BIRMINGHAM CITY COUNCIL

PEOPLE SOLUTIONS

RECRUITMENT AND SELECTION TOOLKIT

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Human Resources

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INTRODUCTION

This toolkit is designed for all employees who are involved in recruitment & selection. It aims to:

- advise employees
- develop professional standards
- promote and maintain best practice

All employees must follow the Birmingham City Council's Recruitment and Selection Code of Practice and Equal Opportunities in Employment Policy.

USING THE TOOLKIT

The Tool Kit includes the following:

- legal advice and important notices
- general guidance

Some managers may need to adapt the general guidance to meet operational needs specific to their area. However, managers must ensure they follow the legal advice included in this Toolkit, as well as Birmingham City Council's Recruitment and Selection Policy and Code of Practice.

Policy commitments and other legal obligations have been marked throughout this toolkit.

OUR RECRUITMENT POLICY

Birmingham City Council is committed to promoting and maintaining recruitment and selection practices that:

- support its commitment to **grow our own** and the **employee bargain** of job security for flexibility
- are **effective and efficient** - to identify and appoint suitable candidates, in a timely and cost effective manner
- are **fair** and ensure that at all stages decisions are based on the merits of the individual linked to the requirements of the job
- support the Council's core values of Belief, Excellence, Success and Trust

- ensure externally advertised jobs are **accessible** to all sections of the community. This is through the use of appropriate advertising, recruitment and selection processes, including reasonable adjustments for disabled applicants
- safeguard and promote the welfare of children, young people and vulnerable adults in our care. Birmingham City Council expects all employees and volunteers to share this commitment

WHY GOOD RECRUITMENT AND SELECTION PRACTICES ARE IMPORTANT

People are vital to the success of our organisation. In order to secure our continued success and competitiveness, it's important we attract, select and retain the most suitable individuals.

People may make judgments about Birmingham City Council based on their experience of our recruitment and selection processes. Therefore it's important the process is professional and promotes a positive image of our organisation.

Poor recruitment practices may leave applicants, including successful ones, with a negative opinion of Birmingham City Council. This could result in a rise in the number of people who turn down the offer of employment, or start their career with a bad impression of Birmingham City Council. This may lead to a high turnover of employees or poor performance.

The practices outlined in this Tool Kit are an important part in building a successful workforce that can meet the challenges the organisation faces, now and in the future.

WHAT TO DO WHEN A VACANCY ARISES

Extract from the Code of Practice

The Recruitment Process

1.1 When a vacancy occurs, the need for the job should be assessed and alternatives considered including whether an appointment under a current City Council Initiative is appropriate, e.g. Ability Plus. Budgetary implications will also need to be considered and advice taken from a relevant finance officer and HR team.

General Guidance

The Recruitment Charter outlines the responsibilities in the recruitment and selection process of the:

- Manager
- Directorate Human Resources Team
- People Resourcing Team

It also details the timescales involved to support Birmingham City Council's commitment to ensure that Recruitment & Selection is efficient and on time.

Appendix 1 - Recruitment Charter.

When there is a vacancy the manager should consider if the job has changed. Changes may be due to:

- a re-organisation
- new technology
- different working patterns
- the job being modified which will need different skills

If there are major changes in the job, you should contact the Job Evaluation Team as it could affect the grade of the post.

Options to Consider

Code of Practice 1.1 above applies.

Distribution of duties amongst existing team members

An alternative to recruiting to the vacant post may be to distribute the duties between existing team members. This option will require the manager to consult with the team, as job descriptions may need to be revised.

It is important that the manager considers the impact these changes will have on equal opportunities and the grade of the post. Before making a decision, they should get advice from the Pay and Reward Team and their Directorate Human Resources team.

The Ability Plus Scheme for People with Disabilities

This scheme offers a 9-month placement for disabled people and is designed to help this group back into the workforce. There is no guarantee of a job at the end of the placement but over 90% of people on the Scheme do stay with Birmingham City Council. Advice, support and training are a feature of the scheme.

Placements are selected where vacancies are likely to arise or where skills offered are transferable. For further information contact the People Resourcing Team, on 303 5183.

New Deal

Working with Jobcentre Plus, Birmingham City Council works to provide a range of New Deal opportunities, including:

- New Deal (18-25)
- New Deals (25+)
- New Deal Schemes aimed at 50+, disabled people and lone parents

Entry level jobs or jobs with training and support are particularly suitable for New Deal, as there is a training element.

Before deciding to advertise a vacancy in the normal way it is important to first consider whether the post is suitable for New Deal.

If you think you may have a suitable opportunity you should speak to your Directorate Human Reasources team and contact the People Resourcing Team on 303 1576.

JOB DESCRIPTIONS AND PERSON SPECIFICATIONS

Extract from the Code of Practice

1.2 A relevant job description and person specification must be produced, if one does not already exist. Job descriptions should be relevant but as generic as possible to enable flexibility and mobility between roles, duties and responsibilities within the assigned grade.

1.3 For new roles, the job description must be sent to the Pay and Reward Team. The team will then arrange for an interview between the recruiting manager and a member of the team who will undertake an evaluation of the roles and duties contained within the job description, using the appropriate evaluation scheme. Following assessment through this process the grade for the role will be confirmed with the recruiting manager. It is essential that this process is followed for all new roles and also roles that have been revised. Please note, if a job description is being revised and there are other post holders then they should be fully consulted and they may seek support if they wish from their relevant trade union representative.

1.4 Where a role has been revised, the Pay and Reward Team will assess the role again and determine whether any revision in duties will result in the grade of the role changing. The Pay and Reward Team will also determine the new grade for the role, if applicable.

1.5 The above process must be followed to ensure that all roles are paid fairly, equitably and that disparities do not occur within the City's Pay and Grading Structure. Regular Equality Impact assessments will be undertaken to ensure that consistency is retained throughout any evaluation process job roles go through.

1.6 For posts where there is contact with, or access to personal records relating to children, young people and vulnerable adults, the job description must:

- clearly indicate if a CRB check is required and at what level;
- clearly state the responsibility for safeguarding and promoting the welfare of children/vulnerable adults; and,
- outline the specific responsibilities of the post.

1.7 Once a job description has been completed, a person specification must be drawn up with criteria that are both relevant, measurable and directly related to the job description. Criteria specified must be solely based on the genuine requirements of the job. Failure to do this could result in indirect and unfair discrimination.

1.8 For posts working with children, young people and vulnerable adults, the person specification should also explore issues relating to safeguarding and promoting the welfare of children. Specifically the suitability and motivation to work with children/vulnerable adults, the ability to form and maintain appropriate relationships, emotional resilience and attitudes to the use of authority and maintaining discipline.

Job Descriptions

Code of Practice 1.2 – 1.8 above apply.

The Job Description will vary depending on the job involved, but it should reflect the duties and nature of the post.

You will need to include:

Job Purpose this gives a brief explanation of why the job exists, for example:

- to provide
- to undertake

Duties and responsibilities describe the tasks involved in the job. It should:

- be written in plain language, using active verbs to describe the tasks
- start with the most important tasks
- have 10–12 points

It is essential that an individual knows and understands their responsibility to promote and safeguard people they are responsible for or come into contact with. This is vital if the job involves work with children, young people and vulnerable adults. Please see the Code of Practice para 1.6 above.

You can add to the scope or importance of the job by adding more detail such as the value of budgets handled or whom the work is for.

See Appendix 3 for an approved framework for a Job Description.

The Person Specification

The Person Specification identifies the essential qualities an applicant should demonstrate to carry out the duties of the job in the Job Description. It should be concise with about 10 criteria and be reviewed each time a job becomes vacant against a recent job description.

The candidates will be assessed against the criteria in the person specification. The method of assessment will be one or more of the following:

- Interview (I)
- Test (T)
- Presentation (P)
- Application Form (AF)

These methods of assessment will be clearly indicated on the person specification.

It is important when deciding the different methods of assessment (MOA) that these can be reliably assess the various criteria – for example you cannot reliably assess numerical analysis skills in an interview, nor can you effectively measure customer care skills in an application form. Normally you can assess a person's experience, knowledge and qualifications from the application form.

To prevent an overly complicated application process, please ensure that you identify no more than 6 criteria to be assessed at the application stage. This aims to assist with streamlining a timely and efficient recruitment process. It also aims to ensure the application form does not act as an unnecessary barrier to people to skew the appointment process towards "people who are good at filling out application forms" rather than those most able to do the job.

Care also needs to be taken when considering how best to assess other criteria on the person specification. 'Softer' skills such as team working, customer care and a commitment to equal opportunities may be best assessed through competence based interview questions. Other skills such as numerical ability or verbal reasoning may be assessed through ability tests. Effective persuasion or influencing skills may be best assessed through a group exercise. The list is endless but there needs to be a clear link between the criteria assessed and the method of assessment.

The People Resourcing Team will be able to provide further guidance on this on 303 1576.

Birmingham City Council no longer uses desirable criteria in the person specification.

The Person Specification identifies the required:

- experience
- skills & abilities
- training
- qualifications

The Person Specification should be relevant to the job and broad enough to encourage applications from diverse groups of people. You should be able to objectively justify any requirement included. Consider:

- are specific qualifications essential for the job?
- do certain educational or vocational qualifications disadvantage certain age groups?
- the language used which may imply your are looking for a young or older worker e.g. mature, dynamic, energetic
- the type and level of experience necessary for effective job performance?
- can any criteria which relate to personal qualities or circumstances be applied equally to all groups regardless of age, sex, race, nationality, disability, membership or non-membership of a trade union?

