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East Sussex County Council

Recruitment & Selection Policy

Note: Blue typeface within the text below indicates information that is available on the staff Intranet/Czone.

The policy sets out the procedure for Recruiting and Selecting Staff at the County Council.

Ensuring the recruitment and selection process is fair, open and transparent and promotes equal opportunities to all groups throughout the local community.

Key points

- The recruitment process should be fair, open and transparent
- It should provide the flexibility to develop capacity of the existing workforce and simultaneously open up employment opportunities to the external community
- Selection should be valid and justifiable and based on job related objective criteria
- If this policy is successful, the workforce should closely reflect the County's population
- Recruiting managers/governors should be trained in recruitment and selection or be able to demonstrate equivalent experience, knowledge and skills
- Recruiting managers/governors should adopt a professional approach – recruitment is just as much about the candidate learning about the County Council as it is about the County Council finding the right person for the job
- Pre-employment checks must be carried out to verify recruitment decisions
- Some appointments are exempt from the recruitment process
- Abolition of the default retirement age from 6 April 2011 has opened up opportunities for older workers
- Particular considerations apply to young workers aged 18 or under
- Recruitment is just the start of someone's introduction to the County Council – recruiting managers should ensure they induct and develop the employee throughout their time with the County Council

1. Scope

1.1 This policy applies to all County Council employees, including schools based employees where the Governing Body has adopted the policy (subject to such other changes that may have been adopted by the Governing Body of the school). Throughout the policy, reference to the 'County Council' therefore includes schools.

1.2 The term "recruiting manager" includes members of a school Governing Body who have been nominated for recruitment and selection panels and headteachers, to whom authority to recruit all employees, except senior teaching staff, should be delegated by the Governing Body.

1.3 This policy should be used for any appointment requiring a selection procedure. For exemptions from the selection procedure, see Section 6 below.

2. Principles

2.1 The County Council recognises and values the diversity of its workforce and communities and wants to ensure that all the attributes, talents and skills available throughout the community are recognised when employment opportunities arise. Its principle is that jobs should be filled by those best able to do them.

2.2 The County Council takes every possible step to ensure that its staff, and potential staff, are all treated fairly and given equal opportunity and support appropriate to their needs. All employment decisions including those on recruitment, selection, promotion, training and career development, are based solely on job related objective criteria.

2.3 The County Council opposes all forms of discrimination on the grounds of race, colour, nationality, ethnic or national origin, religion or belief, gender and gender identity, marital and civil partnership status, sex and sexual orientation, medical condition (including people living with HIV or AIDS), disability and age. This policy

should be read with the Promoting Diversity and Equality of Opportunity in Employment Policy.

2.4 If this policy is successful, the workforce will be a reflection of the county's population and all employees will have equal opportunities in their work.

2.5 It is in this way – through fair, open and transparent recruitment, selection and development – that the County Council and its workforce can work towards and achieve its vision of providing high-quality services to the people of East Sussex.

3. Who makes Appointment Decisions?

3.1 For staff not based in schools: Chief Officers and departmental managers make appointment decisions for the majority of posts.

3.2 A Recruitment Panel selected from the membership of the Regulatory Committee is responsible for the appointment of the Chief Executive, Chief Officers and other senior managers who sit on departmental management teams. Here appointment panels should consist of three elected members from the majority party and one from each of the minority parties. If there is a hung council, there should be two elected members from each of the main parties and one from the minority party.

3.3 For schools based staff: appointment decisions are the responsibility of the relevant Governing Body. For the majority of posts, this responsibility is delegated to the school's Head Teacher and/or senior staff.

3.4 For Head Teacher and Deputy Head Teacher posts, the responsibility for recruitment and selection is delegated to an appointment panel of nominated governors. They are required to shortlist and interview candidates and make a recommendation to the full Governing Body who make the final appointment decision. Under the provisions of the Education Act 2002, the Director of Childrens' Services (or nominated representative) has an entitlement to offer advice in Head Teacher appointments, and the panel have a duty to take this advice into consideration. He /she is therefore entitled to attend all selection proceedings. For an Aided School, the Diocesan Director (or nominated representative) should be included. For a Controlled School, consideration should be given for the Diocesan Director (or nominated representative) to attend.

