Act 2010.
- 3.7 Hook advertisements have been well received by managers, although it should be noted that we are placing very few external advertisements due to the current financial climate, and the successes we have experienced in placing redeployees and utilising Future Jobs Fund roles and Apprenticeships.
- 3.8 We have successfully managed to redeploy 36 employees since June 2010, even with the decline of opportunities available across the authority. This in part, has been due to the positive approach being adopted by the Resourcing Officers when meeting with the redeployee and creating a profile of their current skills and experience. Combining this knowledge with the greater understanding of the content of roles, the Resourcing Officers have been able to discuss redeployment opportunities much more widely during the initial planning meeting.

#### **4 Financial and legal implications**

- 4.1 There are no direct financial implications arising from this report.
- 4.2 Relevant employment law covers recruitment activity and the proposed changes to both the recruitment and selection framework and redeployment policy were made taking these into account.

#### **5. Risk management**

- 5.1 Whilst this report is for information purposes, it is worth noting that the risks in relation to these changes relate to both the services and staff involved, and the authority's ability to effectively manage available resources. The review of recruitment and redeployment practices goes some way to mitigate these risks.

## **6. Recommendation**

6.1 That the report be noted.

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### **Background papers**

Report to Employment Matters Committee 10 February 2010:

<http://democracy.medway.gov.uk/CeListDocuments.aspx?Committeeld=135&MeetingId=2031&DF=10%2f02%2f2010&Ver=2>

## RECRUITMENT AND SELECTION FRAMEWORK

This policy applies to recruitment for all posts other than those in schools.

All appointments will be based on merit and according to the principles expressed in our equality policies and the aims and objectives of our workforce strategy.

All processes used for the recruitment and selection of staff to posts will be proportionate, lawful, accountable and necessary.

### 1. Purpose

The purpose of recruitment and selection is to “help recruit the right person in the right way the first time when needed”.

### 2. Introduction

Medway Council recognises its duty to ensure all recruitment and selection procedures are open, transparent and fair. Recruiting successfully is a crucial activity to ensure the continued delivery of quality services to the people of Medway. Taking the right steps to identify the right person is fundamental and has long-term implications for service delivery.

Managers should apply the requisite time and funding to this process, and will be supported by the Resourcing Team. The responsibility and decision for recruitment is the Manager’s. Each recruitment activity will be approached individually and the needs of the service will be actively considered.

### 3. Principles of Recruitment and Selection

All appointments will be based on merit and according to the principles expressed in our equality policy and workforce strategy.

All processes for the recruitment and selection of staff will be:-

- Subject to the relevant approvals being in place where applicable. Exempt posts will require Director and Portfolio Holder approval, non-exempt posts will require Cabinet Approval. The Resourcing Team will be able to give you more advice on these processes.
- Proportionate, based upon the circumstances of a particular recruitment and associated risk.
- Lawful, based upon an accurate understanding of the legal requirements.
- Accountable, so that all decisions are based on clear evidence.
- Necessary, to help recruit the right person, in the right way, when needed.

All recruitment activity will be open and transparent and will have a designated Resourcing Officer assigned to it.

Recruitment can be considered to be:-

Acting-up opportunities, secondment, new posts, vacancies in existing posts, maternity cover, fixed-term contracts but this list is not exhaustive and if a manager is unsure then the Resourcing Team can be contacted to offer advice.

#### **4. Key Stages of the Recruitment and Selection Process**

The following steps and processes within the framework may not necessarily be in a particular order and, from time to time, additional procedures may be appropriate. The Resourcing Officer will discuss any such need or proposal with the Recruiting Manager.

**Plan the Recruitment** – This will involve the Recruiting Manager and Resourcing Officer having a planning meeting to cover the initial stages of agreeing the job profile, and the appropriate form for the recruitment.

**Search for the Right Person** – The overriding challenge to successful recruitment is to know where is the right pool of people and how we can reach them and undertake the best selection process. The Resourcing Officer will, therefore, following discussion with the line manager determine the most appropriate selection pool. This could be existing staff, talent pool of applicants, internal supply pool, work experience pool or external advert.

**Employee Starts Work** – This will include all the work required to allow the selected applicant to start work on day one and be as effective as possible. This will cover offer of appointment paperwork, payroll, reasonable adjustments, induction and any other arrangements that are needed in accordance with legislation and/or corporate policy.

