

Policy Title	<b>Recruitment and Selection Policy</b>
Date of Approval	<b>May 2019</b>
Date of Review	<b>May 2022</b>

On request, the Association will provide translations of all our documents, policies and procedures in various languages (using a translation service) and other formats such as computer disc, tape, large print, Braille etc. These can be obtained by contacting the Association's offices.

## 1. Introduction

- 1.1 The Association seeks to hire only the best candidates for appointments approved by our Board and Staffing Sub Committee or equivalent. We conduct business following the spirit and the intent of Equalities legislation and strive to maintain a diverse staff. We encourage excellence at all levels in our organisation and are not influenced by age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race (including colour, nationality ethnic or national origins and citizenship), religion/belief, sex and sexual orientation nor any other factor irrelevant to achieving successfully and performing our jobs.

## 2. Purpose

- 2.1 This statement is the Association's policy in regard to recruitment and selection, to encourage good practice and equal opportunities to which all staff are required to adhere. In the recruitment process the aims of the Association are:
- To attract comprehensive applications from a sufficient number of candidates with appropriate skills, qualifications and experience for consideration for employment with the Association.
  - To use fair and effective methods for the appointment of candidates, consistent with the Association's policy on Equal Opportunities.
  - To ensure that recruitment procedures are clear and adhered to by all staff and committee members involved in any recruitment and selection processes.
  - To develop an excellent workforce committed to the aims, values and service delivery requirements of the Association.

## 3. General Guidelines

- 3.1 In recruiting for newly created or vacant posts the Association will ensure that it complies with legislative requirements and demonstrates best practice as an employer in relation to employment rights and equal opportunities.

## **4. Equal Opportunities**

- 4.1 Equal Opportunities are aimed at removing barriers to access and opportunity, with positive results for individuals and the Association. Equal Opportunities refer to equality in recruitment, promotion, training or transfer and terms and conditions of employment. In seeking suitable candidates for new or vacant posts, the Association will not discriminate on the grounds of age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race (including colour, nationality ethnic or national origins and citizenship), religion/belief, sex and sexual orientation nor any factor irrelevant to the ability to do the job.
- 4.2 It is the Association's goal that all recruitment decisions will be based completely on the merits and abilities of candidates alone and no other criteria will be used. In order to achieve this, equality and diversity practices will be integrated into every stage of the recruitment and selection process.
- 4.3 A fair recruitment process will remove barriers where possible to the employment of people from different backgrounds. This will enable the organisation in recruiting from the widest pool of talent, potentially raising the standard of their intake and therefore increasing the opportunity of a more diverse workforce which reflects the community it is serving. A more diverse workforce should improve the organisation's service delivery, as it will include staff with more knowledge and experience about meeting the needs and aspirations of service users and potential service users.
- 4.4 To highlight the Association's commitment to promoting equality and diversity from the beginning of the employment relationship, all vacancies will be aimed at as wide a group as possible and any advertisement for a vacancy within the Association will state that an equality and diversity policy is in place. In addition the advert will also display any signs of equality bodies that the Association is affiliated with (e.g. Positive About Disability). The information contained in the advert and all vacancy literature will be clear and accurate to attract the most appropriate candidates from all groups across society, to allow them to decide their own suitability for the vacancy and whether they wish to proceed with applying. For those that wish to apply the Association will ensure that all applications will have clear instructions for completion and application forms will be free from personal questions that are not relevant to the vacancy and that may lead to discrimination.
- 4.5 The Association will ensure that all staff involved at any stage in the recruitment and selection process will receive equality and diversity awareness training. This will ensure that those involved in the recruitment process will not discriminate either knowingly or unknowingly by asking any questions which may lead to discrimination.
- 4.6 Where possible the Association will aim to have mixed gender recruitment panels for recruitment and selection.

## **5. Exit Interviews**

- 5.1 The HR & Corporate Services Officer or Head of Corporate Services will conduct exit interviews personally with any permanent member of staff who has tendered his/her resignation. This is to identify why an individual wishes to leave, to receive insight into the role that has been performed and to thank the individual for his/her contribution to the organisation. If the staff member requests for another manager or Director to carry out the interview this can be arranged.

