

RECRUITMENT AND SELECTION POLICY AND PROCEDURES

1. Policy Statement

SCRA recognises that achievement of its strategic goals is dependent on the recruitment and the retention of a skilled and committed workforce. SCRA's Recruitment and Selection policy, procedures and practices are designed to help secure this and in relation to which equality of opportunity is an integral part.

Accordingly SCRA will ensure that the most suitable candidate for each post is selected on the basis of their relevant merits and abilities and that no employee or job applicant receives less favourable treatment or consideration on the grounds of gender, marital status, age, colour ethnic or national origin, disability, sexual orientation, religious belief, political belief, responsibility for dependants, trade union membership or will be disadvantaged by any conditions of employment or requirements which cannot be justified for operational reasons.

SCRA has prepared these Recruitment and Selection procedures in line with statutory regulations and guidance included in specific legislation, namely:

- The Equal Pay Act 1970
- The Rehabilitation of Offenders Act 1974, as amended
- The Sex Discrimination Act 1975
- The Race Relations Act 1976 , as amended
- The Access to Medical Reports Act 1988
- The Trade Union and Labour Relations (Consolidation) Act 1992
- The Disability Discrimination Act 1995
- The Employment Rights Act 1996
- The Asylum and Immigration Act 1996
- The Data Protection Act 1984 and 1998 and associated Codes of Practice
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Employment Equality (Religion or Belief) Regulations 2003

2. Aims and Objectives

The Recruitment and Selection Policy has the following aims and objectives:-

- to attract sufficient applications from potential candidates for employment with the skills, qualities, abilities and experience deemed necessary for the job.

- to ensure that all appointments are made on merit based directly on the ability of the candidate to meet the demands and requirements of the job.
- to ensure that equality of opportunity is considered as an integral part of best recruitment practice, thus avoiding unlawful discrimination and encouraging diversity.
- to develop and maintain procedures which will assist in ensuring the appointment of the most suitable candidate.
- to ensure that recruitment procedures are clear, valid and consistently applied by those involved in recruitment and that they provide for fair and equitable treatment for those who apply for employment.
- to ensure that all who have a role in the recruitment and selection process have been provided with the training necessary to follow a structured and systematic process of selection.
- to ensure that all candidates, both internal and external are treated in a fair, courteous and professional manner
- to regularly monitor and review the recruitment and selection process in the light of experience and information obtained from those directly involved in the process to ensure that unlawful and unfair practices do not happen.

3. Recruitment Procedures

To achieve the policy's aims and objectives requires:-

- clear, relevant and current recruitment information which assists potential applicants in determining whether to apply.
- current job descriptions detailing the post title, its purpose, scope, reporting relationships, duties and responsibilities.
- current, non-discriminatory person specifications detailing the essential education and training, experience and training, skills, knowledge and attributes needed for effective performance.
- application forms which are appropriate to the level of post under consideration.
- internal and/or external advertisement of posts to attract a satisfactory number of suitable candidates at a reasonable cost.
- assessment techniques which are appropriate for the level and needs of the job and consistently and fairly applied.
- structured and systematic interviews by trained interviewers to ensure non-discriminatory decisions are made using job related criteria.
- references obtained and treated confidentially to inform selection decisions.
- the use of a medical questionnaire, and medical screening where appropriate, to ensure fitness for job role.
- the checking of qualifications required for the role.
- appropriate checks on criminal convictions to be obtained via Disclosure Scotland.
- information on applicants being treated in confidence and restricted to those involved directly in the recruitment process and its administration.

- full and accurate documentation on the recruitment process to be maintained in a professional and consistent way, particularly in relation to shortlisting and selection decisions.

4. Roles and Responsibilities

The recruitment process will, excepting appointment to the post of Principal Reporter, be the responsibility of relevant managers. Board Members will normally be involved in appointments to the posts of Directors and Heads of Service.

The Head of HR/OD holds responsibility for ensuring the correct professional organisation of the recruitment process, including the provision of professional support. Responsibility for ensuring that the correct procedures are followed is vested in SCRA management and will be monitored by the Head of HR/OD. All who are involved in the recruitment and selection of staff are expected to observe these procedures and to ensure their actions are consistent with the principles of best practice which these procedures aim to promote.

5. Training

In accordance with good professional practice, those directly involved in recruitment will receive relevant training in the recruitment process, including the use of structured interviews, the relevance of the person specification, the need to appoint the most suitable candidate for the post, and legislative requirements, including equality of opportunity. It is the responsibility of the Head of HR/OD to ensure that persons involved in the recruitment selection process receive appropriate prior training.

6. Recruitment Procedures

The Head of HR/OD has responsibility for preparing the attached guidance notes to be followed by those involved in the recruitment process.

7. Monitoring and Review

This policy should be read in conjunction with SCRA's other employment policies, particularly Equal Opportunities.

This policy will be subject to periodic monitoring and review.

GUIDANCE NOTES FOR MANAGERS ON RECRUITMENT PROCEDURES

The principles and practices described in these Guidance Notes apply to recruitment to all permanent, temporary, full-time, part-time and job-share posts within SCRA. They do not apply in circumstances where an existing employee is required to “act up” to a post to cover for the absence of the permanent postholder (due to maternity leave, sickness, etc.), or pending the appointment of a new postholder.

These Guidance Notes are provided for all recruiting managers and those authorised to act on their behalf in carrying out any part of the recruitment and selection process.

The Human Resources Team is the source of professional advice and guidance in all matters pertaining to recruitment and selection within SCRA and also provides support to managers at all stages of the recruitment process. Managers should contact the Human Resources Team for advice and guidance on any aspect of these guidance notes or in relation to legislation/best practice governing the recruitment process.

