



# Recruitment and Selection Policy

**This ESCC policy was adopted by the Southfield Trust Local Governing Body on 6.3.18.**

**Date:** November 2017

## Document summary:

This policy sets out the procedure for recruiting and selecting staff at the County Council.

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

## Enquiries:

Recruitment Support Team, 01273 335733 [recruitmentsupport@eastsussex.gov.uk](mailto:recruitmentsupport@eastsussex.gov.uk)

## Contents

Key points.....	2
1. Scope.....	2
2. Principles .....	2
3. The authority to make appointments.....	3
4. The Recruiting Manager’s Responsibilities .....	3
5. Appointments exempt from selection procedures .....	4
6. Politically Restricted Posts.....	5
7. Agency Staff.....	5
8. Employing Young People.....	5
9. Complaints about recruitment .....	6
10. Who is responsible for implementing this policy?.....	6

## Key points

- The recruitment process should be fair, open and transparent.
- Selection should be valid and justifiable and based on job related objective criteria.
- Recruiting managers/governors should be trained in recruitment and selection or be able to demonstrate equivalent experience, knowledge and skills.
- Recruiting managers/governors should adopt a professional approach – recruitment is just as much about the candidate learning about the County Council as it is about the County Council finding the right person for the job.
- Pre-employment checks must be carried out to verify recruitment decisions.
- Particular considerations apply to young workers aged 18 or under.
- Recruiting managers may wish to undertake an online search of their candidates.
- Wherever possible, the shortlisting panel and interview panel should be the same people.

## 1. Scope

- 1.1. This policy applies to all County Council employees, including schools based employees where the Governing Body has adopted the policy (subject to such other changes that may have been adopted by the Governing Body of the school). Throughout the policy, reference to the 'County Council' therefore includes schools.
- 1.2. The term "recruiting manager" includes those members of a school Governing Body, who have been nominated for recruitment and selection panels, and headteachers, to whom authority to recruit all employees, except senior teaching staff, should be delegated by the Governing Body.
- 1.3. This policy should be used for any appointment requiring a selection procedure. For exemptions from the selection procedure, see [Section 5](#).

## 2. Principles

- 2.1. The County Council recognises and values the diversity of its workforce and communities and wants to ensure that all the attributes, talents and skills available throughout the community are recognised when employment opportunities arise. Its principle is that jobs should be filled by those best able to do them.
- 2.2. The Council takes every possible step to ensure that its staff, and potential staff, are all treated fairly and given equal opportunity and support appropriate to their needs. All employment decisions including those on recruitment, selection, promotion, training and career development, are based solely on job related objective criteria.
- 2.3. The Council opposes all forms of discrimination on the grounds of race, colour, nationality, ethnic or national origin, religion or belief, gender reassignment, marital and civil partnership status, sex, sexual orientation, medical condition (including people living with HIV or AIDS), disability and age. This policy should be read with the [Promoting Diversity and Equality of Opportunity in Employment Policy](#).
- 2.4. The Council is committed to ensuring its workforce is representative of the demographics of the populations it serves. Therefore it is recommended that where possible members of shortlisting and interview panels should represent a balance of traits such as age, gender and ethnic origin.

- 2.5. If this policy is successful, the workforce will be a reflection of the county's population and all employees will have equal opportunities in their work. It is in this way – through fair, open and transparent recruitment, selection and development – that the Council and its workforce can work towards and achieve its vision of providing high-quality services to the people of East Sussex.

### **3. The authority to make appointments**

#### 3.1. For staff not based in schools:

- 3.1.1. For most positions, the line manager has the authority to make an appointment. Sometimes they may need Assistant Director approval (e.g. if the preferred candidate has a criminal conviction).
- 3.1.2. For positions at Assistant Director level and above, a recruitment panel will be selected from the membership of the Regulatory Committee. Here appointment panels should consist of three elected members from the majority party and one from each of the minority parties. If there is a hung council, there should be two elected members from each of the main parties and one from the minority party.