## **6. Job Analysis and Advertising**

- 6.1 When recruiting for new or vacant posts the Association will conduct a job analysis (see Appendix 1), often carried out by the department manager in liaison with the Department Director and the HR & Corporate Services department. This involves assessing whether or not the post has to be filled and how it could be filled, what would be the adverse effects of not filling it or if the work could be distributed amongst existing staff. Recruitment of posts must be approved by CMT before the recruitment proceeds.
- 6.2 If decided that the post should be filled a suitable job description, person specification and application form will be compiled by the HR & Corporate Services Department following agreement with the department manager and an advertisement will be composed and placed into appropriate advertising media.

## **7. Responsibilities**

- 7.1 The Head of Corporate Services has overall responsibility for the implementation and review of the Recruitment and Selection Policy.
- 7.2 Department Directors are accountable for recruitment and selection within their own Department and for ensuring that line managers and other staff comply with this Policy.
- 7.3 The Head of Corporate Services is responsible for:
- advising on the proper implementation of the Recruitment and Selection Policy;
  - recruitment and selection procedures and practices and review of the policy;
  - ensuring that all employees are made aware of the Policy;
  - providing a co-ordinating role in the provision of appropriate recruitment and selection training across all Departments and
  - approving proposals to amend or supplement the recruitment process to meet the needs of Departments e.g. the validation of candidate testing techniques.
- 7.4 The HR & Corporate Services Department will provide guidance in the interpretation and application of the Policy.
- 7.5 All individuals involved in recruitment and selection will be expected to understand and correctly apply the Association's Policy on Recruitment and Selection. Appropriate training will be given to achieve this objective.

## **8. Permanent Recruitment**

- 8.1 If it is deemed by CMT necessary to recruit another staff member or fill a vacant post permanently, a new or reviewed job description and person specification will be compiled; the position will be advertised simultaneously; internally, in the national press, on our website and in the EVH Bulletin/website, demonstrating our commitment to Equal Opportunities. We will carry out regular analysis of recruitment and selection to ensure we obtain value for money in respect of our recruitment advertising.
- 8.2 An exception to the above will be in cases of restructuring or redundancy where it may be necessary to appoint candidates into posts without advertising the vacancy.

## **9. Internal Recruitment**

- 9.1 All existing staff will be notified of permanent and long term temporary vacancies, especially if on sick leave or maternity leave and will be eligible to apply for any post. This will be done through the staff intranet.

## **10. Temporary Recruitment**

- 10.1 Short-term appointments of less than a year e.g. maternity leave cover may be advertised internally and filled by internal transfers, where appropriate to do so, or by candidates engaged from suitable employment agencies. Temporary posts in excess of a year should be advertised internally and externally simultaneously.
- 10.2 For very short term posts of a few weeks internal advertising will not normally take place but rather suitable employment agencies will be approached to provide a candidate.

## **11. Job Description**

- 11.1 Every post must have an accurate and up to date job description. When a job becomes vacant, or a new job is created, a comprehensive job description will be produced or the continuing relevance of an existing job description will be confirmed, by the Department Director in discussion with the HR & Corporate Services Department. The main purpose, duties and responsibilities of the post will be clearly defined.

## **12. Person Specification**

- 12.1 Prior to advertising a vacancy, the existing person specification will be reviewed, or if necessary a new person specification prepared.
- 12.2 This will state the essential and desirable criteria for the post which is necessary for the successful performance of the job. It will include the following key elements:
- Skills and qualities
  - Experience and knowledge

- Qualifications
- Other requirements

12.3 Qualification requirements will be the minimum required for satisfactory job performance. All other criteria will be justifiable in terms of the requirements of the post. These factors must be realistic and measurable and under no circumstances be discriminatory. The criteria must be:

- Relevant to the job
- Fair and justifiable
- Consistently applied
- Clearly stated
- Measurable at some stage of the recruitment process

12.4 The person specification will be used throughout the selection process in terms of drawing up the job advertisements; providing evaluation criteria for the short listing exercise; at the selection interview; in making the decision to appoint; in seeking references and in identifying the successful candidate's future training needs.

### **13. Recruitment Information to Candidates**

13.1 All candidates will receive an information pack that will include a job description, a person specification, the Association's vision, values and objectives, staff structure, a summary statement of conditions together with an application form and guidance notes for completing the application form, equal opportunities monitoring form, criminal conviction declaration form which is part of the application form and recruitment charter (see Appendix 2).

13.2 Successful candidates to new and vacant posts will be selected on merit through shortlist, testing and interview in accordance with the person specification and our standard short listing and interview assessment forms.