1. Initial Steps when a Vacancy Arises

When you wish to fill a vacant post, you should first carry out the following steps:-

- **Consider current circumstances**

Effective forward planning at the initial stages of the recruitment process is important and reviewing the local structure at this stage will aid the planning process. An assessment should be made as to whether the tasks performed have changed or evolved with the skills and experience of the previous postholder or whether the role needs to change to meet future organisational requirements. A further assessment of the location of the post, future policy objectives and working arrangements will assist in determining the need for and parameters of the post.

- **Define the job requirements**

If the post is a new post, prepare a job description and a person specification (see section 2). Some posts e.g. Reporter, Support Assistant have generic job descriptions. Please contact a member of the Human Resources Team for further information. If the post is an existing post, consider whether the role, function, duties or responsibilities have changed since the post was last filled and update the existing job description and person specification as necessary. Seek the advice of the Human Resources Team if you are proposing changes to a job description, as this may affect the grade of the post. Where significant changes are proposed, a job evaluation exercise will require to be undertaken to confirm the appropriate grading for the post.

- **Decide whether the post is to be exempt from Job Sharing**

SCRA supports job sharing as a means of creating employment opportunities, offering more flexible working arrangements and helping to retain experienced and trained staff without significant additional cost. As a general rule, all full-time posts are available for job sharing. Posts will be exempt from job sharing only if it can be evidenced that job sharing is likely to significantly reduce the effective performance of the post, or impose a severe administrative, managerial, or financial burden. Further more detailed information is available in the Job Sharing Policy and from the Human Resources Team.

If, in agreement with the Head of HR/OD, it can be objectively justified that the post is not suitable for job-sharing this should be clearly stated in the advert and information pack.

If the post is being specifically advertised as a job share post only this must be clearly stated in the advert along with any specific requirements with regard to working hours and/or days.

2. Job Description and Person Specification

- **Job Description**

The job description for the post should include the following information:-

- Job Title
- Job Purpose
- Organisational Position
- Dimensions
- Principal Accountabilities
- Knowledge, Skills, Training and Experience
- Communications
- Principal Challenge

All current organisational job descriptions are held by the Human Resources Team who can provide assistance in relation to the development of a new job role.

- **Person Specification**

The person specification is, in effect, a profile of the “ideal candidate” and will contain specific, objective criteria, which are capable of being measured and will form the basis for the assessment and selection process. It helps you to translate the duties of the post (as set out in the job description) into a description of the person you need to recruit to carry out these duties. The person specification will include criteria which candidates need to fulfil to be able to carry out the duties of the post. These criteria, such as qualifications, experience, skills etc. are classified as either ‘essential’ or ‘desirable’ depending on whether they are absolutely

essential to perform the job properly, i.e. the minimum standards expected of an candidate or whether they would enable a candidate possessing them to perform the job more effectively. When preparing the person specification care should be taken not to discriminate directly or indirectly by setting criteria unrelated to the duties of the post. It is important that the criteria included are strictly relevant to the requirements of the post and are capable of being objectively justified and measured. Once these criteria have been determined they cannot be adjusted at any further stage of the recruitment process.

When drawing up person specifications:

- avoid criteria which are vague, or offer scope for subjective or varying interpretations, or cannot be accurately assessed during the selection process.
- do not attach undue importance to specific formal qualifications; an equivalent alternative or other evidence of ability may be just as relevant.
- describe experience required in terms of quality, level and type rather than amount.
- do not use age as a criterion or as an indicator of experience or maturity.
- do not assume that relevant skills or experience could have been gained only in an occupational setting.
- avoid unjustifiable physical requirements which could exclude those with disabilities.

The person specification also indicates the proposed means of assessment as to whether a candidate possesses the essential and desirable criteria. This will be assessed at the shortlisting stage through the application form and subsequently through the interview and selection process and through taking up references.

The person specification is, therefore, an invaluable aid throughout the recruitment and selection process in:

- designing the job advert
- deciding how and where to advertise
- choosing which selection methods to use
- shortlisting candidates
- designing appropriate questions for the interview process
- completing a Candidate Assessment form
- obtaining relevant and informative references
- making the final selection
- demonstrating that you have chosen the best candidate

Person specifications for all current organisational posts are held by the Human Resources Team who can provide assistance in relation to the development of a person specification for a new post.

3. Methods of Recruitment

- **Internal and External Advertising**

SCRA is committed to the development of its existing workforce and all vacant posts are advertised internally, with internal advertisements displayed on the internet site and highlighted to all staff via a weekly email communication from the Human Resources Team. Certain posts may, where considered appropriate, be advertised internally only in the first instance. SCRA however also recognises the benefits of open recruitment. External advertising is therefore encouraged to increase workforce diversity and to ensure competition in cases where there may be no suitable internal candidates or where the pool of internal candidates is likely to be limited. The Human Resources can be contacted for further advice if required.

Where posts are advertised internally only in the first instance, anyone currently working for SCRA under a contract of employment is eligible to apply. This excludes agency staff and secondees to the organisation who are not working under a contract of employment directly with SCRA.

- **Re-employment of Former Staff**

SCRA will not employ on a permanent basis former staff of SCRA or its statutory predecessor, (the Regional Council's Reporter to the Children's Panel Departments), if they are in receipt of an enhanced local government early retirement pension and/or if they have left the service on grounds of efficiency/redundancy. In relation to former staff who have retired on ill health grounds, permanent employment may be considered providing the individual has been assessed as fully fit for the proposed employment by SCRA's Occupational Health Advisers.

Contracts of employment may however, be given to former staff in the following types of situation:

- Sessional appointments, i.e. 6 weeks duration or less.
- Staff appointed to posts that are genuinely temporary in nature, ie maternity/long-term sickness cover and which will be less than 52 weeks duration. (Please contact the Human Resources Team when making such appointments to ensure that contract details are robust enough to cover the circumstances of the temporary post).
- It is important that a significant gap, ie a minimum of 4 weeks, occurs between sessional appointments and between sessional and temporary employment.