- is the correct legislation included in any advertisement for jobs where Genuine Occupational Qualifications apply? You should contact the Corporate Recruitment Team for further advice and information
- For posts where there is contact with children, young people and vulnerable adults the person specification should explore issues relating to safeguarding and promoting the welfare of children. Please see Code of Practice para 1.8 above.

Items included in a Person Specification should be relevant and measurable.

See an approved framework for a Person Specification Appendix 4.

BEFORE ADVERTISING A VACANCY

Extract from the Code of Practice

1.9 Before a vacancy is advertised, directorates/In-Source must consider if they have an employee who is 'at risk' who could fill the post. Where an employee(s) is identified an informal meeting should take place between the manager and the employee to discuss the role. This meeting may be attended by the link officer. If no suitable applicant is found within the directorate, the vacancy must be forwarded to In-Source for matching/clearance. If no match is found or no one expresses an interest then the vacancy will be cleared within 5 working days. Further details are available in the Council's Redeployment Agreement.

1.10 Once a vacancy has been cleared for advertisement, In-Source, in consultation with service managers, will determine whether recruitment through a resource pool, internal jobs bulletin or external advert is appropriate and make arrangements for it to be advertised or matched against, as appropriate.

1.11 If the post is to be advertised, an itinerary for the recruitment process should be scheduled at the earliest opportunity, e.g. advertising, closing date, short listing and interview dates in order to avoid unnecessary delays.

Your Directorate Human Resources team will follow the redeployment process before they pass the vacancy to the People Resourcing team to advertise. If a Redeployee matches the vacancy, your Human Resources team will be able to advise you on the steps to take. They will also carry out other processes to enable the job to be advertised. Please see Code of Practice 1.9 – 1.11 above.

Once the vacancy is cleared for advert, your Directorate Human Resources team will send a copy of an advert pro-forma to People Resourcing and to you. Please see Code of Practice 2.1 – 2.5 – see Recruitment Advertising below.

The Recruitment Charter Appendix 1 and the flowchart of the recruitment and selection process Appendix 2 give you information about the roles, responsibilities and timelines.

SELECTION PANELS

Extract from the Code of Practice

6.1 The make up of the selection panel will depend on the nature of the job but must have at least two people and who have the authority to make decisions about the appointment. Before the selection process starts a member of the panel must be nominated to chair the proceedings. The same group of people should both shortlist and interview unless there are justifiable reasons that prevent this. Separate procedures exist for JNC Officers for which managers should liaise with their Directorate HR.

6.2 The Chair of the selection panel must be trained in fair recruitment and selection procedures. It is the City's aim that all panel members will have received appropriate training in the Council's recruitment and selection policies and practices.

6.3 If appointing to a school based post, one of the interview panel should have undertaken the on-line training provided on safeguarding via the National College for School Leadership. The Head Teacher and one Governor are required undertake this training.

General Guidance

The line manager of the vacant job should be part of the interview panel. If it is a technical job, a member of the panel should be a technical expert in that area of work. If you need to use a technical expert from another organisation, they would be an advisor only and not be part of the decision making process.

The interview panel, where possible, should have a gender and ethnic group mix. Members of the interview panel should be chosen for their ability to contribute positively to the selection process, their knowledge of equal opportunities and how it can be put into practice. Please see Code of Practice 6.1 – 6.3 above.

In some cases observers may be present at the interview. Observers are normally there as part of their development. It is essential that they maintain the same level of confidentiality expected of other panel members.

Each panel will need to nominate a chairperson. The chair will take a leading role throughout the selection process and interviews. See the Suggested Interview Format for further guidance.

ITINERARY FOR THE RECRUITMENT PROCESS

Extract from the Code of Practice

1.11 If the post is to be advertised, an itinerary for the recruitment process should be scheduled at the earliest opportunity, e.g. advertising, closing date, short listing and interview dates in order to avoid unnecessary delays.

General Guidance

You will need a directorate specific advert pro-forma, which is available from your Directorate Human Resources team or the Corporate Recruitment Team.

The advert pro-forma requires managers to give key dates for the selection process. It must be completed before an advert is placed, as set out in the Code of Practice and Recruitment Charter. Appendix 5 is an example of the advert pro-forma.

Effective recruitment reduces delays and allows all involved to know the key dates in the recruitment and selection process. This is particularly important if the panel decide it is going to be more than a one-stage process. This may involve a selection test and a short interview, followed by a presentation and in-depth interview. Please see Code of Practice 1.11 above.

In accordance with the Recruitment Charter, the key dates for the selection process should be scheduled as follows:

Advert - should be placed as soon as possible. You can check deadline dates for the appropriate publications with the Corporate Recruitment Team

Closing date - a minimum of two weeks after the advert appears

Short/long listing meeting - within 4 – 8 working days after the closing date. You should allow 3 working days for application forms to be sent to you

Interviews - should take place within 20 working days of the closing date

Contact the People Resourcing Team about advertisement and closing dates. You can also ask for support at shortlisting and interview stages.

The level of support the People Resourcing Team is able to provide depends on your Directorate's service level agreement and the availability of members of the team.

RECRUITMENT ADVERTISING

Extract from the Code of Practice

Resource Pools

2.1 In-Source will match the vacancy against candidates on relevant resource pools. For example:

2.2 **Clerical, Administrative and Customer Service (GR1/2)**

This pool will contain job ready and assessed candidates to fill all vacancies that fall under the above classification, including office based specialist posts e.g. HR, finance. The council will not individually advertise such posts.

2.3 **Internal Movers Resource Pool**

This pool is a register of candidates seeking a lateral job move to develop competencies and/or enhance job satisfaction. Candidates will be matched against same grade posts in job areas in which they have expressed an interest. Managers will be asked to consider these candidates before advertising the post.

2.4 **Change Agents/Interim Managers**

This pool contains candidates who have been assessed as high performers and demonstrate the competencies and values the council requires of its future leaders. Candidates will be matched against various change management and service improvement roles, usually on a project basis.

2.5 The above pools may be subject to change, with due reference to agreed consultation protocol. Details on Resources Pools and relevant procedures are available on People Solutions (Inline) and through the People Resourcing team.

Recruitment Advertising

3.1 All vacancies cleared for advertisement should be advertised internally first through the Council's Internal Jobs Bulletin. The only exceptions to this are those posts for which it can be demonstrated that there is an insufficient internal labour pool.

3.2 If externally recruited to, posts should be advertised or recruited to in an appropriate manner. This includes taking into account where potential applicants may look for vacancies and anything that may act as a potential barrier to them e.g. lengthy application form. In most instances the vacancy should be advertised on the Council's recruitment website, in the City Council's newspaper (Forward) and/or with Jobcentre Plus. No job should be advertised until the relevant documentation has been completed and a recruitment schedule agreed, following redeployment clearance.

3.3 Any job advertised in media where a charge applies must be cost effective and the budget holder's permission sought.

3.4 Potential candidates, whether internal or external, must be informed that application forms are available in alternative formats (e.g. large print, Braille, audio tape, on-line) and that requests for application packs may be made by various means (e.g. in writing, by telephone or email). Applicants should be given access to apply for the post through the Council's recruitment website.

3.5 All advertisements, whether internal or external, must fully consider the City Council's commitment to Equal Opportunities. Unless the job is specifically exempted, all advertisements must also make it clear that applications are welcomed from those wishing to job share and also the 'two ticks' symbol to encourage applications from disabled people.

3.6 For posts where there is contact with, or access to personal records relating to children, young people and vulnerable adults:

- the advertisement, whether internal or external, must include a statement about the Council's commitment to safeguarding and promoting the welfare of children, young people and vulnerable adults and a reference to the need for the successful candidate to undertake a Standard or Enhanced CRB Disclosure via the CRB.

General Guidance

In this section we will give you advise around how and where to advertise including information on:

- Positive Action
- Media Choice
- Writing an Advertisement
- The Law of Recruitment Advertising
- Genuine Occupational Qualifications

Advertising internally

In order to meet the Councils' commitment to develop its own staff as well as the employee bargain of job security for flexibility, vacancies will first be advertised internally, through In-Source. Exceptions to this include:

- where there are no potential internal applicants
- JNC appointments such as Assistant Director and Director
- partnership posts where the is joint funding

The Internal Recruitment First Bulletin is produced fortnightly. Managers can advertise posts in the bulletin using the advert pro-forma, following redeployment clearance. Appendix 5.

Adverts for posts where there is contact with children, young people and vulnerable adults or access to their personal records, must include a statement outlining the Council's commitment to safeguarding and promoting the welfare of this group. It should also inform successful candidates that they would be asked to take a Standard or Enhanced Criminal Records Bureau (CRB) check.

Advertising externally

Advertisements should appeal to all sections of the community, be clear, easily understood and use positive images and words. They should use language which reinforces and underpins non-discriminatory practices and avoid language that is gender, age or culturally specific.

The general public, as well as job seekers, may use these advertisements to form an opinion of Birmingham City Council. Therefore it's important that all advertisement pass on the right message.

The Council may target recruitment advertisements to actively encourage applications from groups that are under-represented in specific posts within Birmingham City Council. This is known as Positive Action and further information can be found below.