### **14. Communication**

14.1 We will confirm receipt of applications by email. All applicants will be informed in writing or by email of the outcome of their application or, exceptionally, notified of alternative arrangements within the Applicant Information Pack. Applicants will also receive a copy of the Association's Recruitment Charter within the Applicant Information Pack – this sets out the Association's standards and time scales within the recruitment process.

### **15. Selection Panel**

15.1 If the Chief Executive post becomes vacant, an appropriate external Recruitment Consultant will be appointed to manage the recruitment process on behalf of the Board. The Board will agree with the chosen consultant the selection process it wishes to adopt. The Head of Corporate Services may also advise the Board.

15.2 For all other vacancies, the selection panel will ideally consist of three members of staff, comprising the line manager of the post being recruited and two other officers from relevant departments. HR may provide support and be part of an

interview panel as required but this not necessary for all interview panels. Where possible the recruitment panel should be mixed gender.

- 15.3 For jobs with split responsibilities, the respective line managers will be included on the selection panel.
- 15.4 Consideration will be given to the appropriate composition of the panel in respect of line management responsibility, professional/technical knowledge, and also equality issues consistent with the Association's Equality and Diversity Policy.
- 15.5 Members of the Board can be invited to be a fully participative member of the Panel.
- 15.6 The earliest potential advertising date will be identified and the publications selected. Where possible, the following timetable will be incorporated in the advert:
- Closing date set at noon 14 days after the advert appears.
  - Two – three weeks will be allowed between the closing date and interview date, to allow for short listing and writing out to interviewees.
  - An interview date suitable to all members of the selection panel will be set and, where possible, included in the advert.

## **16. Short listing**

- 16.1 At least one panel member must possess skills or experience closely related to the post for which candidates are to be short listed and interviewed. Panel members who short list will also participate as interviewers, to ensure consistency in recruitment.
- 16.2 Essential criteria will be applied in the first instance to shortlist candidates. Candidates who do not match all the essential criteria will not be called to interview. Candidates who do not possess all the desirable criteria may still be called to interview. However, desirable criteria will be applied, secondly, in a large response, to reduce fairly the number of candidates called for interview.
- 16.3 Each panel member must complete a short listing assessment form appropriately for each applicant. If a panel member recognises a candidate's details, who is known to the panel member, they should declare this interest and a discussion should take place with HR to in order to determine whether they should exclude themselves from the panel if the person is to be shortlisted. It is recognised that due to the nature of this sector, there may often be situations where a panel member may have worked with a candidate previously therefore any decision to exclude will be based on how well the panel member knows the candidate and in what capacity e.g. work related, personal etc.
- 16.4 Candidates invited to interview and unsuccessful candidates will be informed simultaneously of the result of their applications.

## **17. Graduates and Modern Apprenticeships**

17.1 Candidates for graduate posts and modern apprenticeships will also be required to submit application documents, which will be subjected to fair short listing procedures. Successful short listed individuals will be invited to attend an interview and the most suitable individual(s) will be selected.

## **18. Exceptions**

18.1 The Association applies certain other policies and conditions of service which create exceptions to the Recruitment and Selection Policy in order to give more favourable treatment to the following categories of people:

- employees awaiting redevelopment as a result of policy, organisational structure or budget reviews;
- employees being considered for alternative employment on the grounds of ill-health; and
- disabled job applicants (short listing process only). Applicants will short listed for interview if they meet all essential criteria

18.2 Additional positive action measures targeting under-represented groups, consistent with legislation, may arise out of changes or additions to Association policies.

## **19. References**

19.1 Two references will be sought after an offer of employment has been accepted. Reference requests will be made to the most current/recent employer /academic/voluntary or good character referee contact, which must not be related to the candidate. If a referee happens to be a panel member then the candidate will be asked to provide an alternative referee.

## **20. Interview**

20.1 The interviewing panel, recommended to be three individuals, should reflect the same membership as the short listing panel and only individuals who have received recruitment and selection training should be able to participate.

20.2 All short listed candidates should be offered an interview, at which the same questions, based on the job description and person specification, will be asked in the same order to all candidates. This may also include a suitable test and presentation topic where appropriate. Interviews will be typically of 30-60 minutes' duration depending on the nature of the post.

