



2021/22

Recruitment and Selection Policy

# Clean Slate Policies

## RECRUITMENT AND SELECTION POLICY

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## 1. PURPOSE

To set out the organisations approach to the recruitment and selection of the workforce.

## 2. AUDIENCE

This policy is intended for:

- all members of the workforce

## 3. RELATED DOCUMENTS

This policy should be read alongside:

- Induction, Training and Development
- Support and Supervision
- Staff Appraisal
- Equal Opportunities
- This organisations data protection policy
- Contract of employment (for paid staff)

## 4. DEFINITIONS

For the purposes of this policy, the following definitions apply:

### 4.1 The Organisation

For the purposes of this policy ‘the organisation’ refers to Clean Slate

### 4.2 Protected Characteristics

This includes following characteristics:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

[Source: Equality Act 2010, <https://www.legislation.gov.uk>]

## 5. INTRODUCTION

This document contains a policy statement (Part One) and procedural guidance (Part Two). The functions of each are set out briefly below.

**Part One - Policy Statement.** The policy statement sets out the broad framework of principles within which the particular area of work will be carried out. It sets out the organisation's broad style and approach to the issue, including any aims and guiding principles.

**Part Two - Procedural Guidance.** The procedural guidance sets out the detail staff require to carry out their duties in this particular area of work. It also sets out the specific tasks involved in undertaking this area of work and identifies who is responsible for carrying them out. This section is guidance only and is not mandatory to the policy.

## 6. PART ONE - POLICY STATEMENT

### 6.1 Aims and Principles

The organisation is committed to recruiting and selecting staff in a manner which:

- promotes equality of opportunity
- is open, fair and consistent
- results in a high quality of people working for the organisation

### 6.2 Equal Opportunities

The organisation is committed to undertaking recruitment and selection in a way, which upholds equality of opportunity and its equal opportunities policy. Therefore, the recruitment process has been designed and will be carried out in a way which will not discriminate against applicants on the grounds of their:

- race
- age
- disability/medical conditions
- sexuality
- gender reassignment
- nationality
- religion
- beliefs
- parental responsibilities
- ethnicity
- marital or civil partnership status
- membership or trade union
- professional association

## 6.3 Relevant Legislation

The organisation will adhere to the requirements and guidance contained in relevant legislation. This will include the following pieces of legislation (and any subsequent amendments to them):

- Equality Act 2010
- The Human Rights Act 1998
- The Rehabilitation of Offenders Act 1974

Recruitment and selection processes will also adhere to the Commission for Racial Equality's Code of Practice.

## 6.4 Positive Action

### 6.4.1 Positive action in recruitment and promotion

Wherever possible, steps should be taken to identify and remove unnecessary and unjustifiable barriers and provide appropriate facilities and conditions of service, to meet the special needs of disadvantaged and/or under-represented groups.

Positive action provisions can be used to improve diversity in the workforce when recruiting and promoting candidates. The new provisions came into force on 6 April 2011. The Act protects people from being treated less favourably because they have a [protected characteristic](#).

Positive action applies to all protected characteristics, and means that it is not unlawful discrimination to take special measures aimed at alleviating disadvantage or under-representation experienced by those with any of these characteristics.

It is not unlawful to recruit or promote a candidate who is of equal merit to another candidate, if the employer reasonably thinks:

- the candidate has a protected characteristic that is under-represented in the workforce
- that people with that characteristic suffer a disadvantage connected to that characteristic.

This is sometimes called either a 'tie-breaker' or the 'tipping point'.

This kind of positive action is only allowed where it is a proportionate way of addressing the under-representation or disadvantage.

Information or evidence will be required to indicate to the employer that one of these conditions exists.

Positive action does not allow an employer to appoint a less suitable candidate just because that candidate has a protected characteristic that is under-represented or disadvantaged. This would be 'positive discrimination' which is unlawful in Great Britain.

#### 6.4.2 Genuine Occupational Requirements GOR

There are certain lawful defined exceptions in the Equality Act 2010, known as occupational requirements. These, broadly, apply when a job can only be performed effectively by someone with a particular protected characteristic, e.g. either a man or a woman, a person of a specific racial or religious group, a person of a particular sexual orientation, a disabled person or a person of a particular age group.

To rely on the exception, the employer must show that, having regard to the nature or context of the work, having the particular protected characteristic is a genuine occupational requirement (GOR) and that the application of the requirement is a proportionate means of achieving a legitimate aim.