As with internal advertisements, adverts for posts where there is contact with children, young people and vulnerable adults or access to their personal records must include a statement outlining the Council's commitment to safeguarding and promoting the welfare of this group. They should also inform successful candidates that they would be asked to take a Standard or Enhanced Criminal Records Bureau (CRB) check.

You will need a directorate specific advert pro-forma, which is available from your Directorate Human Resources team or the Corporate Recruitment Team. A draft advert pro-forma can be seen in Appendix 5.

The People Resourcing Team can draft the main text on your behalf, using the job description and person specification.

Advertisements for Forward have a maximum of 80 words in the main body of the text. This excludes job title, salary, application arrangements and dates of the selection process.

Please see Code of Practice 3.1 – 3.6 above.

Positive Action

A Positive Action statement can be included in an advertisement for a specific job if it is under-represented by gender or ethnic groups. Applications from disabled job seekers should be encouraged at all times.

Here is an example of wording for a positive action statement:

'Applications from the following groups are particularly encouraged as they are under-represented in this area within the Council's workforce' (then quote the Race Relations Act 1976 - **if race specific** or the Sex Discrimination Act 1975 - **if gender specific**).

Further advice on the use of positive action statements can be obtained from the Human Resources Strategy Team on Tel: 464 3098 or from the Corporate Recruitment Team.

Media Choice

When considering which media to use you should think about the likely response rate and how quickly the vacancy needs to be filled.

Forward and Jobcentre Plus are good methods of reaching those from under-represented and disadvantaged groups as it gives access to council jobs.

Jobcentre Plus is best used for unskilled posts that tend to generate a large number of applicants. Forward is best used if the post requires specialist skills and a wider choice of candidate.

In some cases it may be necessary to advertise in specialist publications to reach specific groups.

A number of jobs may be suited to other methods of recruitment, such as recruitment events offering:

- on the spot interviews
- discovery days

- localised advertising

The People Resourcing Team will be able to provide advice on different methods of recruitment, media and associated costs.

In all cases, when deciding the method of recruitment, you should consider the council's commitment to equal opportunities and to reduce unemployment in the city.

It is possible to place a number of adverts in the Evening Mail free of charge. However, these should be restricted to jobs that:

- require a high level of skill
- are in an area that has a skill shortage
- are difficult to fill

Birmingham City Council receives a limited number of free pages and once used the there will be a charge of approximately £1,000 per vacancy.

Other cost effective supplementary media may be used to produce enough applicants. The People Resourcing Team will be able to advise you on the appropriate media choice, publication dates and associated costs.

To overcome under-representation in the workforce you should assess the use of the following media sources:

- Newspapers
- Journals
- Internet
- Radio
- TV
- Outreach recruitment events

Forward and the Internal Recruitment First bulletin, and where possible the Jobcentre Plus website, should be available to all employees to ensure access to Council job opportunities

Writing an Advertisement

The Job Description and Person Specification will provide the information to include in the advertisement.

You should check the following before including it in an advertisement:

- job title - which indicates if part-time, job share, fixed term or temporary
- salary scale – to include monetary rates
- location of work - which department and where post will be based
- outline of job - a brief summary of the main purpose and function of the job. A detailed Job Description will be given at a later stage with other details. Give the number of hours and how these are to be worked, i.e. part time or job share. If temporary or fixed term, include the length and reason for the temporary post
- job requirements – give a brief outline of the essential requirements for the job. Full details will be in the Person Specification
- special conditions – for example unsociable hours. Specify if this is on a regular basis
- contact person – give the name of a person for applicants to contact before applying for an informal discussion
- application arrangements – the first stage is to encourage applicants to visit our recruitment website for an on-line application pack - www.birmingham.gov.uk/jobs. If applicants want to request an application pack, give a contact telephone number, postal address and email address. You should also tell candidates that applications forms are available in a variety of formats, such as large print, audio tape, Braille or on-line
- advertisements for posts where there is contact with children, young people and vulnerable adults or access to their personal records must include a statement which outlines the Council's commitment to safeguarding and promoting the welfare of this group. It should also inform successful candidate that they will be asked to take a Standard or Enhanced Criminal Records Bureau (CRB) check via the CRB.
- closing date - which may include a time. We recommend a minimum of 2 weeks after the advertisement is published.
- key dates in the selection process.

If you have completed the relevant sections on the advert pro-forma, the People Resourcing Team will use the job description and person specification to draft the main advert text.

To help you draft an advertisement, a pro-forma is attached Appendix 5.

Legal Advice

The Law of Recruitment Advertising

There are four key pieces of legislation that have an effect on recruitment advertising:

- Sex Discrimination Act 1975 and 1986 - Section 38
- Race Relations Act 1976 – Section 29
- Disability Discrimination Act 1995
- Employment Equality (Age) regulations 2006

The Race Relations and Sex Discrimination Acts forbid direct or indirect discrimination in advertising of jobs on the grounds of:

- sex
- pregnancy
- marital status
- colour
- race
- nationality
- ethnic origin

There are some exceptions to the ban on direct discrimination, see Genuine Occupational Qualifications.

The Disability Discrimination Act (DDA) came into force in 1995, and makes it unlawful to discriminate against a disabled person. This includes advertisements that suggest an organisation prefers applications from non-disabled applicants. The Act also places a duty on the organisation to make reasonable adjustments in the recruitment process.

Age Discrimination legislation came into force in October 2006. It is designed to protect people of any age from discrimination, harassment and victimisation. It makes it unlawful to discriminate against someone, directly or indirectly, because of his or her age. The regulations apply to all employers, including public sector bodies such as the Council. They cover:

- recruitment
- terms and conditions
- promotions
- transfers
- dismissals

- training

- You should ensure advertisements are written within the law, taking into consideration the acts and regulations listed above.

Genuine Occupational Qualifications (GOQ's)

Under the Race Relations and Sex Discrimination Act there are some circumstances where it is possible to place an advertisement asking for applications from a particular group. This provision is known as Genuine Occupation Qualifications (GOQs), further details and guidance can be found in Appendix 6.

The Acts specify the exact circumstances under which it may be possible to apply a GOQ.

If challenged in an Employment Tribunal the burden of proof lies with the employer to justify the use of GOQ's. Only an Employment Tribunal or a higher court can give a ruling as to whether or not a GOQ is valid.

Any advertisement placed under this provision is open to challenge by an individual or by the Equality and Human Rights Commission.

You can get further advice from the Human Resources Strategy team on 464 3098.

APPLICATION PACKS AND DEALING WITH APPLICATIONS

Extract from the Code of Practice

Application Packs

4.1 Application packs as a minimum must include: a job description, person specification and an application form (or basic information form). Packs should be dispatched promptly upon request (usually within one working day) and be available in alternative formats for disabled applicants. A reference should be included to the BCC recruitment website www.birmingham.gov.uk/jobs.

4.2 For posts where there is contact with, or access to personal records relating to children, young people and vulnerable adults:

- a copy of the establishment's child protection policy.

- a clear statement about safeguarding within the service/Directorate or other establishment.

- notification that references must be provided before interview and any anomalies will be taken up with the applicant and referees.

- a caution that providing false information is an offence.

- that the post is exempt from the Rehabilitation of Offenders Act and that any convictions are never "spent".

4.3 All literature used in the recruitment and selection process must be produced to appropriate quality standards. Information on these is available from the Corporate Recruitment Team, People Resourcing.

Extract from the Code of Practice

Late Applications

5.1 Application forms received after the closing date should only be considered in exceptional circumstances.

General Guidance

Application packs provide candidates with enough information to find out if they have the skills for the post and if they wish to apply. They can also promote the City Council as 'an employer of first choice'. In order to do this successfully, information in the pack should be of a high standard, give positive message and be up to date. It is important to use the corporate branding guidelines.

In order to load the job information onto the website the People Resourcing Team need the contents of the application pack in an electronic format. This will also be forwarded to Contact Birmingham, who send out all application packs. Please see Code of Practice 4.1 – 4.3 above.

The People Resourcing Team must have all application pack material before the job is advertised, in line with the Recruitment Charter.

The amount of information you provide for candidates requires careful consideration. In some posts extensive information may deter people from applying. For example, in occupations where there is not a requirement for effective written communication skills, some people who would be ideally suited to the post, may decide against pursuing their application if they are faced with mountains of paperwork.

The information that should be included in an application pack is detailed in paragraph 4.1 of the Code of Practice above. Application packs will normally include:

- a corporate recruitment folder for posts SO1 and above
- standards for applicants
- information about the structure of the Department in which the job is located

For posts where there is contact with or access to personal records relating to children, young people and vulnerable adults, the following should also be included:

- a copy of the establishment's child protection policy
- a clear statement about safeguarding within the service/Directorate or other establishment
- notice that references must be provided before interview and we will contact the applicant and referees if there is any discrepancy
- a caution that providing false information is an offence
- notice that the post is exempt from the Rehabilitation of Offenders Act and that any convictions are never "spent".

You may decide to give more detailed information about the job, division, directorate or Council at a later stage, for example, to all shortlisted candidates. This may involve giving extra relevant documents, or arranging a pre-interview visit or briefing. Internal and external candidates should be treated equally.

Briefings or pre-interview visits are optional and do not form part of the selection process. You should explain to candidates that the purpose of the visit or interview is for them to gain information about the organisation, and it is not essential that they attend.