#### 3.2. For schools based staff:

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

### **4. The Recruiting Manager's Responsibilities**

- 4.1. The recruiting manager should ensure they are fully trained or able to demonstrate from previous experience that they have the skills and knowledge required to successfully implement this policy and recruit and select in a fair and open way. This should include an understanding of the [Promoting Diversity and Equality in Employment Policy](#) and relevant employment legislation as well as completion of the mandatory [online training courses in Recruitment and Selection and Equality and Diversity](#).
- 4.2. The County Council provides a [Recruitment and Selection Toolkit](#) on the intranet and Webshop which has guidance notes on each stage of the recruitment process. Recruiting managers are required to have an understanding of their role and responsibilities in each stage.

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

- The School Staffing (England) Regulations 2009
- Governance Handbook published by Dept. for Education (DfE)
- Staffing and Employment Advice for Schools (DfE)
- Keeping Children Safe in Education (DfE)

For further information see the [Recruitment section of Webshop](#).

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

4.5. The School Staffing (England) Regulations 2009 require governing bodies of maintained schools to ensure that at least one person on any appointment panel has undertaken safer recruitment training. Governing bodies of maintained schools may choose appropriate training and may take advice from their LSCB in doing so. The training should cover, as a minimum, the content of Keeping Children Safe in Education, the DfE statutory guidance.

4.6. In recognition of the range of information easily accessible online, recruiting managers may wish to undertake an online search of their candidates, paying particular attention to social media profiles and news items. In doing so they must ensure they respect individuals' right to privacy and process any information in accordance with the relevant data protection guidelines. In the event they find content which is of potential concern (e.g. the candidate has been critical of this organisation or previous employers or has been mentioned in high profile and/or relevant news items) they should explore this at interview. They may wish to contact the HR Advisory Team before doing so.

## 5. Appointments exempt from selection procedures

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

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

## 6. Politically Restricted Posts

- 6.1. The Local Government and Housing Act 1989 imposed restrictions on political activities by employees who held certain categories of posts. This includes the Chief Executive, Chief and Deputy Chief Officers, the Monitoring Officer and s.151 Officer (Chief Finance Officer) and any posts that are 'politically sensitive' defined as giving advice on a regular basis to Members or speaking on behalf of the County Council on a regular basis to journalists or broadcasters. For further information, see the [Guidance about Politically Restricted Posts](#).

## 7. Agency Staff

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

## 8. Employing Young People

### 8.1. Children aged 16 or under

- 8.1.1. Children who are legally required to attend school (generally aged 16 or under) may be employed in limited circumstances for specified periods of time per day and per week between 0700 and 1900 hours.
- 8.1.2. There are categories of prohibited employment for children of compulsory school age. Those likely to be of most relevance to the County Council are:
- The personal care of residents in a residential care home or nursing home
  - Work in a commercial kitchen
  - Collecting or sorting refuse, which may form part of some cleaning jobs
- 8.1.3. The full list of prohibited categories of work and further guidance about Child Employment can be found [on the County Council's website](#).
- 8.1.4. Employers engaging children under 16 have a legal responsibility to apply for an Employment Card within four days of the start of employment. The relevant form can be found on the County Council's website.

### 8.2. Workers aged 16 and 17

- 8.2.1. For workers over the minimum school leaving age, but under 18, restrictions on the number of hours worked and other safeguards still apply.
- 8.2.2. The safeguards include the right to a National Minimum Wage, redundancy pay, paid time off for study or training and the requirement for a risk assessment to be carried out with a specific duty to consider the impact of young workers' immaturity and inexperience on their health and safety in the workplace.
- 8.2.3. Further details can be found on <https://www.gov.uk/child-employment>

### 8.3. Young Workers aged over 18

- 8.3.1. There may be special responsibilities to young workers in respect of pay and training, even when they are over the age of 18. Further details can be found on the County Council's website.

## **9. Complaints about recruitment**

- 9.1. Complaints should be made to the recruiting manager or Headteacher as appropriate, who will seek advice, where necessary, from the Recruitment Support Team. If the complaint involves the recruiting manager or Headteacher, complaints should be directed to the Chief Operating Officer or Chair of Governors, as appropriate.

## **10. Who is responsible for implementing this policy?**

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