4. What are the Recruiting Manager's Responsibilities?

4.1 The recruiting manager should ensure they are fully trained or able to demonstrate from previous experience that they have the skills and knowledge required to successfully implement this policy and recruit and select in a fair and open way. This should include an understanding of the Promoting Diversity and Equality in Employment Policy and relevant employment legislation as well as completion of the mandatory online training courses in Recruitment and Selection and Equality and Diversity. Note: the on-line training courses will be available to schools based recruiting managers early in 2012.

4.2 The County Council provides a Recruitment and Selection Toolkit which is available on the Intranet and has guidance notes on each stage of the recruitment process. Recruiting managers are required to have an understanding of their role and responsibilities in each stage. A similar Recruitment and Selection Toolkit will be available on CZone for use in Schools from early 2012.

4.3 Recruiting managers in schools need to be aware of the following information in relation to managing the recruitment and selection process in schools:

- The Governors Guide to the Law – Chapter X Staffing in Schools
- The School Staffing (England) Regulations 2009
- Guidance on managing staff employment in schools – Guidance issued by DfES (now DfE) for Governors, Head Teachers and Local Authorities
- Guidance on the mandatory requirement to hold the National Professional Qualification for Headship (NPQH) issued by DCSF (now DfE) in 2009.

For further information see CZone/Schools Personnel and Training/Recruitment and Retention/Recruitment and Selection/Before You Recruit.

4.4 Where an applicant has indicated under Declaration of Interests that they know or are related to an existing employee or County Councillor, it is the responsibility of the recruiting manager to ensure that this person is not involved in the appointment, or the decision behind the appointment. If you are responsible for appointing employees, you must ensure that the recruitment decisions are based solely on assessment through the appointment process. Any potential conflict of interest should be declared to the Assistant Director/Headteacher/Chair of Governors, as appropriate, in advance of shortlisting.

4.5 For schools it is essential that at least one member of the selection panel has achieved accreditation on Safer Recruitment, through the completion of the assessment process, by registering for the on-line training which is currently available through the Children's Workforce Development Council (CWDC). Alternatively school based staff and governors may have completed the accreditation process through attending the workshops delivered by the Local Authority on behalf of the National College for School Leadership, or by completing the CZone /Safer Recruitment on-line training available through the CWDC.

5. Abolition of the Default Retirement Age

5.1 From 6 April 2011 Paragraph 9 of Schedule 9 of the Equality Act 2010 has been repealed making it unlawful not to recruit a person solely because they are aged 65 or over or are within 6 months of reaching age 65.

6. Appointments exempt from selection procedures

6.1 There are a number of occasions where direct appointments can be made without the full selection process. These include:

- Redeployments – people on redeployment are given the opportunity to apply for jobs before they are advertised. This includes employees who are subject to a notice of redundancy, those who have become disabled during the course of their employment and those who for health reasons require alternative employment. If successful, the post will not be advertised externally
- Temporary to permanent contracts – people on temporary contracts can be made permanent as long as the appointment to the temporary post had been subject to a competitive process
- Career opportunities – Chief Officers/Headteachers may designate some posts as suitable development opportunities for existing employees. These are not advertised externally. An example could be project work to support an employee's continuing professional development (CPD)

7. Politically Restricted Posts

7.1 The Local Government and Housing Act 1989 imposes restrictions on political activities by employees who hold certain categories of posts. This includes Chief Executive, Chief and Deputy Chief Officers, all posts at or above Local Management Grade 2 and any posts that are 'politically sensitive' i.e. giving advice on a regular basis to Members or speaking on behalf of the County Council on a regular basis to journalists or broadcasters. For further information, see the Local Government and Housing Act 1989 - guidance notes on political restrictions.

8. What about Agency Staff?

8.1 The County Council aims to fill all vacant posts with directly employed staff. The use of agency staff should therefore be kept to a minimum and used for short-term or emergency staffing needs only. Where agency staff are required, it is mandatory for non schools based appointments that they should be recruited using **Comensura.net**, the Council's appointed procurement company.