Recruitment is a two way process which should allow the candidate to evaluate the City Council as a suitable employer, as well as us evaluating them as a suitable employee. If an employee starts a position with little understanding of the job or organisation, they may quickly feel disillusioned and may leave after a short time. Which will mean the recruitment process will have to be repeated, resulting in wasted time and resources.

Important Point

If there is a delay in providing the information in an alternative format, the deadline should be extended. Applicants can return their application in a different format. Please refer to the Disability Guidance Note No. 4 Recruitment and Selection Best Practice (See http://inline/recruitment under Making the Appointment).

Job Application/Job Information Form

Job Application Form – The traditional 8 page form which will be used for all posts where a more detailed work history is required for example safeguarding children, those requiring a CRB and senior posts.

Job (or basic) Information Form – A shortened version of the above 8 page form which will be used both safely and appropriately for specific and relevant posts.

Dealing with Casual Enquiries

You should refer casual enquiries from potential candidates, including by C.V's, to Forward, the Internet or other publications where city council jobs are advertised.

However, some Directorates with hard to fill posts, such as Occupational Therapists and Children & Families Social Workers, will have a procedure for dealing with casual enquiries.

Dealing with Applications

The named contact in advertisements who deals with informal enquiries must have information about the post and be available to answer job related questions.

Applicants who are unable to complete a form should be given the appropriate support. If the ability to complete an application form is not essential to the performance of the job, it should not exclude the applicant from the recruitment and selection process.

Applicants from Overseas

You must treat applicants from overseas equally and use the recruitment and selection process we use for all other applicants.

Birmingham City Council will pay interview expenses from the port of entry. A Directorate may agree to pay the applicant's full travel expenses if the job is hard to fill. Details of expense payments should be included in the job advertisement.

If the post does not need to be filled quickly, you should arrange an alternative date if the applicant is unable to make the scheduled interview date.

You should tell the applicant that they must bring proof of their entitlement to work in the United Kingdom to their interview.

You should copy the original document(s) and certify that the original has been seen. These documents will be kept on any successful applicant's personal file.

They can bring in one of the documents listed in Appendix 8.

Copies of these documents are needed for all applicants.

It may be possible for us to apply for a work permit for difficult to fill posts for overseas applicants who are not entitled to work in the UK. See Work Permits.

SHORTLISTING

Extract from the Code of Practice

7.1 Those responsible for shortlisting must see every application. Applicants must be assessed equally against the predetermined criteria in the person specification and not each other. No applicant should be called for interview unless there is sufficient evidence that they meet the requirements of the job.

7.2 For posts where there is contact with, or access to personal records relating to children, young people and vulnerable adults, all application forms should be checked to ensure that they are fully and properly completed; that the information provided is consistent and does not contain any discrepancies, and, any gaps in employment are identified. Forms with incomplete personal details or employment history should not be accepted and should be disregarded or (without delay) be completed by the applicant. Any anomalies or discrepancies, as well as gaps in employment history, identified should be noted so that they can be taken up as part of the consideration of whether to shortlist the applicant or explored during the interview. As well as reasons for obvious gaps in employment, the reasons for a history of repeated changes of employment without any clear career or salary progression, or a mid career move from a permanent post to supply or temporary work, need to be explored and verified.

7.3 All Applicants who indicate that they have a disability as defined under the DDA 1995 & 2005, who meet the essential criteria should progress to the next stage of the selection process e.g. selection test or interview.

7.4 If applicants with a disability have informed us that they have special requirements for the interview/selection test, all reasonable steps must be made to accommodate their disability (e.g. when a candidate needs a ground floor venue/access to a lift or requires a sign language interpreter).

7.5 Applications from job share candidates must be treated equally to those candidates wishing to work full time.

General Guidance

Each panel member should have copies of the following documents:

- Job Description and Person Specification
- the advertisement
- details of the terms and conditions of service
- selection criteria grid, based on the Person Specification
- relevant assessment forms
- each application form

Please see Code of Practice 7.1 – 7.5 above.

Individual Preparation Prior to the Shortlisting Meeting

Each panel member will need a selection criteria grid which will list all the criteria in the Person Specification. It will be used to assess each application form to decide if the applicant should be invited to an interview. Appendix 7 is a selection criteria grid.

Individual panel members should complete the criteria grid before the shortlist meeting. This will save time and ensure that every application form is assessed against the criteria.

The first step in the shortlisting process is to award a 'mark' to each candidate against each of the criteria listed:

- a tick if they have clearly met the criteria
- a cross if they have not met the criteria
- a question mark if it is unclear if they have met the criteria

You should assess the application forms on the essential criteria in the Person Specification. We recommend that desirable criteria are **not** used. You should objectively evaluate the information in the application form and check if the applicant meets the selection criteria. Some of the criteria may be assessed in a different way at a later stage of the recruitment and selection process.

You must consider reasonable adjustments when shortlisting. That is, what changes can be made to some of the duties to ensure that it does not deter disabled applicants. A reasonable adjustment may mean modifying the place of work, the physical environment or the job content.

For posts where there is contact with children, young people and vulnerable adults, or access to their personal records, application forms must be checked to ensure:

- they are completed correctly and all vital sections are filled in
- the information provided is consistent and does not contain any discrepancies
- any gaps in employment are identified

You should not accept an application form if the personal details or employment history sections are incomplete.

Keep a note of:

- repeated changes in employment where there isn't a clear progression
- a mid career move from a permanent to supply or temporary post
- an inconsistent employment history

The reason for these will need to be explored and verified.

Shortlisting Meeting

After individually marking the application forms you should meet with the other panel members to shortlist. This involves working as a team to shortlist applicants, in alphabetical order, against the criteria in the Person Speciation.

Each panel member should take it in turns to comment on the applicant using their selection criteria grid and any notes they have made. Following a general discussion the panel should decide who they want to invite to interview. You may decide to form 3 piles - yes, no and possible. It may be necessary to discuss various views until the panel reach an agreement.

This process should be completed for each applicant with a different member of the panel starting the discussion.

The shortlisting panel may decide to clarify some points on the application form at interview. If so, this must be applied fairly and consistently. However, this should not be done for posts where there is contact with children, young people and vulnerable adults, or access to their personal records. See 7.2 in the Recruitment and Selection Code of Practice above.

Where a large number of candidates are involved it is possible to rank the candidates, drawing a line where appropriate. Use this scoring system for applicants who meet all the essential criteria:

- **3 = strong evidence**: the applicant gives strong evidence of meeting the criterion

- **2 = acceptable evidence**: the applicant gives evidence to suggest they meet the criterion

- **1 = poor evidence**: little evidence is given to meet the criterion
- **0 = no evidence**

Important

You must consider overseas qualifications and identify if they are equivalent to those specified in the Person Specification. For advice on overseas qualifications contact UK Naric on Tel: 0870 9904088 or on the Internet at www.naric.org.uk.

To avoid bias for or against internal candidates, any prior knowledge of a candidate should be ignored, and judgment made on information provided in the application form.

The reason for not shortlisting a candidate should be recorded on the front of the application form to help with feedback.

Policy Point

Applications from candidates who want to job share must be treated in the same way as others.

ARRANGEMENTS PRIOR TO INTERVIEW AND THE SELECTION PROCEDURE

Extract from the Code of Practice

8 Prior to the Interview

8.1 Applicants must be informed when and where the interview procedure is going to take place at the earliest opportunity. Information on the expected duration and format of the procedure must also be provided.

8.2 For posts where there is contact with, or access to personal records relating to children, young people and vulnerable adults, the invitation should stress that the identity of the successful candidates will be checked thoroughly to ensure the person is who he or she claims to be, and that where a CRB check is appropriate the person will be required to complete a CRB application form straight away or produce evidence that he/she has already completed such a check. Applicants from overseas will need to provide a certificate of Good Conduct or other suitable evidence from their home country, as the

CRB will have no criminal records prior to the applicant entering the UK. All candidates should be instructed to bring evidence of their identity that will satisfy CRB requirements. Candidates should also be asked to bring documents (original or certified copy) confirming any educational and professional qualifications that are necessary or relevant for the post.

The Selection Procedure

9.1 The Selection Panel will need to determine the most suitable selection techniques. This procedure should be aimed at establishing which candidate best meets the predetermined requirements of the job.

9.2 The selection process must always include a face to face interview. When applicable, candidates suitability to work with children, young people or vulnerable adults must be specifically explored during the interview.

General Guidance

Candidates should always receive confirmation of interview arrangements in writing. The interview letter must remind candidates to bring proof of their entitlement to work to the interview. A list of acceptable documents can be found in Appendix 8.

The letter should also ask if they have any specific requirements, such as wheelchair access or an interpreter.

For posts where there is contact with children, young people and vulnerable adults, or access to their personal records, the candidate, if successful, will have their identity thoroughly checked. Candidates should be made aware of these checks in the interview letter.

The checks are to ensure the person is who they claim to be. Where a Criminal Records Bureau (CRB) check is appropriate the person will be required to complete a CRB application form straight away or produce evidence that they have recently completed a CRB check.

All candidates should be instructed to bring evidence of their identity that will meet CRB requirements. Candidates should also be asked to bring documents original or certified copies that confirm educational and professional qualifications essential or relevant for the post. Please see Code of Practice 8.1 – 9.2 above.