20.3 Where testing is seen as beneficial, the HR & Corporate Services Officer will be consulted to ensure the tests are appropriate and will not disadvantage any group.

20.4 Any requested, appropriate, information which has been provided by the Association to an interviewee will be made available to all other candidates invited to interview.

## **21. Assessment**

- 21.1 Panel members must complete interview assessment documentation, appropriately, based on evidence for each candidate. The Association's policy on Equal Opportunities will apply to all matters of recruitment and selection.
- 21.2 Where candidates are judged to be equal, they may be called back for a second interview. Panel members must state and document justifiable reasons for the rejection of each unsuccessful interviewee.

## **22. Job Offer**

- 22.1 Once the appointment panel has made a decision, a conditional offer will be issued to the successful interviewee subject to: the receipt of two satisfactory references, original qualification certificates, and proof of eligibility to work in the EU (see appendix 4) and a satisfactory PVG membership/Disclosure Scotland check where appropriate. All Pre Employment checks must be carried out before a start date is agreed and a contract of employment is issued.

Appointment will normally be made at the bottom of the salary scale; otherwise, an appointment will be made on a suitable salary paying due consideration to a candidate's skills, experience and present and future circumstances. The initial offer may be verbal and followed up in writing. A probationary period will be included. The Terms and Conditions of Employment issued to successful candidates will include a probationary period of six months which will allow the Association time to assess a candidate's ability and performance before confirming final appointment to the post. This probationary period may be reduced to less than 6 months where the post being recruited for is for a temporary or fixed term contract of 12 months or less. The terms of a written contract of employment will be confirmed and issued subsequently once the aforementioned conditions have been satisfied.

- 22.2 If the job offer is declined, if agreed by the interview panel, the second highest scoring suitable candidate may be offered the post subsequently. If there is not a suitable reserve candidate the recruitment process should be revised and a rerun of the whole recruitment process should be considered.
- 22.3 Once the job offer has been accepted then interview outcome notification should be issued to unsuccessful interviewees. It is the intention of the Association where possible, to inform candidates of the outcome of the interview as quickly as possible of the interview having taken place.

## **23. Vetting Procedures**

- 23.1 The successful candidate's appointment will be confirmed only after the following procedures, where relevant, have been completed:
- 23.2 Identification of Candidates  
Sections 15-25 of the Immigration, Asylum and Nationality Act 2006 require all employers to make basic document checks on every person they intend to employ. By making these checks we ensure that we do not break the law by



employing illegal workers. Applicants invited to interview will be asked to provide documentation to verify their eligibility to work in the UK. All checks must be carried out before the person starts work with the Association. Please see the procedure on Identification of Candidates – Prevention of Illegal Working (appendix 4).

### 23.3 Criminal Conviction Screening / Disclosure Application

- 23.3.1 All applicants are required to state on the application form if they have been convicted of a criminal offence, other than a spent conviction under the Rehabilitation of Offenders Act 1974.
- 23.3.2 Particular posts have been identified by the Association as requiring a basic Disclosure check to be carried out before the candidate can be confirmed into post. Details of posts and Disclosure requirements are detailed in the Disclosure Policy.
- 23.3.3 This list may be updated at any time to serve the needs of the Association.
- 23.3.4 Posts within Sheltered Housing Complexes will be subject to applicants being registered on the PVG scheme before their employment can be confirmed.
- 23.3.5 For posts subject to the vetting of the selected candidate by Disclosure Scotland, the HR & Corporate Services Department shall obtain any relevant information and advise panel members accordingly. Please see the Association's policies on the Recruitment of Ex-Offenders and on the Secure Handling, Use, Storage, Retention and Destruction of Disclosure Information for further details

## 24. Feedback

- 24.1 All interviewees will be advised typically of the outcome of their interviews by telephone/email or letter and constructive feedback on their performance can also be made available to them, if they desire via the telephone or email.

## 25. Interview Expenses

- 25.1 Reasonable travel expenses will be reimbursed to candidates for non local journeys. Any reasonable interview travel expenses paid to candidates for new or vacant posts will be in accordance with the Association's expenses and finance policies and procedures.

## 26. Equal Opportunities Monitoring

- 26.1 As part of Any Organisation's recruitment process, equal opportunities monitoring will be undertaken and reported.

## 27. Records

27.1 Application forms and recruitment documentation for unsuccessful candidates must be stored confidentially for for 6 months from date of notification of rejection. Application forms and interview records of successful candidates should be retained for seven years from the date of termination and employment.