- **Recruitment Campaigns**

If you expect to be filling several identical or very similar vacancies within six months, the required number of employees can be recruited by means of a single advertising campaign, with candidates taking up their appointments at varying times over that period. The Human Resources Team can provide guidance on the co-ordination of recruitment campaigns.

- **Appointment of Previously Unsuccessful Candidates**

When a vacancy occurs within six months of the same or an identical vacancy having been filled, you may, if you wish, appoint one of the previously unsuccessful applicants without advertisement (subject to satisfactory references, Disclosure Scotland clearance and pre-employment health check) providing there is no suitable internal candidate and that the candidate meets the essential criteria in the person specification and is the next best candidate still available.

4. Advertising

The objective of recruitment advertising is to design an advertisement that will be cost effective, non-discriminatory in its use of language, attract a field of candidates who are able and willing to do the job, and inform potential candidates about the post. The following principles are intended to achieve these objectives.

- **Drafting of Adverts**

The line manager should firstly draft an advert using the job description and person specification for the post. Assistance can be sought from the Human Resources Team. There are sample adverts available for most posts, particularly generic roles, e.g. Reporter, Support Assistant, where the same advert is used to ensure consistency across the organisation. Sample adverts are held by the Human Resources Team. These adverts include SCRA's logo and reflect the organisation's in-house style which managers should use for every vacant post.

The main aim in drafting the advert is to encourage suitable candidates to apply and to discourage unsuitable ones. You should therefore describe the duties of the post and the essential requirements to be met (as set out in the person specification) clearly enough to enable readers to decide whether they are suitable candidates. Any special requirements, e.g. possession of a driving licence, should be clearly stated.

When drafting adverts for temporary/fixed term posts the nature and length of the temporary contract should be clearly stated, e.g., if it is linked to maternity/sickness cover or to a short or longer term project.

Where the post advertised is part-time this should be clearly stated in the advert, together with any specific requirements as regards working hours. It should be made clear that the salary scale is pro-rata to hours worked.

The advert should state clearly the closing date for completed applications, normally two weeks for external adverts, and how further information can be obtained and applications made.

- **Placing the Advert/Choice of Media**

The advert should then be emailed to the Human Resources Team for proofing at least one week prior to either the internal or external advertising date in order to meet publication deadlines. The Human Resources Team co-ordinates the circulation of all internal adverts which are circulated via an internet link to all staff once a week, generally on a Friday.

In relation to external advertising the Human Resources Team approve all external adverts which are then sent by them to SCRA's recruitment advertising agency who place the advert in the relevant publication(s) on SCRA's behalf. The advertising agency can advise on placement, style and costs for suitable national/local and specialist professional publications and internet recruitment sites. External adverts are normally advertised in local job centres and job centre internet sites for vacancies in grades 9 to 16. Publications for advertising a vacancy should be chosen so as not to exclude or disproportionately reduce the number of candidates from any particular section of the community.

The Human Resources Team handle recruitment campaigns for HQ teams while Regional Teams handle recruitment campaigns for Authority Teams. The Human Resources Team manage the centralised organisational budget for recruitment advertising.

5. Information for Applicants

You should ensure that those who enquire about or apply for an advertised vacancy are provided with adequate information about the post. Prospective candidates are likely to be influenced by the quality, attractiveness and range of information provided.

Candidates should receive a standard information pack, normally within two working days of enquiry, containing the following;

- Covering letter
- Briefing Note on SCRA
- Copy of Advertisement
- Job Description
- Person Specification
- Terms and Conditions of Service Information
- Job Application Form

- Notes on Application Form

The information pack may also contain additional background information about the department/post if relevant. For senior management/professional posts other information may be provided as appropriate e.g. SCRA's Annual Report/Corporate Plan. The planned selection process may also be detailed in the information pack.

For nationally advertised jobs, information about the location and the surrounding area (geography, amenities, travel facilities, education, housing, leisure, etc.) will be of interest to candidates who do not live locally.

A model information pack can be supplied by the Human Resources Team.

6. Method of Application

All candidates (whether internal or external) should as a general rule complete SCRA's standard job application form. The use of an application form ensures that applicants provide the required information in a consistent and standard way which should help you to assess and compare them systematically. Candidates may also be asked to provide additional information specific to a particular post.

A Curriculum Vitae will normally only be considered where external advertising campaigns have not resulted in an appointment and candidate details are being requested via agencies.

A candidate who cannot complete an application form personally (e.g. because of literacy difficulties or disability) should not be excluded from consideration unless this is directly relevant to the job. In such cases, they may get help to complete the form.

You should, if practicable, explain to anyone who makes an unsolicited job application or casual enquiry about employment that recruitment is by application in response to specific advertised vacancies. Invite them to apply for suitable vacancies in future; if possible, tell them when one is likely to arise and/or refer them to the Human Resources Team or Regional Teams for further information.

7. The Legal Basis of Recruitment and Selection

- **Discrimination**

The most important legislation impacting on the recruitment and selection process is that of discrimination. In all cases of discrimination, (sex, race, disability, sexual orientation, religion or belief) there is no limit to the compensation which may be awarded against an employer who discriminates. A claim can also be brought against employee(s) who acted

on behalf of the employer in carrying out the discriminatory act. Further, any complaint is likely to give rise to adverse publicity.

The risk of discrimination is often present due to personal prejudices of which individuals involved in the selection process may not be fully aware. The defence of a discrimination claim relating to recruitment will rely on the justification of the selection criteria used.

Discrimination is currently prohibited under the following legislation:

- **The Equal Pay Act 1970**

Provides that the terms of a woman's contract must not be less favourable than the terms of a man carrying out the same work or work of an equal value.