#### **5. Planning the Recruitment**

To ensure recruitment is efficient, effective and successful, planning should start as early as possible (e.g. from the moment an employee resigns or the need for additional staffing resource is identified).

The Recruiting Manager will enter their request into the E-Recruitment (e-SOURCE) system, and will be contacted by a Resourcing Officer who will arrange the planning meeting to fully explore and understand the activities of the role and what options are available for delivery of the post's activities including the potential for job carving, job sharing etc in the context of the team/service.

The Resourcing Officer will discuss with the Recruiting Manager, whether the post in question is suitable for recruitment under positive action, such as redeployment of staff at risk, succession planning, recruitment of under-represented groups etc, which may not result in the need for competitive selection.

If necessary, dates will be agreed for advert, shortlisting and interview/other methods of selection. Decisions will also be made on extra requirements for the job such as CRB, qualifications, references, specialist equipment etc.

#### **6. Search for the Right Applicant**

Every effort will be made to identify suitable redeployees for a post. The suitability of redeployees who are on the register at the time of the planning meeting will be considered and, where applicable a suitable alternative offer of employment may be made. If a redeployee is added to the register after the planning meeting they can, if they wish, apply alongside other applicants using the standard application process.

Where no redeployee is identified as suitable, a Recruiting Manager may proceed to the next level of consideration.

Where an individual is already in the role for a variety of reasons and the individual has more than 12 months' service with the authority, or an individual within the section or service possesses a unique set of skills required by the post, job matching may be appropriate.

Before this can be considered viable a further series of questions and challenges by the Resourcing Officer will explore the justification for this action to ensure its fairness and transparency. Working in the role is the best test of suitability but the Recruiting Manager and Resourcing Officer must both be satisfied that when the person concerned obtained the post in a temporary capacity this was done in open competition or that no one else can meet the requirements of the job.

Where there are staff across the wider authority who could undertake the role then a more open advert and recruitment process should be undertaken, but this need not be advertised externally.

Where advertising in any media is appropriate then normally, only hook adverts, (see Appendix 1) will be used to direct applicants to the job profile either on line or by hard copy mail. All external adverts will also be sent to the relevant Job Centre and appropriate under-represented groups.

## **6.1 Shortlisting**

It is the Recruiting Manager's responsibility to ensure that the shortlisting of any relevant applicants is undertaken in a fair and timely way. They must clearly identify and record shortlisting decisions in the e-SOURCE system indicating how each applicant meets the Job Profile.

Further advice can be sought from the Resourcing Officer.

## **6.2 Interviews**

The Recruiting Manager and all relevant panel members must have previously completed the recruitment and selection training. The decision/outcome must be clearly recorded in the e-SOURCE system and the panel must be prepared to offer feedback to all applicants when required.

Prior to any offer of appointment being made the Resourcing Officer will meet with the Recruiting Manager and/or Panel, wherever possible on the day of the interviews, to discuss the reasons for appointment, following which the Recruiting Manager can make a verbal conditional offer of appointment.

The Resourcing Officer will send out a written conditional offer to the successful applicant and, where relevant, make all mandatory checks. It should be noted that the authority would only take up full references for those posts working with children or vulnerable adults. For all other posts, we will only require confirmation of employment dates, including continuous service, where relevant, and any relevant disciplinary issues. Further advice can be sought from the Resourcing Officer.

All shortlisted applicants will be required to complete a Supplementary Applicant Information Form to enable the assessment of any special requirements or reasonable adjustments in relation to the successful applicant. This will need to be signed by each applicant and returned in a sealed envelope and in confidence to the Resourcing Officer. Those candidates unsuccessful at interview will have their supplementary applicant information form destroyed without it being reviewed. The authority will only take up more detailed pre-employment health checks where necessary.

It will remain the responsibility of the Recruiting Manager to ensure the successful applicant meets the requirements of the Asylum and Immigration Act. Further guidance is available from the Resourcing Team.

## **7. Employee Starts Work**

All necessary checks will have been completed either prior to the offer of work or after offer as appropriate or required by law. These include the right to work in the UK, Criminal Records Bureau Check (CRB), Independent Safeguarding Authority Agency (ISA), Safeguarding etc.

Offer letter, statement of particulars and payroll notification will be managed by the Resourcing Team.

The Recruiting Manager is responsible for requesting ICT access as appropriate, arranging, prior to the start date, any appropriate support and equipment required to allow the applicant access to the role and an appropriate induction and probation process.