27.2 If a complaint has been submitted relating to an appointment, the relevant records will be kept until the complaint is resolved.

27.3 Any undertaken PVG membership records/Disclosure Scotland checks must be stored in accordance with the Secure Handling, Use, Storage, Retention and Destruction of Disclosure Information.

## **28. Personnel File**

28.1 The successful candidate's recruitment documentation should be made into a personnel file and retained.

## **29. Induction**

29.1 The Association's staff will welcome a new post holder by providing initial induction training in the organisation, an induction plan will be organised in advance of occupancy of the new post holder by the manager. This will help to settle the new staff member, convey our aims, objectives, policies and procedures thereby encouraging the individual to settle, stay and make a valuable contribution to our work.

## **30. Failure to Recruit**

30.1 Should the full recruitment and selection procedure fail to recruit a suitable candidate, reasons for this should be identified and considered, appropriate alterations made and recruitment should be rerun where appropriate to do so.

## **31. Complaints**

31.1 If a complaint is received about any stage of the recruitment and selection process it should be resolved promptly in the first instance and verbally where appropriate to do so.

31.2 All applicants have the right to make a complaint of unfair treatment relating to any stage of the recruitment and selection process.

31.3 Internal applicants who wish to make a complaint of unfair treatment relating to the recruitment and selection process should refer to the Association's Grievance Procedure.

31.4 A complaint by an external applicant, in the first instance, should be made in writing to the Director of the appropriate department. The Director will consult the selection panel members before making a written response. If the complainant remains dissatisfied, he/she will be advised of the right to submit the complaint to

the Chief Executive, who will normally arrange for an inquiry. A report may be submitted to the Board.

- 31.5 A complainant will suffer no further disadvantage in respect of promotion or employment, regardless of the outcome of the complaint.
- 31.6 Where a complaint regarding the recruitment process is proven, all appropriate practices and procedures will be reviewed and amended accordingly to ensure no further breach of the policy.
- 31.7 Where employees of the Association are found to have acted in breach of the Recruitment and Selection Policy, this will normally be addressed through training. However, in exceptional circumstances, an investigation under the Association's Disciplinary Procedure may be necessary.

## **32. Policy Links**

- 32.1 The following policies should be read in conjunction with the Recruitment and Selection Policy.
- Equality and Diversity Policy
  - Terms and Conditions of Employment, Section A14, Discipline and Grievance
  - Recruitment of Ex-Offenders Policy
  - Disclosure Policy
  - Secure Handling, Use, Storage, Retention and Destruction of Disclosure Information Policy

## **33. Review of the Policy**

- 33.1 The Policy will be formally reviewed every three years.

## Job Analysis

### Reason for advertising potential vacancy (✓ as required)

Temporary Post		New Post		Replacement Post	
Temporary cover for predicted long-term absence		Newly created post		Vacancy created by staff member leaving	
Temporary cover for maternity leave		Additional resource		Other (please specify)	
Temporary additional resources		Other (please specify)			
Extension of existing temporary post					
Other (please specify)					

### Current Job Details

Job Title:	
Department:	
Location:	
Grade:	
Hours per Week:	
Contract Type and Length:	
Date post became vacant (if applicable):	

### Job Purpose

#### 1. If new post:

(Please explain why the job is required, i.e. what function will it perform and what has changed within the Association that this job is now necessary?)

#### 2a. If existing post:

Please explain why the job is required, i.e. what function will it perform. Does the job/vacancy have to be filled?

## 2b. Impact on Service of Not Filling the Vacancy

(Please specify the effects on service delivery as a result of not filling the vacancy)

## 3. Alternative Options

(Please list the alternatives to filling the vacancy which you have considered, and the reasons why you have rejected them – e.g. could the work be distributed among existing staff?)

## 4. Advertising

Should this post be advertised both internally and externally, or internally only?

If internal advertising only, please give a reason for this.

## Corporate Management Team Authorisation

Authorised to fill Vacancy:

Yes

No

Reasons:

Signed: \_\_\_\_\_ Date:

For new posts only:

Does this post require to be approved by the Board?

Yes

No

Date of submission:

Person responsible:

Supporting Paper to Board should be attached.