- **The Rehabilitation of Offenders Act 1974, as amended**

Prohibits a prospective employer relying on "spent convictions" in deciding whether to recruit, subject to certain exceptions.

Persons concerned with the operation of the Children's Hearing System are exempt from the provisions of the Act and accordingly SCRA can take any criminal convictions, whether "spent" or not into account in determining whether to recruit an individual.

- **The Sex Discrimination Act 1975**

Makes it unlawful to discriminate directly or indirectly on the grounds of sex or marriage in relation to the arrangements made for deciding who should be offered a job, in any terms of employment, and by refusing or omitting to offer a person employment.

Direct discrimination under the Act involves discrimination against a person because of his/her sex or married status. (discrimination against a single person is not prohibited). Indirect discrimination against a person because of his/her sex or married status is where a requirement or condition is applied to the detriment of one gender such that a substantially smaller percentage of that gender are likely to be able to comply and where the discrimination cannot be justified irrespective of the sex or married status of the person to whom it is applied. This form of

discrimination may often be unintentional. The Act also provides for protection against victimisation for persons who have experienced less favourable treatment relating to their having raised proceedings or made an allegation relating to sex discrimination/equal pay legislation.

The sex discrimination legislation has now been extended so that it is unlawful to discriminate directly against a person on the grounds that the

individual intends to undergo, is undergoing or has undergone gender reassignment.

- **The Race Relations Act 1976, as amended**

Makes it unlawful to discriminate against a person on grounds of race, such grounds meaning colour, race, nationality, or ethnic or national origin. The Act provides the same protection on racial grounds as provided by sex discrimination legislation.

- **The Trade Union and Labour Relations (Consolidation) Act 1992**

Makes it unlawful to refuse employment on union membership grounds.

- **The Disability Discrimination Act 1995**

Makes it unlawful to discriminate against a person on grounds of a disability. The Act provides the same protection on grounds of disability as provided by sex and race discrimination legislation.

- **The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000**

Makes it unlawful to discriminate against part-time workers.

Although designed to protect workers who already hold a position within the organisation, care should be taken in drawing up terms and conditions to ensure they meet the requirements of the Regulations.

- **The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002**

Makes it unlawful to discriminate against employees employed under a fixed-term contract.

- **The Employment Equality (Sexual Orientation) Regulations 2003**

Makes it unlawful to discriminate against a person on grounds of his/her sexual orientation. The Regulations provide the same protection on these grounds as that provided by sex, race and disability legislation and also provides for protection against harassment on grounds of sexual orientation.

- **The Employment Equality (Religion or Belief) Regulations 2003**

Makes it unlawful to discriminate against a person on grounds of religion or belief. The Regulations provide the same protection on these grounds as that provided by sex, race and disability legislation and also provides for protection against harassment on grounds of religion or belief.

- **Positive Discrimination**

Positive discrimination is also unlawful and is not permitted in the recruitment and selection process. More favourable treatment of one group, e.g. appointing a person on grounds of gender, race, disability, sexual orientation or religion or belief is positive discrimination.

Although encouragement can be given to under-represented groups to apply for jobs within SCRA, these candidates must be assessed in the same way as all other candidates.

SCRA has a legal responsibility to ensure that no direct, indirect or positive discrimination occurs in the recruitment and selection process. A more comprehensive guide to the above legalisation is provided in SCRA's Equal Opportunities Policy and through staff awareness training. Assistance and advice on the implementation of the Equal Opportunities Policy as regards recruitment and selection is available from the Human Resources Team.

Other Legislative Provisions

- **The Data Protection Act 1984 and 1998**

Prohibits the unlawful use, processing or disclosure of personal information about individuals. The 1984 Act controls the use or disclosure of personal information where it is kept on computer. Its effect has been extended to manually held records under the 1998 Act.

Information obtained in the course of the recruitment and selection process must be securely and sensitively handled according to the Act and the Information Commissioner's associated Employment Practices Data Protection Code Part 1: Recruitment and Selection. All information should be stored in a way in which confidentiality is maintained and for no longer than 6 months, after which time, all information relating to unsuccessful candidates should be destroyed. Candidate information must be obtained and processed in a lawful way and restricted to those directly involved in the recruitment process.

- **The Asylum and Immigration Act 1996**

An employer will commit an offence if it employs an individual who is not entitled, under the UK immigration regulations, to work in the UK. If there are any doubts as to whether a candidate has the right to work in the UK contact the Human Resources Team who will be able to provide detailed advice.

8. Shortlisting

In order to help reduce subjectivity and the possibility of unfair selection, shortlisting of candidates should be carried out by at least two members of the interview panel (one of whom should have management responsibility for the post to be filled). Applications will be sent by the Human Resources Team/Regional Teams to designated interview panel members for shortlisting, normally within two working days after the closing date. Applications should be treated in strictest confidence and made available only to persons associated with the selection process. Applications must not be circulated to or discussed with persons not directly involved in the selection process.

• The Shortlisting Process

The purpose of shortlisting is to decide which candidates go forward to the final stage of selection. The number of candidates shortlisted should be sufficient to provide a reasonable choice, allowing for withdrawals, but not so large as to make the process unmanageable.

Candidates must be assessed in relation to the criteria in the person specification. The person specification identifies those essential and desirable criteria which can be assessed from the details contained in the application form. Factual criteria would be covered by this means of assessment, e.g. details of qualifications/experience. The inclusion of a candidate on a short-list should be based solely on the process of matching each candidate's qualifications and experience, as identified in his or her application, to the essential and desirable criteria set out in the person specification.

This assessment however could be assisted by information requested in other areas of the application form. Candidates would then have to provide evidence based on their experience to show that they would be able to satisfy the criteria set out in the person specification. Personal knowledge of the candidate should not be used to fill in gaps in the information provided. Reasons for inclusion/exclusion on/from the short-list should be noted and a record of the decisions retained on file.