## **8. Relocation Scheme**

If the successful applicant is required to relocate and it is applicable to do so a relocation package may be offered. The [relocation scheme](#) should be checked prior to doing this to ensure eligibility criteria are met. If you are unsure advice should be sought from a member of the resourcing team.

## **9. Probation**

All new entrants to local government service, or previous local government employees without continuous service, will be subject to a period of probation of not less than six months. Further advice can be found in the [probation policy](#) or from the resourcing team.

## **10. Determining employment status – employee or self-employed?**

Managers need to be clear as to whether a person working within their service is working under a contract of employment (i.e. an employee) or a contract for services (i.e. self-employed). Whether someone is employed or self-employed depends on the terms and conditions of their engagement. It is important as it determines who is liable to pay income tax and national insurance contributions, whether person has employment protection, is entitled to statutory sick pay and other employment rights. The [guide to determination](#) will assist managers with selecting the appropriate contract status. If it determined that an individual is self-employed then the [pro-forma agreement](#) should be issued.

## **12. Monitoring**

Recruitment and selection will be monitored by equality strands and will be reported to Corporate Management Team (CMT) and Employment Matters Committee (EMC) at least annually.



## Appendix One

Unless the Recruiting Manager can demonstrate an appropriate business need and this has been approved by the relevant Assistant Director or Director, then all external adverts will only be hook adverts as detailed below.

### Example wording for Hook Advert

**Quality Monitoring and Review Officer (Ref: BSD0786DA)**

**£22, 730 - £29, 714 per annum**

**Hours: 37 hours per week**

**Location: Gun Wharf, Chatham**

This is an exciting opportunity to work in our Service Improvement Team within Housing Services.

**For an informal discussion please contact Marc Blowers, Head of Housing Service Improvement on 01634 334382.**

Closing date: 2<sup>nd</sup> October 2009

For further details, and to apply for this or other opportunities within Medway Council, please visit our website at [www.medway.gov.uk](http://www.medway.gov.uk)

For an application form and Job description please contact 01634 333333 (Monday to Friday 8.00am—8.00pm, Saturday 9.00am—1.00pm) or our 24 hour recruitment line on 01634 332843 or please email your details to [jobs@medway.gov.uk](mailto:jobs@medway.gov.uk)



### MEDWAY COUNCIL REDEPLOYMENT POLICY

#### 1.0 Introduction

The Council recognises that in order to provide efficient and effective service delivery it is sometimes necessary to change staffing needs. Where strategies have an impact on staffing requirements, every reasonable effort will be made to minimise redundancies. The Council aims to deal sensitively with staff whose jobs may be at risk or who are no longer able on medical or capability grounds to carry out the requirements of their role and will try to redeploy staff into suitable alternative posts.

#### 2.0 Principles

This procedure has been designed to comply with the requirements of employment legislation and in accordance with best practice to ensure redeployees or potential redeployees are given priority and assisted in obtaining alternative employment with the Council. It is in the best interests of the workforce and the Council that redeployment over-rides usual recruitment procedures.

Redeployees will be given priority consideration to be matched for Medway Council vacancies at their current grade or one grade below where it is considered they are able to satisfy the basic criteria detailed within the person specification, or where it is considered they would be able to satisfy the criteria following an acceptable period of on the job training. **Redeployees will be eligible to apply for any advertised vacancy which is greater than one grade below their current grade and be guaranteed an interview, but will not be automatically matched to these roles.** Other arrangements may be agreed for those not currently employed under Medway Council terms and conditions of service.

#### 3.0 Scope

The principle of seeking alternative employment for those employees at risk of redundancy applies to all staff. However certain groups of staff, such as some school-based staff have different arrangements for seeking alternative employment within schools. Advice should be sought from the Human Resources (Schools) for clarification of these arrangements.

#### 4.0 General responsibilities

It is the responsibility of Human Resources to provide overall guidance and advice, as required, in the implementation of the procedure and to monitor consistency of application.

#### 5.0 Who can be considered for redeployment?

There are a number of reasons why employees can be registered for redeployment, these are as follows:

- (i) All staff who are **in a redundancy situation.**
- (ii) Staff where the Occupational Health Service has advised they are not fit to carry out duties of their original post on medical grounds but they are fit for alternative employment.
- (iii) Staff where action under the Council's Capability Procedure is being taken but only where Human Resources consider this appropriate.
- (iv) Staff returning from a career break.
- (v) Staff who are prevented from carrying out the duties of their post due to statutory changes that impact on their terms and conditions.