## Recruitment Plan

Activity/Information Required	
Review/Develop job description and person specification – attach final documents	Please attach final documents
Closing date for applications	
Proposed Interview Date(s) ( <b>Allow time for shortlisting and bear in mind that we need to give candidates one week’s notice of interview following completion of shortlisting</b> )	
Members of Interview Panel	
Format of interview e.g. panel interview with test, presentation etc	
Job sites where job has to be advertised (incl WSHA Hub and Website), e.g. EVH, S1 Jobs	

## Criminal Conviction Declaration

### Rehabilitation of Offenders Act 1974 – Advisory Note

The Rehabilitation of Offenders Act 1974, which is intended to rehabilitate offenders who have not been reconvicted of a serious offence for a given period, makes it unlawful for employers, or prospective employers, to take into account offences in relation to which the person concerned is deemed to be rehabilitated (i.e. to have a 'spent' conviction).

This means that after a certain period of time (which will depend on the seriousness of the offence and the length and severity of the punishment) the person concerned is to be assessed as if the conviction had never taken place. Unless you are advised otherwise, you should make your declaration (overleaf) based on the guidelines on rehabilitation periods in the table below.

Please note if the post you have applied for is exempt from the Rehabilitation of Offenders Act 1974 then you are required to disclose all convictions (spent or unspent).

If the post you have applied for is not exempt then you do not have to disclose any spent convictions.

#### Sentences and Rehabilitation Periods

Type of Sentence	Rehabilitation Period aged under 18	Rehabilitation Period aged over 18
Simple caution, reprimand or warning	None	None
Conditional caution	3 months	3 months
Absolute discharge	6 months	6 months
Conditional discharge	The period of the order or 1 year (whichever is the longer)	The period of the order or 1 year (whichever is the longer)
Court fine/Community sentence	2 ½ years	5 years
Prison sentence of 6 months or less (including suspended sentence)	3 ½ years	7 years
Prison sentence of more than 6 months but no more than 2 ½ years (including suspended sentence)	5 years	10 years
Prison sentence of more than 2 ½ years	Never	Never

- Periods of rehabilitation may be halved for offenders under 18 at the time of sentencing.

#### Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and as amended

If you have any doubts about whether you should declare a conviction or whether it is spent under law you should seek further advice. Advice will be available from a solicitor, trade union representative, your local Citizens Advice Bureau, Apex Scotland or the National Association for the Care and Resettlement of Offenders (NACRO).

**Rehabilitation of Offenders Act 1974 – Criminal Convictions Declaration Form**

Please complete the declaration below after reading the advisory note overleaf. Any information supplied in this form will be processed and held in accordance with the Data Protection Act 1998.

The questions below have been specifically excluded from the job application form to protect confidentiality. If you answer YES to the declaration(s), the subsequent details that you supply below will be treated in strict confidence.

**All applicants attending for interview must complete this declaration.**

Have you ever been convicted of a criminal offence including a Road Traffic Offence?

**Yes/No\***

I have previous convictions as follows:

<b>Date(s)</b>	<b>Court(s)</b>	<b>Details of Offence(s)</b>	<b>Sentence(s)</b>

I have Road Traffic Violations as follows:

<b>Date(s)</b>	<b>Details of Violation(s)</b>

Do you have a court appearance pending or have you been charged by the Police with a criminal offence?

**Yes/ No\***

If yes, please provide details

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*\* delete as appropriate*

Having read the Advisory Note overleaf, I declare that I have not withheld information that may affect my application for employment. I understand that should my application be successful false information or omissions may lead to dismissal and that you may verify the information I have supplied.

Signed \_\_\_\_\_

Date \_\_\_\_\_





Charter Title	<b>Recruitment Charter</b>
Date of Review	<b>May 2019</b>
Date of Next Review	<b>May 2022</b>

West of Scotland Housing Association is committed to achieving high standards of quality in recruitment and to ensuring that our appointments are made solely on the basis of merit and that you are treated in a fair and equitable manner.