To avoid any possibility of bias, the shortlisting of candidates should be undertaken individually by the designated panel members, who should review all applications, and complete the shortlisting form, rating each candidate against the agreed selection criteria. If a candidate does not meet any one of the essential criteria, then he/she should be immediately discounted. Those meeting the essential criteria should be short-listed. Desirable criteria may then be applied to reduce a large number of candidates who meet the essential criteria.

During a short-listing meeting the panel should discuss the individual shortlists and agree a final shortlist. The Human Resources Team can be contacted for advice and guidance at any time.

The approach outlined above will ensure that a fair and consistent approach is taken to the selection process, avoid possible de-selection of the most able candidates and keep the organisation on the right side of the law.

Short-lists should be returned to the Human Resources Team/Regional Teams to make interview arrangements. Care should be exercised in selecting interview dates that, where possible, satisfy all candidates. A minimum of one week's notice should be given to short-listed candidates although generally more notice is preferable.

Candidates who are not shortlisted for interview should be informed that they have been unsuccessful, normally no later than 4 weeks after the closing date for the post.

• **Job Share Candidates**

Except where the post is not available for job sharing, short-listing decisions should be based on the merits of the candidates, regardless of whether they wish to work on a job share basis or full-time.

• **Contacting Shortlisted Candidates**

Courteous and considerate treatment of shortlisted candidates can significantly influence the way they regard SCRA as a prospective employer and perform during the selection process. In particular, they should be given information as follows when invited to the final selection stage:

- details of the selection timetable and arrangements e.g. interview, ability tests, presentations etc. together with a request to bring proof of relevant qualifications.
- (for external candidates) a map of the location, details of expenses payable, together with an Interview Expenses Claim Form and assistance in arranging overnight accommodation if required.
- a Pre-employment Medical Health Questionnaire and a Standard Disclosure form should also be sent to candidates selected for interview for completion. Candidates are asked to bring these with them to interview.

• **Candidates with a Disability**

You may require to contact shortlisted candidates with a disability in order to:

- discuss any special arrangements you may need to make for them to attend the final stage of selection. (This could involve, for example, providing assistance to those with hearing, sight or mobility difficulties or allowing them to bring a colleague).

- give them information about such matters as physical access to the premises, parking facilities and communication assistance available.

- **References**

References are sought to obtain factual information regarding the applicant and their suitability for the post. They are most effective if a job description and person specification are included with the request together with structured relevant questions that could provide the panel with further information about the candidate's relative abilities.

References should only be requested for shortlisted candidates with their prior approval. The prior signature of consent for contacting referees is requested on the application form and should be checked by staff administering the recruitment process. The candidate will also indicate in this section a preference for contacting their referee either before or after the interview. Only those nominated by a candidate should be asked to provide a reference and any other sources of information regarding the candidate should not be considered. If the candidate prefers that the referee be contacted after the interview no unconditional offer of employment should be made prior to the receipt of two satisfactory references.

The Data Protection Act 1998 states, under the terms of the 'subject access right', that an individual can request to view the reference provided to a prospective employer. In order to inform referees that this condition applies and to aid the referee in making an informed decision as to whether to supply a reference and the nature of its contents, this right of access is clearly stated on the standard reference request letter.

When requesting a reference, a job description and person specification should be sent with the reference request letter. SCRA's standard reference request letter is available from the Human Resources Team. It has been devised to comply with the Data Protection Act and associated codes of practice.

In relation to reference requests for existing or former SCRA staff, any person asked to provide a reference in a work capacity on behalf of SCRA should provide a copy of the intended reference to the Human Resources prior to issue for approval. SCRA as an employer is under certain legal obligations in connection with the provision of a reference. There is an obligation for the content of the reference to be accurate and fair, and not to be negligent or misleading by any omission. As an employer SCRA can be held liable for any loss suffered as a result of a breach of this duty of care. SCRA line managers are normally expected to share with the member of staff concerned the contents of any reference supplied. Any proposed

departure from this arrangement must be discussed with the Human Resources Team.

The wording of the reference request should be identical for all candidates. References received by telephone are acceptable so long as the information requested is the same as that requested in the standard letter and the referee sends confirmation, or the recipient makes a written record of the telephone conversation.

References should be treated as objectively as possible by the panel as they have the potential to be indirectly discriminatory due to the potential prejudices of the referees. In this connection references which have been received should normally be considered following the completion of the interview to confirm the choice of candidate.

Discrepancies that may occur in the reference, such as periods of employment or previous job title, should be checked in order to seek authenticity and clarity.

9. Selection Methods

The purpose of the final selection stage is to assess shortlisted candidates against the criteria set out in the person specification. It normally involves an interview used in conjunction with information from other sources e.g. application form, references etc. (for guidance on the conduct of interviews see section 10.) The important thing is that the selection process should provide enough evidence for the interview panel to be able to assess and select an individual who matches the skills, knowledge and experience outlined in the person specification.

• Occupational Tests

Properly validated occupational tests can greatly assist in reaching objective and reliable selection decisions and assessing attributes which other selection methods (e.g. an interview) cannot easily measure, but which may be crucial in determining a candidate's suitability.

SCRA in consultation with Unison have jointly agreed that occupational testing will form an appropriate element of the recruitment and selection process, but will never be employed as the exclusive method of selection.