Under the Asylum and Immigration Act 1996, you must make a copy of the original documents and then certify the copy stating you have seen the original. The copies will then need to be kept on the applicant's personal file.

Checks should be completed before the offer of appointment is confirmed. Directorates can vary when these checks are carried out, providing that this is applied consistently. You can get further advice from the People Resourcing Team on 303 2915.

If a candidate cannot attend an interview due to sickness or another valid reason, it may be possible to arrange an alternative interview date if it does not delay the selection process.

Considerations Prior to Interview

The panel will need to consider the following:

- the format of the different parts of the selection process
- how the criteria in the Person Specification will be measured and the evidence you will be looking for. The process should enable an objective and fair assessment of the candidate against the criteria
- the venue, equipment and hospitality required. You should consider the convenience of the venue

Legal Advice

Under the Disability Discrimination Act, you should consider if candidates have any specific requirements, such as wheelchair access, audio or visual aids. You should also consider if any aspect of the recruitment and selection process could discriminate against disabled people.

Any additional information to be given to candidates

Consider the benefits of providing shortlisted candidates with additional information such as a pre-interview visit or a briefing.

What panel members are to take notes and ask questions

All panel members to keep their own notes. The person asking the question should make very brief notes in order to maintain eye contact with the candidate. Notes should be kept for 6 months, along with any other documentation relating to the selection process. This is because under the Data Protection Act 1998 candidates may ask for copies of any information and notes about them.

Before the interviews the panel members should agree who will ask what questions, including supplementary questions. See The Interview.

Deciding what questions to ask

You should only ask questions that relate directly to the criteria in the Person Specification. You should not ask questions that could be believed to be discriminatory under the:

- Sex Discrimination Act 1975
- Race Relations Act 1976 & Race Relations (Amendments Act) 2000)
- Education Act 1944
- The Employment Equality (Religion or Belief) Regulations 2003
- Disability Discrimination Act 1995
- Employment Equality (Age) Regulations 2006
- Employment Equality (Sexual Orientation) Regulations 2003.

If you are in doubt, consider whether you could ask the same question to all candidates.

If any member of the panel believes a question to be improper they should intervene and tell the candidate not to answer the question.

Disabled candidates must not be asked questions regarding equipment, adaptations etc, needed to do the job at any stage of the interview process. Reasonable adjustments and equipment needs can be discussed once the candidate has been offered the job.

When preparing interview questions, the panel will need to decide what they will accept as evidence. What examples will the candidate need to give to meet the Person Specification? This will include information that cannot be measured from the application form, such as verbal communication skills, reasoning powers and judgement.

The panel should aim to use additional questions to probe for further information. Panel members who have interviewing experience and technical knowledge should ask supplementary questions.

Below is an example of a typical question and the type of answer important points you might expect.

Example

Question: ‘Tell us about a time you successfully dealt with a very angry member of the public'

Answer: 'Firstly I listened carefully to their complaint, and showed I was listening by using the appropriate body language. I stayed calm and noted down key points. When the customer had finished I apologised for the inconvenience and that they felt that had received unsatisfactory service. I then I summarised what the customer had told me to ensure I had the correct information. After I explained what I would do, I took a contact number and agreed a convenient time to call them to update them on the progress. When the situation was resolved I contacted the customer again to check that everything was okay. As a result the customer went on to place further orders through me.'

This example demonstrates some of the key points but additional information may also be valid.

Questioning Techniques

When the panel members prepare interview questions they should check that the questions are well written and easily understood. Ineffective questions can be off putting for the candidate and result in a response that does not fully answer the question. Below is an example of question types:

Competence based questions competence-based questions ask the candidate how they dealt with a situation in the past. For example – Tell me a time when you had to support someone in learning a new task or skill. It allows the interview panel to see how the person responded in a real life situation. Extra questions can be asked to find out what they learnt and what they would do differently. See the example above.

Open questions tend to start with when, who, where, what and how, and encourage the candidate to:

- talk
- provide facts
- describe things
- express opinions

Open questions should be used as much as possible. Occasionally you may need to use a different question technique. The use of other questions techniques should be limited or avoided if possible. Below are examples of other questioning techniques, including their disadvantages.

Closed questions require yes or no answers, for example:

- Do you enjoy your present job?
- Do you enjoy leading initiatives?

Closed questions can be used to check facts such as - Do you have a driving licence?

Multiple questions are where more than one question is asked such as - Why have you applied for this position, where do you see your career taking you and why do you want to leave your present job? Candidates will either answer the question they feel comfortable with or get confused and answer the last one.

Leading questions imply the answer you expect in the question, for example - We think that parental involvement in a school is really important. What do you think?'

Self-assessment questions ask the candidate to describe their characteristics, such as - This position requires someone with drive and initiative. How do you measure up to this requirement?' These questions give an advantage to a good talker or an experienced candidate. They are based on personal perceptions rather than evidence.

Hypothetical questions are useful to explore ability instead of experience. A situation is described and candidates are asked what they would do, for example - How would you supervise a team? However, often a candidate will give an answer they believe the panel want to hear rather than what they would do in this situation.

Multi-choice questions give the candidate a choice of answers to a specific question for example - How would you deal with an angry parent?

- by yourself.
- with the pupils class teacher.
- with another senior member of staff.

This only allows restricted answers, which may result in the candidate giving an answer they would have not normally chosen.

Important

Make sure that the questions you ask are not specific to one group and that they relate to, and cover, the person specification.

The Interview

The interview is an important part of the selection process. It provides the opportunity for the panel to establish if candidates have the required knowledge, skills, abilities and behaviours necessary to do the job. It also allows candidates the opportunity to ask any questions.

The interview can be ineffective if you do not handle or assess it properly. The selection panel must assess candidates against the criteria required for the post, as outlined in the Person Specification.

Interviewers should be aware of any preconceptions and assumptions they have and ensure they do not impact on the interview.

Policy Point

Candidates who wish to job share should be treated equally to those wishing to work full time.

Suggested Format of the Interview

The Chair of the panel will open the interview with:

- welcome and introduction of the panel members.
- an explanation of what will happen during the interview and how long the it will last, include that the panel will be taking notes.
- information on the job.
- questions from the selection panel.

To close the interview the chair will ask:

- if a member of the selection panel wants to ask any other questions.
- if the candidate has anything else to add in support of their application.
- if the candidate has any questions they'd like to ask.
- if the candidate still wishes to be considered for the post.
- the candidate for:
    - a completed health questionnaire (if sent).
    - relevant certificates (where essential on the application form).
    - proof of entitlement to work see pre-employment checks.
- how the candidate would like to be told the decision and when the panel expect to inform candidates.

For posts where there is contact with children, young people and vulnerable adults or access to their personal records

The panel should assess and evaluate the candidate's suitability for the post and explore:

- the candidate's approach toward children and young people.
- their ability to support the authority or establishment's agenda for safeguarding and promoting the welfare of children.
- gaps in the candidate's employment history.
- any concerns the panel have, or differences that arise from the information provided by the candidate and a referee.

The panel should also ask the candidate if they wish to declare anything in light of the Criminal Records Bureau (CRB) disclosure.

If you do not get references before, ask the candidate at the interview if there is anything they wish to declare or discuss in light of the questions that will be put to their referees. It is vital that the panel get and examine references before an appointment is confirmed and the person starts work.

Selection Tests

Selection tests must be free from cultural, racial, gender or other bias and not disadvantage external candidates.

The panel should have clear, reasonable criteria for any tests. This should be agreed when deciding interview questions and identifying what evidence you are looking for.

You should tell candidates in the interview letter if they will be asked to take a test, its length and give a brief outline of what is involved. For example an in-tray exercise, interview mock-up exercise.

Candidates should be asked in advance of the test if they need any special facilities to enable them to complete the test.

Legal Advice

Under the Disability Discrimination Act (DDA) employers are under a duty to make reasonable adjustments to working practices and this may include a change to the test or how the test is assessed.

Please see Guidance Note No. 2 Reasonable Adjustments and No. 4 Recruitment and Selection Best Practice (See http://inline/recruitment under Making the Appointment).

The People Resourcing team can offer advice on testing including a range of psychometric tests. For more information please telephone 303 3370/2433.

REFERENCES

Extract from the Code of Practice

10.1 References should be used to support the selection panel's decision to appoint. The selection panel will determine at which point in the selection process references are to be taken up (for posts where there is contact with, or access to personal records relating to children, young people and vulnerable adults refer to para 10.5).

10.2 References are an essential part in ensuring safe vetting procedures for all jobs and it is essential that references are taken up before appointments are offered e.g. those working with children, young people or vulnerable clients.

10.3 For posts where there is contact with, or access to personal records relating to children, young people and vulnerable adults, references must be obtained in writing on an appropriate letterhead, and retained on the personal file. Testimonials, i.e. "To Whom It May Concern", cannot be accepted because of the possibility of forgery. In addition open references/testimonials might be the result of a "compromise agreement" and are unlikely to include any adverse comments. If the candidate is employed or has been in the past their first reference should be their current or most recent employer.