- You will be treated in a polite, helpful and friendly manner at all times.
- When you request information or submit an application via our recruitment inmail box, you will receive an acknowledgement by the end of the next working day.
- The information you provide will be treated in confidence and with discretion.
- We welcome applications from people who self-identify themselves as disabled and guarantee an interview to those who meet the essential job criteria. If you have indicated that you require particular arrangements, you will be asked in your interview letter to contact us to discuss your requirements.
- We will normally advise you within four weeks of the closing date if you are not selected for interview.
- We will normally advise you within three weeks of the closing date if you are invited to interview.
- We will normally include interview dates in the advert and give you at least one week's notice of the interview. We ask that you promptly confirm your attendance or otherwise. If you are unable to attend on the day or at the time requested, we will try, where possible, to make alternative arrangements.
- The selection process will be conducted in a professional manner and we will provide you with sufficient information to enable you to make an informed choice regarding the position for which you have applied.
- If you are successful, we will advise you as soon as possible. Written confirmation will normally be made within two weeks of the conclusion of the interviews.
- If you have been unsuccessful at interview, we will normally advise you within two weeks.
- On request, we can give you constructive feedback on your interview.

If you are unhappy with any part of the recruitment and selection procedure, you should contact the telephone number or email address given in the advertisement or recruitment information in the first instance.

If you are still dissatisfied, external applicants can make a formal complaint using our Complaints procedure – copies available on request. Internal applicants should follow the Association's grievance procedure if you wish to make a complaint.



## Procedure for the Identification of candidates – Prevention of Illegal Workers

### 1. Introduction

Sections 15-25 of the Immigration, Asylum and Nationality Act 2006 require all employers in the UK to make basic document checks on every person they intend to employ. By making these checks we will ensure we do not break the law by employing illegal workers.

Sections 15-25 sets out the law on the prevention of illegal working.

- It makes the Association liable for the payment of a **civil financial penalty** if the Association employs someone, aged 16 or over, who is subject to immigration control and who has no permission to work in the UK, or who works for the Association in breach of their conditions of stay in the UK.
- It makes it a **criminal offence** for the Association to knowingly employ someone, aged 16 or over, who is subject to immigration control and who has no permission to work in the UK, or who works for the Association in breach of their conditions of stay in the UK.
- It allows employers to have an **excuse** against payment of a civil penalty for employing an illegal worker. You get this by checking and copying certain original documents belonging to the prospective employee.
- It obliges the employer to ensure that their recruitment practices do not discriminate against individuals on racial grounds.

### 2. Procedure

The Association can establish its excuse by checking and copying **either**:

- One, or a specified combination, of the original documents included in List A below; **or**
- One, or a specified combination, of the original documents specified in List B below.

Where a document or documents from List B are provided, follow-up checks must also be carried out **at least once every 12 months** after the initial check.

Any officer involved in the recruitment process must ensure that he/she follows the following 3 steps **before any person begins working** for the Association. If the organisation takes on an employee and does not have the appropriate evidence, then, under sections 15-25 of the 2006 Act, they will be at risk of **either** becoming liable for a civil penalty if that employee is found to be working illegally **or** committing a criminal offence if an illegal worker is knowingly employed.

### **Step 1**

You should ask all of your prospective employees to provide either:

- One, or a specified combination, of the original documents included in List A below; **or**
- One, or a specified combination, of the original documents specified in List B below.

Only original documents should be accepted.

**List A** documents show that the holder is not subject to immigration control, or has no restrictions on their stay in the UK. If a prospective employee produces a List A document, they can work with the Association for an indefinite period of time.

**List B** documents show that the holder has been granted leave to enter or remain in the UK for a limited period of time. If a prospective employee produces documents from List B, the specified checks should be carried out before that person's employment begins and follow-up checks should be carried out at least once every twelve months. If, during the follow-up checks, the employee produces a document from List A, no further checks are required for the duration of their employment.

### **Step 2**

You are required to satisfy yourself that your prospective employee is the rightful holder of any of the documents they present to you. These documents should also allow them to do the type of work you are offering.

You must carry out the following **reasonable steps** when checking all of the documents presented to you by your prospective employee:

- Check any photographs, where available, to ensure that you are satisfied that they are consistent with the appearance of your prospective employee;
- Check the dates of birth listed so that you are satisfied these are consistent with the appearance of your prospective employee and across documents;
- Check that the expiry dates of any limited leave to enter or remain in the UK have not passed;
- Check any UK immigration endorsements (Biometric Residence Permits, stamps, stickers, visas) to see if the person is able to do, or can continue to do, the type of work you are offering;
- Satisfy yourself that the documents are genuine, have not been tampered with and belong to the holder;
- If you are given two documents which have different names, ask them for a further document to explain the reason for this. The further document could, for example, be a marriage certificate or a divorce decree absolute, a deed poll or statutory declaration.