To ensure credibility of use and good practice in application, the following standards will apply:

1. The format and application of tests will be:

- 1.1 From a standard suite of tests recommended for the generic post(s) being filled, **or**
- 1.2 Where a standard suite of tests has not been selected, HR staff will recommend options to the designated interview panel for consideration.
2. Where tests are to be employed, all potential candidates will be advised of this in the recruitment pack and, where appropriate, advertisement.
3. Where tests are to be employed, all shortlisted candidates will be given sample tests in advance of formal interview and testing events.
4. Delivery of tests, analysis of results and feedback to candidates will be the responsibility of accredited employees of SCRA.
5. The Human Resources Team will hold all test results under secure conditions within HR and separately from an individual's personal file.
6. Test results of external candidates not selected for appointment will be held for 6 months.
7. Test results of all SCRA staff, whether selected for appointment or not, will be held for 24 months from the date of the test. Where identical testing elements form part of future selection procedures within this period, existing test results, (except in exceptional circumstances) will be utilised.
8. Where it is agreed that a member of staff is to repeat occupational tests because of exceptional circumstances the results of previous tests will not be utilised.

It is recommended that occupational tests be used in the selection process for management and professional posts. Specific aptitude or ability tests may also be appropriate for these and other posts such as written exercises, case studies, job simulations, in-tray exercises and typing tests etc. Presentations may also be appropriate for management and some professional roles. The purpose of presentations is to present information which allows assessment of relevant skills.

In relation to occupational tests, the main two types available are:-

- tests of specific aptitudes (e.g. verbal, numerical and spatial critical reasoning ability)

- personality questionnaires (these are not tests as there are no right or wrong answers, rather candidates are asked to select their preferred style in terms of how they work.)

The Human Resources Team can provide assistance in devising and selecting appropriate selection methods and are appropriately trained and qualified to administer, interpret and provide feedback on occupational tests.

10. The Interview

- **Purpose of the Interview**

The purpose of the interview is to assess, in conjunction with other selection methods, the extent to which the candidate meets the criteria contained in the person specification and to give the candidate information about the job. It is, therefore, a two-way process. The interview process must be structured in order that it is a professional and valid selection method. Structured interviews also help ensure that the interview runs to schedule and that attention has been given to all the significant areas. The Human Resources Team hold banks of interview questions and can assist in devising structured interview plans.

- **The Interview Panel**

The size and composition of the panel which conducts the interview during the final selection stage will depend upon the nature of the post to be filled. However, there must be at least two interviewers (one of whom should have management responsibility for the post. This person will usually chair the panel interview). This will help to reduce subjectivity and the possibility of unfair selection. The Human Resources Team can provide professional interview support on request and normally attend all interviews for management and professional roles.

- **Preparation for the Interview**

Interviewers should prepare for the interview by:-

- familiarising themselves with the job requirements (from the job description, person specification, etc.)
- deciding which criteria in the person specification are to be assessed by interview and which criteria should be assessed through the use of other selection methods.

- agreeing the structure of the assessments. Where several components are involved the sequence recommended is occupational testing, presentation and interview.
- drawing up and agreeing a series of standard interview questions to be used for each candidate.
- deciding on how the panel will organise the questioning and their respective roles in the interview process.
- checking the information available in respect of each shortlisted candidate (application form, references, test results etc.) and identifying areas which need further probing.
- timing the interview so that enough time and the same amount of time is allocated for each interview, normally 45-60 minutes.
- ensuring that there is sufficient time after each interview for the interviewers to take notes and for the panel chair to summarise the thoughts of the panel and write up the final Candidate Assessment Form.
- ensuring the venue for the interview is comfortable and quiet and that reasonable adjustments or facilities are provided for candidates who have a disability.
- arranging the seating of the panel and the candidate in order that the candidate does not feel intimidated or isolated.

Using standard questions helps to ensure that interviewers express themselves clearly and consistently, allows them to compare candidates on the same basis and avoids dwelling on irrelevant issues. Examples of structured questions are available from the Human Resources Team.

- **Structure of Interviews**

The following format for an interview is suggested:

- The Panel chair should introduce interviewers and explain the format of the selection process, including reference to any tests/presentations which have been involved and the intended duration and structure of the interview.
- The Panel chair should inform the candidates that brief notes will be taken during the interview by the members of the panel and that these will be used on completion of the interview to assist in assessing the candidates. Note taking is important as it reduces the error in recalling information and ensures that the panel do not

rely on their memory in their selection of the candidate. The notes should not be visible to the candidate, and should be factual and used as a source of evidence for the selection decision as well as, used for the purpose of providing feedback to any candidate that requests it. You should be aware that under the Data Protection Act 1998, candidates have the right to request to view all notes made during the recruitment process. Any notes which could be interpreted as potentially discriminatory should be avoided.

- The Panel chair should provide some brief details of the job (including information about SCRA as appropriate) highlighting any unusual or special features of the job.
- Normally it is helpful in commencing the interview to put the candidate at their ease by asking a general question about their motivation for applying for the post and how they prepared for the interview.
- Seek information through structured questions (adding to what is contained in the application form) about the candidate's skills, experience, knowledge, attributes and approach as relevant to the person specification.
- At the end of the interview it is good practice to ask the candidate if they have any questions which they would like to ask the panel.
- Advise the candidate when and how they will be informed of the outcome of the selection process. This should normally be within 7 days of the interview.
- **Questions to Candidates**

Do not ask questions related to a candidate's gender, ethnic origin, marital status, personal or family circumstances, sexuality, trade union activities or political or religious beliefs. To do so could be taken to imply that you might take these factors into account (and thereby unfairly discriminate against a candidate); in any case, they have no bearing on a person's suitability for the job and are therefore irrelevant.

However, if candidates themselves raise these matters (e.g. by asking about childcare arrangements or facilities for praying at the workplace) you should respond. Also, if a job requires special working arrangements (e.g. unsocial hours or regular overtime) you may ask candidates if they can meet these requirements, so long as you ask all candidates.

The Disability Discrimination Act 1995 does not prevent you asking questions about a candidate's disability but this information must not be used to discriminate. When asking a candidate how their disability

may affect their ability to do the job, it is important to focus on competencies required by the post. Place these questions in the latter part of the body of the interview and indicate, where possible, a willingness to make those reasonable adjustments which would enable the job to be performed.