10.4 Separate insurance requirements exist where employees are responsible for money or stock, including computer systems analysts and programmers. Prior to engagement satisfactory written or telephone references must be obtained direct from former employers to cover the immediate preceding three years: written confirmation of telephoned references must always be obtained all written references must be retained for at least five years. It should be noted that the taking of written references and retaining these on individuals' personal files for these employee groups, is an integral requirement of the City Insurers, and failure to do so will inevitably result in any claims for financial loss under the Fidelity Guarantee Policy, being rejected. In addition there are many other positions with levels of financial responsibility where the risk of fraud is higher. It will be for management to identify whether the posts duties bring it within this category. Where it does the above requirements will also apply.

10.5 For posts where there is contact with, or access to personal records relating to children, young people and vulnerable adults, references must be sought on shortlisted candidates before interview and certainly be obtained before the successful candidate is offered the post. It is essential stringent reference procedures are followed.

10.6 An external candidate should be offered the job conditional to two satisfactory references (as above. For internal applicants, managers have discretion to accept one reference from the candidate's current line manager/supervisor. This discretion does not apply for posts working with children and vulnerable adults. Direction on other checks required for internal applicants should be taken from the relevant Directorate HR team. These will be dependent on the role and directorate the candidate is both moving from and to.

Important

The importance of detailed checking of references for employee working with certain client groups is highlighted in the Warner Inquiry into the Selection, Development and Management of Staff in Children's Homes - December 1992 and the Bichard Inquiry – December 2003 into Safeguarding Children in Schools.

Please read - Code of Practice 10.1 – 10.6 above.

General Guidance

References are used to support the selection panel's recommendation and should be read at the end of the selection process. Within Birmingham City Council we promote the use of open references. This means that candidates can read what has been written about them. This is in line with the Data Protection Act 1998, which gives people the right to ask for a copy of their reference.

Please note that the guidelines contained in this section will depend on the Service Level Agreement the Directorate has with the People Resourcing Team.

Purpose of References

References can be a valuable source of information to confirm factual information on:

- employment history
- qualifications
- what experience the candidate has
- time-keeping
- sickness absence

- development

They can also be used to gain views on the candidates suitability for the post applied for.

Who is a Satisfactory Referee?

All applicants must provide details of two referees on the application form. However, in high turnover jobs, such as cleaners and caterers one referee will be enough. This may be a telephone reference. For internal candidates the panel may decide to take up only one referee, usually the existing line manager.

References should be from:

- present or last employer.
- principle or head tutor, if a school, college or university leaver.

Referees should be the applicant's current or previous manager or a senior member of Human Resources in the company.

Applicants who do not have employment history for the last 12 months, or who have been self-employed, should provide details of a personal referee who knew them during this period.

For posts where there is contact with children, young people and vulnerable adults or access to their personal records, the reference must come directly from the candidate's current or previous employer.

Testimonials or an open reference, for example "To Whom it May Concern" are easy to forge and should not be accepted. Open references or testimonials might be the result of a compromise agreement and are unlikely to include any adverse comments.

For the purpose of Fidelity Guarantee Insurance a reference that covers the last 12 months work history is required for all employees responsible for money and stock or computer system analysts and programmers.

When to ask for a Reference

After the interview, the panel should get permission to take up references from candidates who previously indicated that they did not want referees to be approached.

References taken up before the interview stage should be read at the end of the selection process, when a decision has been made.

For posts where there is contact with or access to personal records relating to children, young people and vulnerable adults, the panel should ask for references at the short list stage. All references should be taken up before the interview. This is so the panel can explore any issues of concern the references raise with the candidate at the interview.

There may be exceptional cases where you cannot get a reference before interview. This may be because the referee did not respond in time, or the candidate objects to their current employer being approached at that stage.

For all other posts, references that are taken up before the interview should not be read until the panel have agreed on a preferred candidate. It should then be thoroughly checked before they confirm the appointment.

Taking up References

The People Resourcing Team will initially write to request references. A standard letter is available to all Directorates except Adults and Communities and Children, Young People and Families.

Referees should be sent a copy of the Job Description, Person Specification and a pre-paid envelope. The reference should be an objective assessment of the candidate's ability to do the job.

Offers are conditional and are subject to Birmingham City Council receiving a satisfactory reference, based on the needs of the job and the Person Specification.

Information to be requested in a reference

A reference pro-forma can help achieve an objective comprehensive reference. Every reference should:

- establish what is the referee's relationship with the candidate
- in what in what capacity they know the candidate.
- establish how long the referee has known the candidate.
- confirm the applicants current post, salary and sickness absence record.
- give specific comments about the applicants performance history and conduct .
- give details of any current disciplinary outcome the applicant is subject to.
- state if the referee believes the candidate has the ability to undertake the job.
- include specific comments about the applicant's suitability for the post.
- give examples of how the referee thinks the applicant meets the person specification.

For posts where there is contact with or access to personal records relating to children, young people and vulnerable adults, the reference should also:

- state that the referee is completely satisfied that the candidate is suitable to work in a position of trust.
- give reasons if the referee has concerns about them working in a position of trust.
- give reasons if the referee believes the person might be unsuitable.
- give details of any disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children, young people or vulnerable adults. This should include any outcomes that have expired.
- give details of any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children, young people or vulnerable adults or behaviour towards them. This should include the outcome of any investigations and how the matter was resolved.

For these posts, it is important to remind the referee that they have a responsibility to ensure that the reference is accurate and does not contain any material misstatement or omission.

Checking of References

The People Resourcing Team will forward references to the manager to read and check.

The manager should liaise with the People Resourcing Team before they take up any references. This does not apply to the Directorates of Adults and Communities and Children, Young People and Families.

Once you receive the reference, check it to ensure all specific questions have been answered satisfactorily. If questions have not been answered or the reference is vague or unspecific, you must contact the referee and ask for further details.

You should also compare the information in the reference with the application form. This is to ensure the information given by the referee is consistent with the information given by the applicant. Any discrepancy should be taken up with the applicant.

Information about past disciplinary action or allegations should be considered in the circumstances of the individual case.

Issues that may cause concern include:

- recent issues that were not resolved.
- a history of repeated allegations.

An issue is not likely to cause concern if it has been:

- satisfactorily resolved.
- found to be unproven.
- free from formal disciplinary sanctions.

Unsatisfactory References

If the manager has any concerns, or feels there are discrepancies in the reference, they should contact the People Resourcing Team.

It may then be necessary to hold another interview with the candidate, manager and representative from the People Resourcing Team to discuss the concerns raised.

This meeting is to decide whether to continue with the recruitment process or withdraw the offer of employment. It may also be helpful to discuss some of the areas of concern with the referee over telephone.

You should consult the Director of Human Resources or their representative if the offer is withdrawn.

Satisfactory References

The appointment can be made if you consider the references to be satisfactory. You should inform the People Resourcing Team of your decision.

MAKING THE APPOINTMENT

Extract from the Code of Practice

11.1 Interview panel members should independently assess the evidence gained on each applicant against the predetermined requirements of the post. Once individual assessments are made, the panel should discuss their assessments as a panel. It is the responsibility of the Chair of the Panel to seek a consensus and either a candidate selected for appointment, or a decision made to pursue an alternative course of action.

11.2 Careful consideration needs to be given to any applicant(s) with a disability where 'a reasonable adjustment can be made' that would enable the applicant(s) to carry out the requirements of the job. Where a reasonable adjustment can be made which would lead to a disabled applicant being, or becoming, the most suitable candidate, then it is that candidate who should be offered the job.

11.3 Successful candidates must receive confirmation of their appointment as soon as possible after a decision to appoint is made. Under the Employment Rights Act 1996 a Written Statement of Particulars of Employment must be issued to the employee within 2 months of their date of starting.

11.4 For posts where there is contact with, or access to personal records relating to children, young people and vulnerable adults see paras 10.5 and 10.6 above.

General Guidance

Please see Code of Practice 11.1 – 11.4 above.

Following the interviews and discussion the chair will:

- collate comments
- get an agreement on who to appoint, including a reserve
- ensure the reason for rejection of unsuccessful candidates is recorded on Candidate Assessment Forms
- arrange for all documents, including informal notes, to be kept by the manager for 6 months
- arrange for all candidates to be told the result of the interview
- inform candidates if there is a delay in the decision making process
- contact a candidate, with the support of Human Resources, if there is a query about the reference
- if necessary, reconvene the panel
- discuss any equipment or adaptations they may need, if a person with a disability is appointed

FEEDBACK

Extract from the Code of Practice

12.1 Candidates who are unsuccessful at interview stage should be informed at the earliest opportunity and offered feedback. The reasons for rejection should be formally recorded.

General Guidance

Unsuccessful external candidates should be told the outcome of their interview in writing as soon as possible. You should personally tell Internal candidates. An offer of feedback should be in the formal letter of rejection. See 12.1 of the Code of Practice above.

It is the panel's choice to give feedback on application forms. Where possible the panel should give feedback if a candidate has requested comments on their application form. However, for certain roles this may not be possible due to the large number of applications or other business demands.

Feedback aims to:

- give reasons why the candidate was not selected for the job following the interview.
- recognise where they meet aspects of the Person Specification.
- identify what they did well linked to the Person Specification.
- highlight areas where they did not give enough evidence.
- clarify what was expected.

The Procedure

The panel may decide to give feedback face-to-face, over the telephone or in writing. However, before giving any feedback the panel should:

- acknowledge the individual may be upset or disappointed.
- agree on the feedback for each unsuccessful applicant.
- ensure the feedback is linked to the Person Specification and Job Description.
- compare what the panel were looking for and what the applicant gave.