8.2 For further information, see Employing Temporary Agency Staff on the Personnel/Recruitment and Selection pages of the Intranet.

8.3 Recruiting managers in schools should refer to the CZone page: Schools Personnel and Training/Recruitment and Retention/Temporary Staff.

9. Employing Young People

Children aged 16 or under
9.1 Children who are legally required to attend school (generally aged 16 or under) may be employed in limited circumstances for specified periods of time per day and per week between 0700 and 1900 hours.

9.2 There are categories of prohibited employment for children of compulsory school age. Those categories likely to be of most relevance to the County Council are:
- The personal care of residents in any residential care home or nursing home
- Work in a commercial kitchen
- Collecting or sorting refuse – such duties may form part of some cleaning jobs

9.3 The full list of prohibited categories of work and further guidance about child Employment can be found in the Child Employment Employer's Guide on the County Council's web site.

9.4 Employers engaging children under 16 have a legal responsibility to apply for an Employment Card within four days of the start of employment. The relevant form can be found on the County Council's web site.

9.5 Further advice and information about the employment of children under 16 is available from the Children's Services department. The contact details for the Child Employment Officers can be found on the County Council's web site.

Workers aged 16 and 17
9.6 For workers over the minimum school leaving age, but under 18, restrictions on the number of hours worked and other safeguards still apply.

9.7 The safeguards include the right to a National Minimum Wage, redundancy pay, paid time off for study or training and the requirement for a risk assessment to be carried out with a specific duty to consider the impact of young workers' immaturity and inexperience on their health and safety in the workplace.

9.8 Further details can be found on the [Business Link web site](#)

Young Workers aged over 18
9.9 You may still have special responsibilities to young workers in respect of pay and training, even when they are over the age of 18. Further details can be found via the web link in Paragraph 9.8 above.

10. Who deals with complaints?

10.1.1 Complaints should be made to the Recruiting Manager/Headteacher as appropriate, who will seek advice, where necessary, from Personnel and Training. If the complaint involves the recruiting manager/Headteacher, complaints should be directed to the Director of Governance and Community Services/Chair of Governors, as appropriate.

11. Who is responsible for implementing this policy?

11.1 Chief Officers/Governing Bodies/Headteachers are responsible for implementing this policy within their departments/schools and ensuring that their managers have the skills and knowledge required to use this policy and recruit and select in a fair and open way.

Equality Impact Assessment Summary for Recruitment and Selection Policy

Date of assessment: June 2010
Managers' name and role: Vicky Graham - Assistant Personnel Officer, Nicholas Earley - Customer Relations Adviser, Liz Felstead - Head of Workforce Development and Wellbeing

This is a summary of the findings of the Equality Impact Assessment for the Recruitment and Selection Policy. For full details of the assessment, please contact the manager named above.

Summary of findings

Positive impact on disabled applicants.
Negative impact on over 65s / Children aged 16 or under / Workers aged 16 and 17 / Young Workers aged over 18 but the impact is intended and legal due to current legislation and safeguards.

Positive impact on over 65s / Children aged 16 or under / Workers aged 16 and 17 / Young Workers aged over 18 in safeguarding the interests of the County Council, its stakeholders and the wider community (applicants, employees, members of the public).

Areas requiring further attention;
• Transgender
• Geographical area
• Increased consultation

Summary of recommendations and key points of action plan

• Age – review and amend policy in line with any future legislative changes.

• Transgender – set up a system for monitoring and evaluation. To be put forward to East Sussex County Council's Lesbian, Gay, Bi-sexual and Transgender (LGBT) forum for consultation and feedback.

• Geographical area - assess the number of people from areas of deprivation who apply, are interviewed and offered posts with East Sussex County Council. (For 3.7 'Other').

• Increased consultation – our investigations have indicated that further consultation is required to fully understand the impact this policy has on members of the community who are represented by the seven strands.

Groups that this project or service will impact upon

If there is an 'x' in the box below a '+', it means the strategy or policy has a positive impact on that group. A 'x' below the '-' sign means there is a negative impact.

Race		Gender		Sexual Orientation		Age		Disability		Religion/ Belief		Other		All	
+	-	+	-	+	-	+	-	+	-	+	-	+	-	+	-
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