All roles in an organisation must be considered separately. If there is a GOR relating to one role, it will not necessarily apply to all roles within the organisation. GORs should be reviewed each time the job becomes vacant, as circumstances may change.

For it to be an occupational requirement, both of the following must also apply:

- the protected characteristic is essential for and relates to the main tasks of the job.
- the employer can prove it has a good business reason ('objective justification').

#### 6.4.3 Advertising GOR vacancies

Vacancy advertisements should refer to the [Equality Act 2010](#) which states that it is lawful if:

- (a) it is an occupational requirement.
- (b) the application of the requirement is a proportionate means of achieving a legitimate aim.

For example: a refuge for women who've experienced domestic violence can advertise for a female support worker, as the female clients require particular care and attention, or a safe environment that only a female worker can provide, then this would be lawful.

The advert would state 'This post is only available to female applicants as permitted under the Equality Act 2010'.

### 6.5 Recruitment of ex-offenders

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), the organisation complies fully with the code of practice and undertakes to treat all applicants for positions fairly and ensure applicants are aware of this.

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Application forms, job adverts and recruitment briefs shall contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.

Where a Disclosure is to form part of the recruitment process, and the applicant is an ex-offender, we encourage the applicant 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 organisation.

As the work of the organisation involves contact with vulnerable people, requests for Disclosures are generally “Enhanced” and questions will be asked about the individuals’ entire criminal record. Unless the nature of the position allows the organisation to ask questions about an individual’s entire criminal record we only ask about “unspent” convictions as defined in the Rehabilitation of Offenders Act 1974.

All staff who are involved in the recruitment process shall be suitably trained and supported to identify and assess the relevance and circumstances of offences. This should include the appropriate guidance and training in relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, an open and measured discussion should take place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to a withdrawal of an offer of employment.

The organisation shall discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

## 7. PART TWO - PROCEDURAL GUIDANCE

The following section outlines guidance for good practice that may be followed during recruitment and selection process.

### 7.1 Preparing for Recruitment

The following should be considered before proceeding to recruitment:

- Whether the post requires to be filled
- The job description is up-to-date
- (if a paid position) whether there is sufficient allocation in the budget for the post and whether funds are available to remunerate it.
- (if an unpaid position) whether there is sufficient allocation in the budget for expenses

In some circumstances a post may be considered as suitable to be advertised internally prior to being advertised externally. Circumstances may include, posts that are temporary, those that provide current staff, volunteers and casual workers with developmental opportunities and other exceptional circumstances.

The following may require the approval of the Board of Trustees before recruitment takes place.

- Posts which are outside of the existing establishment and/or budget,

- Posts only advertised internally

## 7.2 Recruitment Pack

The organisation should prepare a recruitment pack for each position to be advertised which may include:

- **An up-to-date Job Description which sets out:**
  - the job title
  - to whom the postholder is responsible/reports
  - any staff for whom the postholder is responsible as a line manager
  - the main duties and responsibilities of the post
  - any additional duties and responsibilities of the post
- **An up-to-date Person Specification which sets out:**
  - the essential requirements the postholder must have in terms of the knowledge, skills and experience required for the post
  - any desirable requirements in terms of knowledge, skills and experience
- **An application form which includes:**
  - A section on disclosure of information through the DBS and The Criminal Convictions Declaration' form (Please refer to Employment of ex-offenders and persons with a criminal record policy for the form)
- **Background information on the organisation, such as:**
  - The mission statement or vision
  - The most recent annual report
  - Leaflets for stakeholders explaining the service
  - Other relevant information about the organisation
- **An equal opportunity monitoring form**
  - Health questionnaire form
- **A covering letter which explains:**
  - The procedure for making an application
  - The closing date for applications
  - The next steps

## 7.3 Advertisement

The organisation should advertise as widely as possible within the constraints of the budget. As a minimum, advertisements may be placed in:

- The local press
- The job centre

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- Internally via email
- On external email mailing list
- Recruitment websites
- The organisations website
- Social media

Liaison with underrepresented groups may be undertaken to ensure that the job advertisement can be circulated as widely as possible if certain individuals are required to cater for the special needs of particular groups.

Information for job applicants may be available in large print, Braille and on audiotape, on request.

