

Recruitment for Councils

Christian Vincent
Senior HR Consultant (Team Lead)

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Big picture

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2024 changes

- Employment Rights Act – to be brought before Parliament
- Unfair dismissal from **two years** to **day one right**
- Details on fair dismissals during probationary period
- Flexible working, parental leave and sick pay also day one
- Make it unlawful to dismiss someone who has had a baby for six months after they return to work, except in limited circumstances
- Ban "exploitative" zero-hour contracts

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Impact on new starters

- Currently unfair dismissal rights after **two years** (except discrimination)
 - No requirement for a probationary policy
 - Lower risk if ending employment in first two years
- Following changes to the law
 - Recruitment process critical
 - Contract and onboarding
 - Managing performance during probationary period
 - Policy may be recommended

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Planning and selection

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Recruitment - before you start

- **Planning**
 - What job do you need?
 - What is the scope?
 - Permanent/temporary?
 - Where are you going to advertise?
 - Who is going to run the recruitment stages?
 - Drafting of the advert
- **Consider**
 - Council processes – meetings and signing off any documentation
 - Updating job description / person specification
 - Updating contract (if required)

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Recruitment – before you start

- **Consider**
 - Council processes – meetings and signing off any documentation
 - Timescales – planning, recruitment process, notice periods, probationary period
 - Covering work in the meantime
 - Updating job description / person specification
 - Updating contract (if required)

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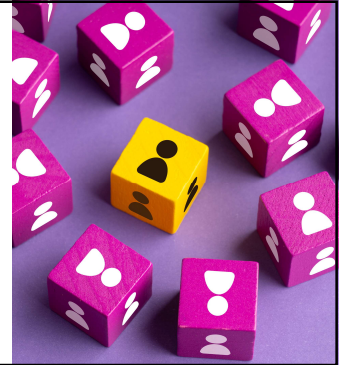


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Planning your recruitment process

- **Where are you going to advertise?**
 - CAPALC, NALC, Indeed, newspapers, website
- **What skills/knowledge/behaviours does the ideal candidate have?**
 - Be aware of discrimination
- **Who is going to take part within the Council?**
 - Pre-selection/longlisting
 - Screening
 - Interviews
 - Decision
- **Note the different volumes for roles**
 - Clerks likely to attract fewer candidates, whilst admin staff will likely be higher

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Planning – job description

- Use an **appropriate job title**
- Give some **proper and objective thought** to the **duties** involved in the post
- **Review job description** each time a vacancy occurs to ensure contents are still **relevant and accurate**
- Describe the job **clearly and in plain English**
- Avoid specifying **unnecessary working patterns**



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Planning – person specification

- Give some **proper and objective thought** to the **skills, attributes and qualifications** the job-holder requires to fulfil the duties in the **job description**
- Do not be **unnecessarily restrictive**
- Be careful not to use **potentially discriminatory adjectives**
- **Occupational requirement** exception may allow employer to require a job-holder to have a protected characteristic in **very limited circumstances**

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Shortlisting

- **Shortlisting panel** should comprise at least **two members**
- Shortlisting **criteria/weighting** should be agreed in advance and then not adjusted
- Panel should agree **how applications will be assessed** in advance and roughly **how many people** will be interviewed
- **Decisions and reasoning** should be recorded
- Applications should be **assessed consistently** and in accordance with **agreed process**

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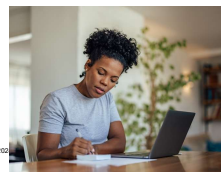


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Health information

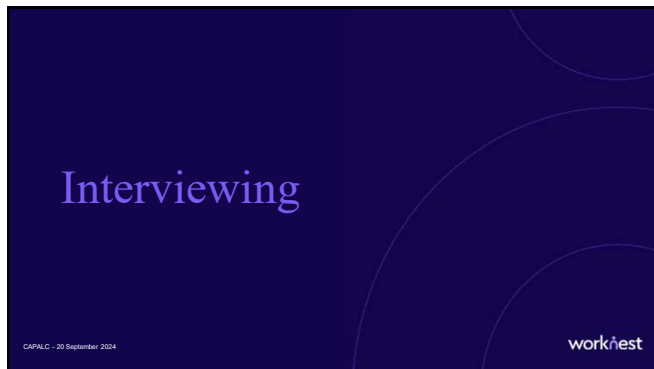
- It's generally **unlawful** for potential employer to ask candidates **questions about health** (including previous **sickness absence**) until after **job offer has been made**
- **Exceptions include:**
 - To find out if **reasonable adjustments** to recruitment process are required
 - To find out whether a job applicant can undertake a **function intrinsic to the role**
 - To **monitor diversity**
- Health questions can be asked **post-offer**; however, the candidate must not be **discriminated against** because of their disability

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- No interview
- Selecting less qualified for interview
- Screening out people based on 'feedback'
- Hiring a person based on 'feel'
- Selecting a person despite 'concerns'
- Failing to follow own processes – differences in opinion
- Telling a person 'what you think about them'
- Leading questions

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- **Introductions** – smile and be friendly
- Explain **format** of interview (check any limits on time)
- Emphasis that the interview is a **two-way process**
- Provide **clear** and **accurate** information on:
 - The **organisation** – history, structure, future plans
 - The **role** – purpose, duties, responsibilities
- **Questioning** by interviewers, including probing/follow-up questions
- Candidate invited to **ask additional questions**
- **Sum up, thanks** for attendance and **next steps**

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- **Write up notes** before memories fade (no 'informal comments' or doodles!)
- Each panel member to carry out own scoring with reference to **pre-set criteria, job description and person specification**
- **Avoid 'gut reactions'** or choosing someone because they seem like the **best 'fit for the team'**
- **Offer job** to successful candidate, **notify** unsuccessful candidates, progress **paperwork**
- Ensure all **paperwork** is stored in accordance with **GDPR** rules

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Avoiding discrimination

- As far as possible, have a **diverse interview panel**
- Avoid the temptation to check out **social media profiles**
- **Be flexible** regarding interview times
- Make **reasonable adjustments** to interview process for disabled candidates
- Questions should be based on **job description** and **person specification**, and all candidates should be asked questions from list
- Avoid questions that **suggest an intention to discriminate**, e.g. regarding health or childcare arrangements, pregnancy plans!
- **Score answers objectively** using pre-agreed scoring guidance
- Keep good **written records** (note data retention policy)

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Starting Employees

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Onboarding

- Contract – on or before first day of work
- Right to work checks – keep copy on file (see Gov website)
- Arrange induction
- Arrange training (initial, during induction, ongoing, e.g. CiLCA)



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Probationary period

- A trial period for new employees
- It allows:
 - The employee to see whether the role is right for them
 - The Council to see whether the employee is right for the role
- A period for focused management/support
 - To increase the probability that the new employee will succeed and reduce the risk of an unsuited employee being retained indefinitely
 - Impact on time of other employees/Councillors – planning



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Top tips

- High risk
 - Offer job without any process
 - Poor or missing paperwork
 - Support not provided or not delivered
 - No review meetings
- Therefore
 - Seek advice if you don't have expertise in the Council – better to get advice early rather than during process
- Put in place and agree documents before replacing the role
 - Fair selection process
 - Ensure that any gaps are manageable, and that support is available to ensure the best candidate is successful
 - Ensure Council procedures are supportive of the probationary period and timelines
 - Review practices when changes in law confirmed

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Questions

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