



EQUALITY AND RECRUITMENT POLICY

Adopted 8 June 2016 Minute 5066(iii)

EQUAL OPPORTUNITIES STATEMENT

LEGAL POSITION

Under the Equality Act 2010 it is unlawful to discriminate against an individual on the following grounds:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

These are known as “protected characteristics” in section 4 of the 2010 Act.

Section 149 of the 2010 Act imposes a Duty on Parish Councils to take into account:

- The need to eliminate discrimination and harassment, victimisation and any other conduct that is prohibited by or under the Act.
- To advance equality of opportunity between persons who share a relevant protected characteristic and person who do not share it.

To foster good relations between those who share protected characteristics and those who do not.

EQUAL OPPORTUNITIES POLICY STATEMENT

Potterspurty Parish Council will not knowingly do anything that is contrary to The Equality Act 2010 with regard to employment of staff or provision of services to the public.

Employees will be afforded equal opportunities in employment irrespective of disability, gender, race, religion, age, sexuality, marital status, parental status, caring responsibilities and hours or work.

RECRUITMENT PROCEDURE

INTRODUCTION

This procedure provides guidance to those involved in selecting staff for Potterspurty Parish Council.

The Council has made clear its commitment to equal opportunities for all by the adoption of an Equal Opportunities Statement. All selection processes must take place within the framework laid down by this policy.

All involved in selecting candidates for jobs should be aware that legislation increasingly regulates employment behaviour. Failure to follow certain basic steps can lead to an aggrieved candidate referring a matter to an employment tribunal.

ELEMENTS IN THE RECRUITMENT PROCESS

1. **Job Description.** The job description and the person specification form the basis for the selection process. On these depend, the advertisement, further particulars, shortlisting criteria, structure of the interview and final selection.
2. **Person Specification.** The person specification constitutes essentially a list of abilities, experience and qualification which are essential and/or desirable to do the job. Candidates will be assessed against it. Once these criteria have been identified, they must be maintained throughout the selection process. The person specification is essential to good recruitment practice and will be used in the event of decisions being challenged by unsuccessful candidates. Particular care should be taken to avoid indirect discrimination.
3. **Advertisements.** An advertisement for a post will state that "Potterspurty Parish Council is committed to implementing its Equal Opportunities Policy." The advertisement's aim is to attract an appropriate number of candidates of suitable calibre and qualification and must be consistent with the person specification and job description/summary of duties. All requirements stated must be justifiable and objective. If there is some flexibility available, for example that job-sharing will be considered, this should be stated.
4. **Further particulars.** Following the advertisement of a post, a pack will be available on the Potterspurty Parish Council website including general information about Potterspurty Parish Council.
5. **Applications.** Potterspurty Parish Council will use application forms for recruitment in respect of its staff. All potential applicants should be directed to apply formally through the named contact. This is essential to ensure co-ordination of the recruitment process, appropriate equal opportunities monitoring and notification of unsuccessful candidates at the conclusion of the exercise. The form is designed to elicit information from the candidates.
6. **Interests.** Persons who are members of the shortlisting/interview panel must declare an interest if the candidate is a friend, relative or close associate and must play no part in the process.
7. **Shortlisting.** As soon after the closing date as possible, those involved in the shortlisting will meet to draw up a shortlist. Shortlisting will be undertaken by more than one person. The person specification must be used as the basis for shortlisting against the factual elements and criteria specified. At this stage, particular care should be taken to avoid both direct and indirect discrimination. It is essential for monitoring purposes and for defence purposes in the event of a claim for unlawful discrimination that the Council keeps records of reasons for *not* shortlisting candidates. Ideally, no more than six candidates should be identified for interview. Particular care should be taken in dealing with any queries from candidates not shortlisted, or unsuccessful following interview.

8. **Interviews:** The interview panel will comprise normally of members of the shortlisting panel.

The aim of the interview is to ascertain the most suitable candidate for the job and to ensure that the candidates have a clear picture of what the post entails.

Councillors who are members of the interview panel must declare an interest if they know the candidate. If they would declare an interest in a Code of Conduct context because of the nature of the relationship, they should declare an interest in the selection process and play no part in it.

Time should be allowed for the candidates to ask questions about the Council and the job.

Before the interviews begin, the panel will establish at the outset the aspects of the candidate's qualification and experience to be employed by each panel member. To ensure equality, all candidates should be asked similar questions, with supplementary questions structured around each candidate to enable individuals to demonstrate their relevant skills and abilities. Panel members should be aware that asking the same questions of all candidates does not necessarily ensure non-discrimination; the use to which answers are put may be discriminatory. It is, however, legitimate to ask questions about health where this seems relevant.

Interviewers should be careful not to imply discrimination by asking questions about personal circumstances which are unrelated to the job. Such questions are contrary to the Council's Equal Opportunities Statement.

When all candidates have been interviewed, the interview panel should compare their formal decisions about each candidate taking care to ensure that comparison should be primarily against the defined criteria in the person specification rather than against other candidates.

Once a decision has been made on whom to appoint, the reason for not offering the post to the other candidates should be recorded. The reasons must relate to the comparison against the person specification.

Records relating to the recruitment process need to be kept for six months in case a candidate brings an employment tribunal claim.

9. **Notification.** An offer of appointment must be made in writing by the Chairman or other delegated person as approved by the Council, **subject to satisfactory references which should immediately be provided by the preferred candidate.**

A Contract of Employment must be issued within two months of the employee starting work.

When the decision has been made, a report should be made to the Parish Council for inclusion in the Minutes. The employee's name should not be included in the Minutes.

Unsuccessful candidates should be notified in writing within seven working days of the interview.

Members of the interview panel are recommended not to enter into discussion with unsuccessful candidates but to refer them to the Chairman or other person delegated by the Parish Council. Similarly, they should not enter into negotiations with the successful candidate which is also the responsibility of the Chairman or delegated person.

10. **Probation period.** The new employee will have an initial 13-week probation period. The probation period may be extended by the Council or a delegated Committee if an insufficient settling-in period has elapsed.

11. **Management of employees.** Personnel matters will be delegated by the Council to the Personnel Committee as per the Terms of Reference, prior to reporting to full Council for approval and adoption.