All advertisements should include:

- the relevant section of the Equality Act 2010
- wording to indicate that the DBS Disclosure service will be used as part of the recruitment process
- the organisations Charity number, Company number or IPS number
- recognition of post funders (their names/logos may be incorporated into the advertisement)
- the closing date for applications and the interview date

## 7.4 Shortlisting

Candidates should be short listed for interview based on the extent to which they meet the essential and desirable criteria for the post. An interview may proceed even if there is only one potentially suitable candidate. However, in cases where either no candidates apply or the candidates who apply do not sufficiently meet the criteria for appointment, the post will be re-advertised.

Applications returned by the deadline should be considered by a short-listing panel, which may be comprised of at least 2 members of the workforce. In normal circumstances that panel will include the line manager for the vacant post. All involved in this process should have received equal opportunities training related to selection and recruitment.

The personnel comprising the short listing and interviewing panels should be the same persons, unless extraordinary circumstances prevent this, and replacement staff will have received training in the recruitment and selection of staff.

Late applications may be considered at the discretion of the short-listing panel.

The short-listing panel should document the extent to which each applicant meets the person specification. Reasons for selection and rejection of applicants for vacancies must be recorded. Unsuccessful candidates shall be given an explanation as to why they were unsuccessful, if requested.

Applications should be checked for any declaration of convictions prior to the DBS check. Please refer to the Employment of ex-offenders and persons with a criminal record policy for further information.

Short listed candidates should be contacted in writing to advise them of the date, time and location of the interview. If contacted verbally, this should be followed up in writing (e.g. email or letter). Candidates should also be notified of any particular expectations of them on the day (for example that they will need to give a presentation or take a numeracy or typing test).

## 7.5 Canvassing

Any attempt by or on behalf of a candidate to influence the recruitment decision by seeking the support of any personnel may disqualify the candidate.

## 7.6 Confidentiality

Strict confidentiality will be maintained at all times, applications and associated materials will be confidential to the recruitment panel and identified administration personnel.

All information relating to a DBS Disclosure will be handled in strict confidence according to the organisations data protection policy.

## 7.7 Interviews

Interviews should always be carried out before an appointment is made. Interviews should be framed around a standard set of questions asked of all applicants for the vacancy to ensure a level playing field, although follow up questions are permissible to clarify answers to the set questions or to ask particular questions relevant to the application form.

The interview panel should document the responses to the interview questions. Following the interviews, the interview panel will reach a consensus about the most suitable candidate for the post based on a discussion of all the candidates at interview. Reasons for selection and rejection of applicants must be recorded. Unsuccessful candidates may be given an explanation as to why they were unsuccessful, if requested.

Should the interview panel have serious doubts about the ability or suitability of candidates, which would prevent them from appointing, then a decision to re-advertise should be taken.

## 7.8 Appointment

Following interviews, references should be taken up for the selected candidate. The candidate will also complete the Health Questionnaire. An example Health Questionnaire is given in [Appendix A](#). The candidate may be sent a conditional offer of employment which is dependent on receiving satisfactory references and return of a satisfactory health questionnaire. The Health Questionnaire is a tool for ensuring that the selected candidate has the opportunity to tell the organisation about their health and any disabilities, so that appropriate adjustments can be agreed and a risk assessment completed if necessary. Should the organisation consider withdrawal of a conditional offer based on health/disability, they will always consult with the organisation's designated HR professionals beforehand.

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Most selected candidates will be required to undergo a check by the DBS service. The new member of the workforce should not be allowed to work with clients or to have access to client's data until such a check has been successfully completed.

The organisation should not automatically regard a criminal record as a bar to recruitment within its organisation. Any conviction an applicant holds will be assessed and considered in relation to the post applied for and the organisations policy on recruitment of ex-offenders ([section 6.5](#)).

In accessing and handling Disclosure Information the organisation will exercise strict confidentiality complying with the DBS Code of Practice-

Following receipt of acceptable references and a positive outcome of the DBS check and health questionnaire, a formal written offer of the position will be made to the candidate, which they will be expected to confirm in writing (e.g. email or letter).

### 7.9 Probationary Period

All new members of the workforce should undergo an induction process.

Most new members of the workforce will have a probationary period, during which they will be closely supervised and supported in order to, ensure that they are capable of performing their role properly. There may also be review points throughout this period.

At the end of the probation period, there should be a meeting and the outcome should be documented.