- check the feedback to make sure it is constructive.
- decide who will give feedback, this is often the chair of the panel.
- allocate a period of time to give feedback.

Candidates may wish to use their feedback to help them plan their training and development. For internal candidates line managers should make themselves available to discuss this with the individual as soon as possible.

RECORDS

Extract from the Code of Practice

13.1 Application forms, candidate assessment forms and any other documentation forming part of the selection process for unsuccessful applicants must be kept for a minimum of six months and destroyed within seven months provided there has not been a recruitment and selection complaint.

13.2 If there is a recruitment and selection complaint or claim to the Employment Tribunal, the entire recruitment file must be kept until after the claim is resolved.

13.3 Application forms for CRB checks, together with any other CRB safeguarding information provided by unsuccessful candidates must be destroyed (not retained for possible recruitment and selection complaint purposes).

General Guidance

You should make accurate and relevant notes during the selection process to help assess candidates against the Person Specification. The notes may also be used if there is a recruitment complaint or a claim to the Employment Tribunal. In line with our Code of Practice, all documentation relating to the selection process for unsuccessful candidates must destroyed after 6 months.

Under the Data Protection Act 1998 candidates have the right to request copies of any documentation held on them, including interview notes. The act also states that “Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.”

Please see Code of Practice 13.1 – 13.3 above.

PRE-EMPLOYMENT CHECKS

This section includes information on:

- Identity checks
- Previous employment history
- List 99
- Criminal Records Bureau (CRB) checks
- Unspent Convictions
- Medical Clearance
- Verification of Qualifications
- Prevention of illegal working including applications from overseas and work permits.
- Additional checks on those applying for teaching posts in schools.
- Single central record of recruitment and vetting checks (schools and colleges).
- Unsatisfactory Pre-employment Checks and Withdrawing an Offer of Appointment.

Extract from the Code of Practice

14.1 In addition to references (as above) other pre-employment checks must be carried out before confirmation of appointment is made. These being: verification of identity, entitlement to work, medical fitness and required qualifications. For posts where there is contact with, or access to personal records relating to children, young people and vulnerable adults a satisfactory CRB Disclosure (or List 99 and/or PoCA/PoVa check), verification of required professional qualifications (e.g. QTS, NPQH etc), GTC or GSCC registration (where appropriate), and upon completion of the probationary period or where applicable completion of the statutory induction period are also required before the appointment is confirmed

14.2 Appropriate pre-employment checks must be carried out before confirmation of the appointment is made. All checks should be: confirmed in writing; documented and retained on the personal file (subject to certain restrictions of information imposed by CRB regulations); and followed up where they are unsatisfactory, or where there are any discrepancies in the information provided. For further guidance on pre-employment checks see the Recruitment and Selection Tool Kit.

14.2 For posts where there is contact with, or access to personal records relating to children, young people and vulnerable adults:

- all pre – employment checks must be confirmed in writing, documented and retained on the personnel file (subject to relevant advice in the CRB code of practice) and followed up if they are unsatisfactory or there are discrepancies;

- the details of CRB checks on staff working with children, young people or vulnerable adults must be entered onto a Single Record of Recruitment and Vetting Checks.

Identity Checks

For posts where there is contact with or access to personal records relating to children, young people and vulnerable adults**,** it is important to carry out a number of checks to ensure the person is who they claim to be and that they are suitable to take up the post.

To safeguard and promote the welfare of children, young people and vulnerable adults, you should ensure the following checks are carried out:

Please see Code of Practice 14.1 above.

Documents given, as proof of identity must be checked before an appointment is made. Accepted documents include:

- birth certificate
- driving licence
- passport
- official document with current address
- photographic identity

The above proof of identity is also needed for a Criminal Records Bureau (CRB) application.

It is the responsibility of the organisation to check the identity of an employee provided by a third party, using the approved documents listed above.

Previous Employment History

You must get information about previous employment history for all posts. For posts where there is contact with or access to personal records relating to children, young people and vulnerable adults, you should get an explanation if there are gaps in employment.

If a candidate for a teaching post is not currently employed, you should confirm details of their employment in a teaching position and reason for leaving with their most recent place of work.

List 99

The Department for Children, Schools and Families (DCSF) maintain a confidential document known as List 99.

List 99 checks are completed as part of the CRB enhanced disclosure requests, if you indicate on the form that the post involves working with children. You must carry out this check for all school staff before they begin work. This includes local authority school staff and staff providing education in FE colleges.

List 99 has information about people whose employment has been barred or restricted by the Secretary of State. The list has their:

- name
- date of birth
- national Insurance number
- teacher reference number

Following a CRB check, the result will verify if they are suitable to work with children. It will also show if they are included on List 99 as well as the Protection of Children Act (PoCA) List.

A separate List 99 check will be needed if the CRB disclosure is still when the individual is due to start work. Information on checking List 99 pending a CRB result is available from:

Tsm.Casework@dcsf.gsi.gov.uk

Telephone number: 01325 392101.

It is an offence for an employer to knowingly appoint someone to a post if they have been barred. A person, whose employment has been restricted by the Secretary of State, can only work in a post that does not break the terms of the restriction.

Teachers in FE colleges must have a List 99 check. However, as they will be dealing with students over 18 years of age this will not be done through a standard CRB check. This is because the positions are not covered by the exceptions to the Rehabilitation of Offenders Act 1974.

You can get advice on employing people under this category from DCSF Children's Safeguarding Operations Unit at:

Tsm.Casework@dcsf.gsi.gov.uk

Telephone number: 01325 392101.

CRB Checks

By law Birmingham City Council is required to check employees in specific areas of employment against Criminal Records information. CRB checks give the city Council, information about perspective employees, including:

- offences which are discharged under the Rehabilitation of Offenders Act 1974
- lower level checks for jobs with other elements of risk such as financial probity

Under the Police Act 1997(Criminal Records)(Registration) Regulations 1997 the City Council is obliged to follow the Criminal Records Bureau Code of Practice. The Criminal Records Bureau governs access, use and storage of information.

Birmingham City Council is committed to working within this Code of Practice. The Good Practice Guidelines are designed to assist managers to ensure that they are operating those guidelines.

If a CRB check is needed this must be included in the job description.

The Human Resources Directorate team of Adults and Communities and Directorate of Children, Young People and Families administer these checks. The People Resourcing Team will do this for all other Directorates. You can contact these teams for more information around CRB checks.

CRB disclosures are not enough for people who have lived abroad

CRB checks will not show offences committed by individuals living abroad, except for service personnel and their families.

There are Directorate guidelines which detail that should be carried out on an employee who lives abroad. The will include certificates of good conduct from relevant embassies or police forces. The level of information contained in these certificates varies from country to country.

Medical Clearance

You should not confirm an offer of appointment until you have received a satisfactory medical assessment.

For internal appointments you should get advice from the Occupational Health Unit. They will advise if the employee is required to go through a medical assessment, if:

- there is an adverse condition associated with the job
- there is a need for health surveillance or where specific medical standards need to be met
- the job is of a totally different nature or with a different department

If the candidate has a disability, you must comply with the Disability Discrimination Act 1995.

For posts that involve regular contact with children or young people, Birmingham City Council must be satisfied that the individual has the right level of mental and physical ability.

Verification of Qualifications

The panel should check the qualification or membership of the necessary professional bodies at the interview stage. If this is not done at interview, the manager should make arrangements for these to be checked before the candidate starts.

Particular care should be taken when checking qualification and membership documents for people who will be working with children, young people or vulnerable adults.

The original qualification and membership documents should be checked at interview stage. This is to check that the candidate has the correct qualifications required by law to do the job.

If original documents are not available, a properly certified copy can be accepted.

Prevention of illegal working, including applications from overseas and work permits

Under the Immigration, Asylum and Nationality Act 2006, it is a criminal offence to employ a person aged 16 or over who is subject to immigration control unless:

A) that person has current and valid permission to be in the United Kingdom and that permission does not prevent him or her from taking the job in question. Please see Code of Practice 14.1.

B) the person comes into a category specified by the Home Secretary where such employment is allowed.

As the employer, Birmingham City Council must check the applicant holds documents in list A or list B in the Prevention of Illegal Working 2008 Employer Summary Guidance. These documents establish the persons right to work in the

UK. See Appendix 8.

Any documents provided under List B only provide entitlement to work for employment upto 12 months and MUST be rechecked within this period. See Appendix 8.

It is also necessary for the employer to take copies of these documents, certify on these that the original documents have been seen and for these documents then to be retained on the employees personnel file held by Directorate HR.

Penalties under the Immigration, Asylum and Nationality Act 2006

Legal action may be taken against an employer who employs a person who has no legal right to work in the United Kingdom.

Under the Act an employer may be prosecuted for employing someone who has no right to work here, and can be fined up to £10,000 per illegal worker. The legislation also allows proceedings to be brought against individuals - 'any Director, Manager, Secretary or other similar officer of the company or any person who was purporting to act in any such capacity - if the offence is committed with their knowledge or connivance. Penalties may also be exacted from those who whilst not actively involved in the recruitment process have "consented" to the illegal employment. See Appendix 8.

The Statutory Defence under the Immigration, Asylum and Nationality Act 2006

To avoid a conviction under the Act an employer must prove that they have checked the applicant hold documents in list A or list B and taken reasonable steps to authenticate the documents which establishes the persons legal right to work in the UK. See Appendix 8. This process of checking and authentication is known as statutory defence. This defence is only valid if the employer did not know the individual did not have permission to work in the UK.