Some examples of questions that may be asked are;

- How will your disability impact on your day to day working?
- What adjustments could SCRA put in place for you in order that you can carry out the duties and responsibilities of the post?

Take care to phrase questions clearly and unambiguously, avoiding cultural idioms or jargon which may not be readily understood by all candidates.

Interviewers can also explore periods of sickness absence listed on the application form which require clarification or could potentially give cause for concern.

- **Questioning Techniques**

The aim of the interview is to assess each candidate's ability to do the job. Interviewers should gather evidence from interview responses in order to rate each candidate in terms of the extent to which they meet the person specification for the post.

Interviewers should focus on asking 'open questions' which cannot be answered 'yes' or 'no'. These types of questions normally start with the words 'what, why, how'. The following are some types of open questions which interviewers may use;

- *Probing questions* – these are usually asked immediately after an open question to provide a clearer focus to a short or generalised answer.
Example: 'What causes you stress?' This can be followed by a probing question of 'How do you cope with it?'
- *Closed questions* – these can be used to clarify a fact, such as 'Did you represent the child in that case?'
- *Play-back questions* – play back to the candidate what he or she appears to have said. This could be followed by a probing question.
- *Hypothetical questions* – putting a situation to the candidate in relation to what he/she may face in the role and asking how he/she would respond. Care needs to be taken when asking this type of

question as it would be unfair to expect a detailed answer to a problem which requires greater knowledge of the context than the candidate can be expected to have.

Example: ‘What would you do if you were given the same deadline in which to complete two very urgent tasks by two senior members of your team?’

- *Behavioural questions* – used to gain evidence of how the candidate has handled similar situations and these can focus on the specific skills of the post.

Example: ‘Describe a situation in your working life of working to strict timescales?’

Example: ‘Tell me about a time where you have had to deal with a particularly sensitive case?’

Example: ‘Give me an example of a time where you had to take a decision with regards to the best course of action for a child?’

Example: ‘Describe your role in the investigation of a complex case?’

There are two forms of questioning to avoid:

- *Multiple questions* - these occur when two or more questions are asked at one time. Candidates will normally only answer one of them – the one they find easiest or heard last.
- *Leading questions* – the answer which is expected is suggested in the question.
Example: ‘Don’t you think by asking a colleague the task would have been completed sooner?’

A useful method for probing and encouraging the candidate to offer more information is to use silence after asking a question.

The chair of the interview panel should pick up any points which need further explanation, summarise where appropriate and provide links between the panel members.

- **Listening Techniques**

The candidate should undertake most of the talking in the interview, so it is important that the interviewers listen effectively and appear interested, even though the question may have been asked by another panel member, as the actions of the interviewers influence the candidate’s behaviour. Where there is little attention paid to the responses from the candidate this usually leads to the candidate feeling alienated. Panel members who are not questioning should be listening for cues in which to follow up on questions and to take notes.

Some examples of non-verbal responses include;

- nodding of the head
- eye contact
- smiling
- leaning towards the candidate in a relaxed posture
- using sympathetic facial expressions

Some examples of good listening techniques include:

- probing
- responding
- clarifying
- summarising

The candidate may also display non-verbal signs of their emotional state through body language, even although this is difficult to interpret, the panel members should be aware of it.

- **Avoiding Bias**

It is important that bias is avoided during the critical selection stage following the interview. Some common areas of bias include:

- **Mirror Image** – this can occur when a selection decision is made in favour of a candidate who displays similar characteristics or attitudes to those of a panel member.
- **Organisational Fit** – this can occur when a person of a particular gender, race or background is seen as fitting into that of the rest of the organisation.
- **Stereotyping** – this occurs when decisions are made about candidates or questions are asked at interview which are based on the preconceived ideas of the candidate's capability due to their gender, colour, age, disability or culture. An example of a stereotyping is to conclude that 'recruiting a woman in her 30's will mean that she will leave after a short time to have children'.
- **Halo effect** – this occurs where a few number of responses given are strongly and favourably viewed by a panel member, and these lead to any negative responses being overlooked, hence affecting the judgement of the candidate.
- **Horns effect** – this is the opposite to the Halo effect and occurs where a few number of responses given are viewed as negative and the judgement of interview performance overall is interpreted

less positively as a consequence, regardless of any positive responses from the candidate.

11. Making the Appointment

• Evaluating Candidates

After the interview and other selection methods have been completed, an evaluation of each shortlisted candidate should be made with the panel chair taking the lead role in summarising the information from all elements of the process, including:

- Application Form
- Interview
- Occupational/ability tests
- Presentations
- References

Selectors must carry out their evaluation strictly against the person specification and should aim to reach a consensus about each candidate. The chosen candidate should be the one who most closely meets the person specification and is the strongest candidate. A Candidate Assessment Form, representing the collective views of the interview panel should be used to record the selection decision and the rationale for it. It is SCRA's practice to use a candidate rating system. Interviewers should be aware that their reasons for appointing or not appointing a particular candidate may be challenged under discrimination legislation. Candidate assessment forms and all interview documentation should be returned to the Human Resources Team/Regional Teams for confidential storage. Interview records are retained for six months and then disposed of confidentially.

• Job Share Candidates

In making an appointment, the aim is to select the best candidate(s) for the job. Since prospective job sharers will be considered alongside other candidates, selectors may be required to decide whether to select one full-time postholder or two job sharers. Initially, all candidates should be evaluated individually; it may then be necessary to compare the overall suitability of two job share candidates with that of a full-time candidate (unless the latter is willing to share the post). Remember an offer of employment on a job share basis is conditional on filling both halves of the post. Consult the Human Resources Team if in doubt.