In cases where there is doubt about the capability and/or performance of the member of the workforce, the position may be terminated or the probationary period may be extended. In these cases, the member of the workforce will be made aware of the reasons for extending the probationary period and will receive any necessary training and support to assist them in achieving the required standard.

In cases where the probationary period has been extended and the member of the workforce is still not performing some tasks or a substantial portion of their job description satisfactorily, the member of the workforce may be dismissed.

### 7.10 Agency Recruitment

In the event that a member of the workforce is unable to work, and there is no one available to cover the role from the existing workforce, an agency may be approached to recruit cover. The agency should be reputable and preferably have experience within the sector.

Where staff are employed via an agency, the organisation must be satisfied that checks, consistent with those usually undertaken have been undertaken by the employing agency in advance of placement. This is essential in relation to DBS checks.

## 8. APPENDIX A - EXAMPLE HEALTH QUESTIONNAIRE

This questionnaire is to be completed so that the organisation can be sure that it is safe for you to carry out the duties that will be expected. The information you give will all remain completely confidential and will be handled in accordance with the Data Protection Act 1998.

### Personal Information

Full Name	
Address	
Home Phone No.	
Mobile Phone No.	
Email	
Date of Birth	
Gender	

### General Practitioner's Information

If we believe it is necessary to contact your GP then we will notify you of this decision and of your rights under the Access to Medical Records Act 1988 will be explained to you

Name of GP	
Name of Surgery	
Surgery Address	
Telephone No.	

### Next of Kin / Emergency Contact

Full Name	
Address	
Home Phone No.	
Mobile Phone No.	
Relationship to you	

**Medical History**

If you answer 'yes' to any of the questions in this section, please give details. Please ensure that you answer all the questions

Question	Yes	No	Details
	Please tick		
1) Are you currently receiving, or have received in the last three months, treatment or medication under the supervision of a doctor?			
2) Do you need us to make any specific adjustments or adaptations to the work environment to help with any medical issues you may be experiencing?			
3) Have you ever left a job or been denied a job on health grounds?			
4) Are you currently on any medication? (excluding contraceptive pills)			
5) Have you ever had a medical condition that was made worse by working?			
6) Do you have any allergies?			
7) Have you been admitted to a hospital in the last five years?			

8) Are you waiting for medical treatment or investigations of any kind?			
9) Have you ever received treatment or support from a psychiatrist, psychologist or counsellor?			

Question	Yes	No	Details
	Please tick		
10) Have you ever suffered from any of the following conditions?			
Mental illness			
Stress, depression or anxiety			
Heart problems, e.g. heart attack, angina, cardio-vascular disease			
Stroke			
High blood pressure			
Epilepsy or blackouts			
Skin conditions, e.g. eczema, psoriasis, dermatitis			
Any sight related problems not corrected by glasses			
Any ear related problems (including deafness)			
Diabetes			
Back pain or injury			
Pain or injury to upper body, e.g. neck, shoulders, arms, hands etc			
Pain or injury to lower body, e.g. legs, feet, hips etc.			
Migraines or recurrent headaches			
Any respiratory problems, e.g. COPD, bronchitis, emphysema, asthma			
Drug or alcohol dependency / addition (including prescription medication)			
Muscle or joint problems			

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Dizziness or fainting			
Recurring stomach or bowel problems			
Arthritis			
Hernia			
Any blood disorders			
Any other serious illness or injury			

Is there anything else in your medical history that you think we should be made aware of as it might affect your ability to perform your current job or any future jobs?

Yes  No

If Yes, please give details:

**Disability**

Disability is defined under the Equality Act 2010 as ‘a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities’

Do you consider yourself to have a disability?

Yes  No

If Yes, please give details:

**Sickness Absence Record**

How many days have you had off work due to illness or injury in the last three years?

Days

Please give details of any absences due to illness or injury in the last three years

Date and Duration of Absence	Reason for Absence

**Declaration**

I hereby confirm that:

- The information I have provided in this assessment is, to the best of my knowledge, accurate, true and complete
- I understand that I may be required to attend a medical examination
- I understand that giving any false or misleading information could lead to dismissal
- I understand that now and, in the future, I have a duty to report any health condition or medication which could affect safety, concentration or performance at work

Signed	
Date	

## 9. VERSION HISTORY

It is recommended that this document is reviewed at minimum every 3 years. However, legal updates may need to be incorporated more frequently.

Version	Date	Approved by
1.0	02/02/2021	Nadia Brown – Project Manager