However employees who are **under notice of dismissal on the grounds of redundancy** will receive priority above any other category of staff on the redeployment register.

## **6.0 The Redeployment Register**

The Redeployment Register is maintained by Human Resources.

Redeployees will normally be placed on the register **as soon as notice of dismissal on the grounds of redundancy is issued, as per the organisational change policy**

Employees who are placed on the register for reasons other than redundancy will be placed at the appropriate time in accordance with the specific policy relating to their circumstances, e.g. capability, career break etc.

## **7.0 The procedure**

The Resourcing Officer will meet with the **redeployee** to discuss the various options, rights, implications and procedures, and these will be confirmed in writing.

There will be two ways in which a redeployee will be assisted in finding alternative work using their priority status, these are:

### **i) Resourcing Officer identifies a possible match**

The Resourcing Team will set up a face-to-face meeting with the individual to ascertain their existing skills, the type of employment they are seeking and any additional training needs which may be required.

If a potential match is identified the recruiting manager will be notified by the Resourcing Officer that there may be a suitable redeployee for their post. Arrangements will be made for the Manager to meet with the redeployee as soon as possible. This will normally be before their advertisement is placed. The purpose of the meeting will be to assess whether the post would be a suitable alternative, and discuss arrangements for a trial period, if appropriate.

The Resourcing Officer will contact the redeployee and advise of the vacancy and the forthcoming meeting. Redeployees are expected to co-operate with any such meeting and failure to do so could jeopardise their eligibility for a redundancy payment. A representative from the Resourcing Team will normally be present at the meeting and the redeployee can be accompanied by a work place colleague or trade union representative if they wish.

If during the meeting it is decided that a trial period will be undertaken, a suitable start date should be agreed between the 'out-going' and new manager. The Resourcing Officer may be involved in this discussion.

If it is agreed that the post is not a suitable alternative the reasons will be fed back to the redeployee.

### **ii) Applying for a post**

In the event that a redeployee is added to the register once a post has been advertised then they can still apply along with other candidates. All redeployees applying for a post in this way will be guaranteed an interview as long as the priority status criteria applies and they meet the minimum requirements of the post.

The manager, together with the Resourcing Officer should discuss whether the redeployee fits the criteria and if so, the redeployee must be interviewed, with their Resourcing Officer present.

In the event that the redeployee is interviewed and following that interview, a redeployee is assessed as unsuitable, feedback must be given, using the Redeployment Feedback Form, prior to

any offer of employment to another candidate who is not **under notice of dismissal**. The employee must be given the opportunity to discuss/raise any concerns about the reasons given.

## **8.0 Trial Period**

Redeployed staff will normally be employed on a trial period of 4 weeks, exclusive of training requirements. The cost of the trial period is to be met by the original employing service.

The trial period may be extended by mutual consent. If anytime within the trial period either the new employing department or the member of staff indicates, for good reasons, that the new post is unsuitable, the member of staff's employment will normally revert to the original department who will bear the redundancy costs.

## **9.0 Refusal of suitable alternative posts**

Should a redeployee unreasonably refuse to co-operate or refuses a suitable alternative position, they will be advised that they will jeopardise their employment and, where appropriate, their eligibility to a redundancy payment.

Where a suitable alternative is offered and refused, the final decision as to whether the employee has lost their right to a redundancy payment will lie with the Assistant Director, Organisational Services or their representative.

## **10.0 Financial Support**

### **(i) Salary protection**

Salary protection will only be payable for reductions in remuneration of one grade difference between the old and new posts. In these cases, the original employing department pays the protection element of salary for the length of the protection period. Full details of the salary protection arrangements are detailed within the Council's Organisational Change Policy and Procedure.

### **(ii) Excess Travel**

Reimbursement of the costs of additional travel arising from a compulsory change in an employee's workplace will be made in accordance with the Council's policy.

## **11.0 Other support for redeployees**

### **(i) Time off for interviews**

Reasonable paid time off work, with agreement, is offered to employees seeking alternative work within or outside Medway Council.

This provision only relates to employees who have been continuously employed for two years or more. Where this does not apply it would still be reasonable to allow employees to take reasonable time off should the need arise. The Director or nominated line manager has the discretion to agree to such paid time off.

Employees must provide adequate notice to their manager of any interviews or appointments for which they are seeking paid time off.

### **ii) Training**

The Workforce Development team can provide training in job searching skills, cv writing and interview skills.