• Pre-employment Medical

The panel should ask the Human Resources Team to arrange a pre-employment medical if they have any concerns about the health of a selected candidate in respect of the requirements of the post or if this is indicated as appropriate by SCRA's Occupational Health Service on the basis of their screening of the questionnaire completed by all short-listed candidates. Fitness for work clearance from Occupational Health is required before an unconditional offer of employment can be made.

- **Notifying Candidates**

Both successful and unsuccessful interviewees should be informed in writing of the final outcome of the interview, normally within 2 weeks of the interview date.

- **Feedback**

Candidates should be offered the opportunity to discuss how they performed during the selection process. It is important that this information is provided sensitively as the candidate is likely to be disappointed in not securing the post. This is particularly important for internal candidates.

The panel chair should co-ordinate the response for feedback using the comments made on the Candidate Assessment Form. A summary should be offered of the areas in which the candidate did not meet the criteria for the post, or where there were a number of suitable candidates, comparisons can be given between the candidate and the successful applicant. In giving feedback to unsuccessful candidates, care should also be taken to ensure that positive aspects of the interview are highlighted. Emphasis should be given to the fact that decisions were made based on pre-determined criteria rather than based on the candidate's interviewing style, although advice can be given on how the approach to interviews could be improved in future. Focus on the aspects which the candidate can do something about and avoid detailed debate about the rights and wrongs of the decision. Further advice on providing feedback can be sought from the Human Resources Team.

Where feedback has been given, either orally or written, a copy should be placed in the candidate's file along with the other recruitment and selection documentation.

- **Offer of Appointment**

An offer of appointment must be made conditional upon the receipt of satisfactory references and medical clearance if these are not immediately available. In addition, appointment is subject to a satisfactory Standard Disclosure Scotland Application. Under no

circumstances should an appointment be confirmed or taken up until these clearances are obtained.

- **Disclosure Scotland**

Standard Disclosure Scotland Application Forms required to be completed by all candidates short-listed for a post within SCRA. The resulting Disclosure Form received from Disclosure Scotland will contain details of all criminal convictions, whether spent or unspent under the Rehabilitation of Offenders Act 1974.

Candidates who can provide a Standard or Enhanced Disclosure dated within the last 12 months may be permitted to take up post pending the receipt of an updated Standard Disclosure. In all cases however an updated Standard Disclosure request must be made. This policy applies to all appointments whether of a permanent or temporary nature and also applies in relation to agency staff/contractors.

Disclosure forms should be returned to the Human Resources Team/Regional Teams who will forward the preferred candidate's form onto Disclosure Scotland. All Disclosures must be received from Disclosure Scotland and assessed as satisfactory prior to any unconditional offer of employment being made. Advice can be sought from the Human Resources Team in relation to any queries about this process.

Once Disclosure information has been obtained and an employment decision made, the Disclosure should be disposed of confidentially, unless there is an overriding reason for retention. A record should however be kept that a check was carried out and its result.

- **Medical Checks**

Any person appointed to a post must be fit to carry out the duties of the post. A pre-employment health declaration form should be completed by all candidates who are invited to interview and held until the selection of the preferred candidate has been made. Only the preferred candidate's pre-employment health declaration form should be sent unopened to SCRA's Occupational Health Service together with the job description for the post. The Occupational Health Service will advise the Human Resources Team as to the outcome of the screening.

- **Contracts of Employment/Post Interview Correspondence**

Contracts of employment can only be issued by the Head of HR/OD and Reporter Managers or a specific nominated management representative. All post interview correspondence, including regret letters are issued by the Human Resources Team/Regional Teams. Similarly forms for the payment of interview expenses and travel and removal costs are authorised and passed for payment in the same way. In all cases receipts must be provided.

12. Record Keeping

For each vacancy advertised, the Human Resources Team/Regional Team must ensure that a file containing the following is kept:-

- Job description
- Person specification
- The job advertisement
- All application forms
- Shortlisting forms
- References
- Interview questions
- Interview notes
- Completed candidate assessment forms
- Any correspondence with candidates

In order to allow for the appointment of a previously unsuccessful candidate to an identical vacancy or to answer a complaint of unlawful discrimination), the file must be kept for 6 months from the date of appointment.

13. Complaints Procedure

- **Right of Complaint**

Applicants for posts with SCRA have the right to complain if they consider that they have been unlawfully discriminated against during the selection process. It does not affect their right of complaint to an Employment Tribunal under relevant legislation.

- **Procedure**

- (i) The complaint must be made in writing to the Head of HR/OD within 3 months of the action in question.

- (ii) On receipt of the complaint the Head of HR/OD will:-

- if feasible and appropriate “freeze” the appointment pending the outcome of an investigation; and
 - ask the Human Resources Manager to investigate the complaint and report back within 2 weeks.

- (iii) In investigating the complaint, the Human Resources Manager will interview all relevant persons including the complainant and will be given access to all documents used during the selection process.
- (iv) The Head of HR/OD will determine in the light of the Human Resources Manager's report what action, if any, to take, and will inform the complainant accordingly.

- **Remedies**

If the Head of HR/OD upholds a complaint, the remedy offered will aim to restore, as far as possible, the complainant's position in the selection process. Thus, for example:-

- (i) Unjustified exclusion from the shortlist may be remedied by reinstatement to the shortlist for the job or for a subsequent appropriate vacancy.
- (ii) If the questions asked at interview are deemed to be unfairly discriminatory, a reassessment of the candidate's suitability may be made and a further interview arranged for that job or a subsequent appropriate vacancy.
- (iii) If it is found that the complainant was the best candidate for the job, then either that job or a subsequent appropriate vacancy may be offered.

14. Evaluation and Monitoring

It is helpful after a recruitment and selection exercise to evaluate it – there will always be areas which can be improved. This can be done by obtaining the views of the appointment panel, Human Resources and the candidates.

Regular monitoring will also ensure that equal opportunities policies are being actively pursued.