The employer must take copies of these documents and certify that the original documents have been seen. The copies should be kept on the individual's personal file while they are employed at Birmingham City Council and for 2 years after they leave.

All job candidates should be asked to produce documentary evidence of their right to work in the UK. When assessing a job candidate's right to work in the UK it is important as confirmed above not to single out a particular applicant for different treatment as this could be regarded as discriminatory under the Race Relations Act. Therefore ALL job candidates should be asked to produce documentary evidence of their right to work in the UK to avoid making assumptions about a persons status on the basis of their colour, race, nationality, or on the grounds of a foreign - sounding name. By treating all job applicants exactly alike, no race discrimination can take place. However, existing employees do not need to demonstrate they have permission to work.

Responsibility under the Law: Race Relations Act 1976 in relation to the Immigration, Asylum and Nationality Act 2006

Under the 1976 Act it is unlawful to discriminate in recruitment or employment on the grounds of:

- race or colour
- nationality, including citizenship
- ethnic or national origin

Anyone who believes that they have faced racial discrimination can make a complaint to an Employment Tribunal. If the complaint is upheld, the Tribunal may order the employer to pay compensation, for which there is no upper limit.

Applicants may also make a complaint under the Recruitment and Selection Complaints Procedure.

Avoiding Racial Discrimination in the prevention of illegal working

To avoid unlawful discrimination you should:

- follow the Equal Opportunities in Employment Policy and the Recruitment and Selection Code of Practice
- read the advice in this section
- not to make assumptions about a person's right to work, or immigration status
- see and make a copy the documents listed in Appendix 8 before confirming the appointment
- refer anyone who cannot produce the listed documents to a Citizens Advice Bureau or other agency for advice and keep the job open for as long as possible. However there is no obligation to do this post needs to be filled urgently.

Applications from Overseas

Applicants from overseas should be treated in the same way as any other applicant.

If the applicant is successfully long/shortlisted then he or she should be invited to interview in the same way as anyone else.

You should tell the applicant that the City Council can pay interview expenses from the port of entry. However, for some skill shortage areas the whole of the travel expenses may be paid.

If the applicant is unable to make the scheduled interview date then and an alternative date should be arranged where practicable. However, there is no obligation to do this if there is a need to fill the post quickly.

You should inform the applicant that they will need to provide evidence of their entitlement to work in the United Kingdom and bring in one of the documents listed in Appendix 8, before they can start work. They should be told at what stage of the selection process they will be asked to produce appropriate documentation.

Work Permits

European Economic Area Nationals do not need a work permit to take up employment here. The Work Permit Scheme enables United Kingdom employers to employ other nationals who are subject to Immigration Control. The prospective employee should be living abroad when the employer makes the application.

If a person who needs a work permit made an offer of a job, it should state:

The offer is subject and conditional to the application for a work permit being successful.

Work permits are issued:

- where there is a benefit to employment and the economy in the United Kingdom.
- Where employers can show they cannot fill the vacancy with a national from the European Economic Area.
- to employers wishing to provide other nationals with training or work experience.
- to senior managers, highly skilled professionals or people with rare technical skills.

The Immigration rules do not allow people admitted to the United Kingdom without a work permit to change to work permit employment. However, the Home Office may decide the application justifies exceptional treatment and may allow the switch.

Charging for Work Permits

From 1 April 2003 there is a charge of £95 for:

- Work Permit applications
- Work Permit extensions
- Change of Employment and Appeals

However, in some circumstances payment can be deferred and some categories are exempt.

Exemptions

Under European Community Law nationals from countries who have signed and ratified the Council of Europe Charter or the European Social Charter are exempt.

Contacts

You can get applications forms and general information from:

www.workpermits.gov.uk	Customer Relations Team
telephone number: 08705 210 224	telephone number: 0114 259 4074.

For enquires about specific applications contact:

Business Team 2 for employers B - O

x@xx

telephone number 0114 259 6665 or fax 0114 259 6668.

Checking Procedures for Entitlement to Work

In some areas the Directorate Human Resource teams will carry out the checks on behalf of the manager, providing arrangements have been made. Generally, managers are responsible for:

- checking candidates are entitled to work in the UK, **before they start work**.
- deciding when to check documents.
- ensuring all applicants are asked for documents at the same stage.
- ensure that all original documents are seen (see list at appendix 8), copied and certified that the original document has been produced.
- arrange for the Directorate HR team to put the copies on their personal file.

Directorate Human Resources teams should ensure:

- the candidate's appointment is not finalised until all the checks have been completed
- copies of the approved documents are put onto the individual's personal file
- the documents are kept on file during their employment and for until 6 months after their employment is terminated

Additional checks on those applying for teaching posts in schools

All teachers in teaching posts in England must register with the General Teaching Council for England (GTC), unless they are exempt and do not need to hold Qualified Teacher Status (QTS). This includes teachers who work in:

- maintained schools
- non-maintained special schools
- pupil referral units

It is important to check with the GTC when teachers apply for positions in schools if:

- they are registered with the council
- any GTC restrictions are in force against the teacher
- if they have QTS status and have completed their induction period.

Local authorities can do this online. Schools can call the employer access line on 0870 0014823.

Single central record of recruitment and vetting checks (schools and FE colleges)

Schools and FE colleges must keep and maintain a single central record of recruitment and vetting checks, as well as the normal staff records. The central record must show if and when the following have been completed:

- identity checks
- qualification checks for any qualifications legally required for the job
- a check that they have permission to work in the United Kingdom
- List 99 checks

- Criminal Records Bureau Enhanced Disclosure check
- checks for overseas criminal records

UNSATISFACTORY PRE-EMPLOYMENT CHECKS AND WITHDRAWING AN OFFER OF APPOINTMENT

The panel need to discuss any concerns over a reference with the referee. This should be done as soon as possible to allow the referee to give details.

If the panel are satisfied with the details, the recruitment process can continue as normal and confirm the appointment. You should tell Corporate Recruitment Team of your decision or your Directorate Human Resources team for:

- Children, Young People and Families
- Adults and Communities
- Housing

If the manager still has any concerns, or feel there are discrepancies in the reference, they should contact the People Resourcing Team.

It may then be necessary to hold another interview with the candidate, manager and representative from the People Resourcing Team to discuss the concerns raised. A final decision cannot be made until the full panel have met to discuss withdrawing the offer of appointment.

If justified a letter withdrawing a job offer must be sent explaining why the offer is being withdrawn. However, if a Criminal Records Bureau checks uncover a concern which needs to be kept confidential from the candidate, an explanation is not needed.

You should consult your Directorate Human Resources team if the offer is withdrawn.

COMPLAINTS

Extract from the Code of Practice

15.1 In the event of an applicant, whether internal or external, being dissatisfied with any aspect of the recruitment and selection process, then they may contact the Chair of the Panel for an informal discussion. The Chair (or his/her deputy) will be able to:

- provide feedback on the interview;

- answer any concerns relating to service improvements e.g. the level of information provided in the application pack;
- provide general information on the Council's Recruitment and Selection Procedures.

15.2 Alternatively the applicant may contact the Corporate Recruitment Team, People Resourcing for an informal discussion and general advice on the Council's Recruitment and Selection procedures.

15.3 If the applicant wishes to pursue a complaint that they have been subjected to unlawful or unfair discrimination contrary to the Council's Equal Opportunities in Employment Policy, then he/she will have access to the Recruitment and Selection Complaints Procedure. If on receipt of a complaint the relevant Chief Officer feels that there is scope for informal discussion (and where this has not already taken place) they may offer this facility. It is important to note that applicants may reject this offer without detriment.

Legal Advice

Please see - Code of Practice 15.1 – 15.3 above.

Candidates have the right to use Birmingham City Council s' Recruitment Selection Complaints Procedure. They can also use the relevant legislation to make an application to a Tribunal or Court of Law under the.

MONITORING

Extract from the Code of Practice

16.1 Recruitment monitoring must be carried out on all posts.

General Guidance

Please note - Code of Practice 16.1 above.

The recruitment process should be constantly reviewed to ensure it is effective and that our commitment to equal opportunities is being fulfilled. In order to do this it is essential that the selection panel complete the appointments pro-forma contained in the Managers Pack and returns it to the Corporate Recruitment Team.

IMPLICATIONS OF THE POLICY

Extract from the Code of Practice

19.1 The Recruitment and Selection Policy must be followed by all employees involved in the recruitment and selection of people. All applicants, internal and external, are expected to be treated in accordance with this Policy.

APPENDICES

The following **Toolkit Appendices** are available on People Solutions.

Access via http://inline/recruitment under 'Essential Recruitment and Selection Guidance'.

Appendix 1 – Recruitment Charter

Appendix 2 – Flowchart of the Recruitment Process

Appendix 3 – Job Description (template)

Appendix 4 – Person Specification (template)

Appendix 4a – Job Description and Person Specification (sample)

Appendix 5 – Advert Pro-forma

Appendix 6 – Genuine Occupational Qualifications (GOQ's)

Appendix 7 – Shortlisting Selection Criteria Grid

Appendix 8 - Prevention of Illegal Working 2008 Employer Summary Guidance
(see Pages 23-27 for a List of Acceptable Right to Work Identification Documents).