### **Step 3**

Finally, make a photocopy or a scan of the relevant page or pages of the document in a format which cannot be subsequently altered. In the case of a passport or other travel document the following parts must be photocopied or scanned:

- The front cover and all of the pages which give your prospective employee's personal details. In particular, you should copy any page that provides details of nationality, his or her photograph, date of birth, signature, date of expiry or biometric details; **and**
- Any page containing a UK government stamp or endorsement which allows your prospective employee to do the type of work you are offering.

Other documents should be copied in their entirety.

All copies should be given to the HR Department to keep a record of every document copied. The copies of the documents should be kept securely for the duration of the person's employment and for a further two years after they have stopped working for you. By doing this the Border and Immigration Agency will be able to examine whether the Association has complied with the law or is liable to pay a civil penalty if they detect anyone working illegally in the organisation.

### **What to do if the person is not able to work here?**

If you have carried out the above checks and established that your prospective employee is not permitted to work, then you are entitled to refuse employment to that person. Please see the HR Department for further advice.

Please remember it is up to the prospective employee to show you that he or she is permitted to do the work you are offering.

An employer may be liable for a civil penalty of up to £10,000 per illegal worker if they employ or have employed an illegal worker without an excuse being in place under sections 15-25 of the Act. If an employer knowingly employs, or has knowingly employed, an illegal worker, you may be prosecuted and receive an unlimited fine and / or a maximum two year prison sentence.

### **Carrying out repeat checks**

If an employee presents a document from List B, follow-up checks must be carried out by repeating steps 1-3 **at least once every twelve months** to have the excuse. The date the checks were made on should be recorded.

If the Association retains an employee with a List B document or documents and has not made the required follow-up checks, it may become liable for payment of a civil penalty if that person is found to be working illegally in the UK after the excuse time expired.

**Further advice and guidance can be provided by the HR Department on all aspects of this procedure.**



### **Identification of Candidates**

Name (Manager): \_\_\_\_\_

Name (Potential employee): \_\_\_\_\_

Date: \_\_\_\_\_

**All identification documents used must be checked and copied.**

### **List A – Documents which show an ongoing right to work**

Any of the documents, or a specified combination of documents, included below in List A show that the holder is entitled to work in the UK and will provide you with an excuse from liability to pay a civil penalty if you check and copy them, and follow steps 1-3 in the guidance above.

Once you have checked one of these documents from your prospective employee, there is no need to ask for any further documents contained in List B.

	Checked	Copied	Initials
<b>Single Documents</b>			
A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.			
A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.			
A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.			
A Permanent Residence Card issued by the Home Office to the family member of a national a European Economic Area country or Switzerland.			
A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.			
A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.			

### Document Combinations

The following documents will only give you an excuse if they are presented in the combinations specified.

	Checked	Copied	Initials
A <b>current</b> Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, <b>together with</b> an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.			
A <b>full</b> birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, <b>together with</b> an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.			
A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, <b>together with</b> an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.			
A certificate of registration or naturalisation as a British citizen, <b>together with</b> an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.			

## List B – Documents which show a right to work for up to 12 months

Any of the documents, or a specified combination of documents, included below in List B show that the holder is entitled to work in the UK for a limited period and will provide you with an excuse from liability to pay a civil penalty if you check and copy them, and follow steps 1-3 in the guidance above.

If the employee presents a document or combination of documents from List B, there is no need to ask for any documents contained in List A.

You **will not** have an excuse from liability to pay a civil penalty if you know the person is not entitled to do the work for you.

	Checked	Copied	Initials
<b>Group 1 – Documents where a time-limited statutory excuse lasts until the expiry date of leave</b>			
A <b>current</b> passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.			
A <b>current</b> Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.			
A <b>current</b> Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.			
A <b>current</b> Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, <b>together with</b> an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.			



## Document Combinations

The following documents will only give you an excuse if they are presented in the combinations specified.

	Checked	Copied	Initials
<b>Group 2 – Documents where a time-limited statutory excuse lasts for 6 months</b>			
A Certificate of Application issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is <b>less than 6 months old together with a Positive Verification Notice</b> from the Home Office Employer Checking Service.			
An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, <b>together with a Positive Verification Notice</b> from the Home Office Employer Checking Service.			
A <b>Positive Verification Notice</b> issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.			