Recruitment and Selection

Teachers (Promoted and Unpromoted Posts) and employees on SNCT conditions, including Music Instructors

Aberdeen LNCT Agreement
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ABERDEEN
CITY COUNCIL

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1. Introduction

The Council is committed to efficient, flexible and fair recruitment and selection practices in order to appoint the best possible people who will help ensure high quality service delivery to our customers.

Effective recruitment and selection depends upon identifying and selecting individuals with the appropriate level of skills, knowledge and behaviours and who will readily identify with the Council's guiding principles, while making a positive and valuable contribution towards delivering outcomes for the citizens of Aberdeen. This in turn will help to improve the employee and citizen experience and the use of resources.

The recruitment and selection process also offers an opportunity to promote the Council as an employer of choice. A positive candidate experience can have a significant impact upon the Council's Employer of Choice status and the ability to attract and retain a diverse range of talent.

This LNCT agreement (hereafter referred to as "agreement") has been developed in accordance with all current employment legislation and reflects recruitment and selection best practice.

Throughout this agreement, reference to teachers includes promoted posts, non-promoted posts and music instructors.

1.1 Core Principles

- Ensuring our focus is on developing our existing workforce, and that internal recruitment and internal movement of staff is the highest priority.
- Ensuring the correct protocol applies when teaching staff are identified as excess Excess Teaching Staff Protocol – Teachers | Aberdeen City Council: People Anytime.
- Ensuring fairness by complying with all equalities legislation, assessing individuals according to their knowledge, skills and behaviours and, in meeting the requirements of the role, appointing on merit alone.
- Ensuring efficiency by planning recruitment and selection activity in advance and communicating clearly and timeously with all individuals involved in the process.
- Ensuring effectiveness by planning workforce needs in advance; by training managers in recruitment and selection; by ensuring all necessary checks are undertaken to ensure an individual is suitable to be employed for the role and has the right to live and work in the UK.
- Ensuring fairness by complying with all equalities legislation, assessing individuals according to their knowledge, skills and behaviours and, in meeting the requirements of the role, appointing on merit alone.
- Ensuring that the Council is promoted as an employer of choice.
- Ensuring that Services can achieve high standards in recruitment and selection and meet our Safer Recruitment responsibilities.

Managers are responsible for their recruitment decisions and it is, therefore, vital that these are carefully considered. Following best practice, as outlined in this agreement will ensure that the

Council employs people with the cultural and technical fit needed to be both successful in their role and the organisation.

2. Ensuring Equality of Opportunity

The Council is committed to providing equality of opportunity for everyone by providing a positive and accessible environment free from prejudice and unlawful discrimination while valuing the needs and rights of all individuals. It is acknowledged that some candidates may face additional barriers to recruitment and it is important therefore, that those involved in recruitment and selection comply with equalities legislation and the Council's Diversity and Equality Policy, and also take into consideration the Council's Equality Outcomes, Equally Safe at Work Accreditation and Equality, Diversity and Inclusion Action Plan by ensuring that:

- The job profile accurately reflects the essential requirements of the role and does not contain any requirements that could be considered discriminatory, it should also not include any language that may be "gendered" or not inclusive;
- Job adverts do not discriminate against certain groups or prevent them from applying for the post;
- Individual requirements during the selection process are accommodated when requested, wherever possible. Recruiting managers should refer to the Council's 'Equality, Diversity, Inclusion and Recruitment' which is included on all job adverts;
- The selection process is as fair, transparent and inclusive as possible, providing opportunities for people to show their best selves;
- Interview questions are prepared in advance and are not discriminatory, vague or unnecessarily complicated;
- Stereotypical assumptions about applicants and job roles are avoided and challenged, with candidates considered based on their skills, knowledge and experience alone, not on their appearance or any other aspect of their person irrelevant to the job. This includes assumptions made about a candidate's willingness or ability to undertake certain aspects of the role (e.g. gendered assumptions relating to childcare and working patterns);
- Guaranteed interviews (see section 6.4) are provided where the applicant meets the minimum criteria for the role and no negative assumptions made about those who are being interviewed as part of the scheme;

All recruiting managers must have completed their mandatory Equality and Diversity training (you can access this training via our online learning portal here) and People and Organisational Development can provide further training or guidance on equality, diversity and inclusion where required. Managers should familiarise themselves with the resources provided by People and Organisational Development on equality, diversity and inclusion so they can actively identify, address and remove any bias and understand the benefits that diversity and inclusion brings to the organisation.

Further equality, diversity and inclusion guidance is included in this guidance at relevant sections.

3. The Recruitment Process

The Council's agreed recruitment process, as set out within this agreement, should be followed to fill all vacancies over a six-month duration.

For arrangements to cover short-term and/or unexpected absences up to 6 months, managers may use local arrangements, using a note of interest process, and apply Temporary Responsibility Payment Procedure see **3.2** below.

Please contact the Talent Team for further advice and to discuss options to fill any resourcing needs.

3.1 Approval to Fill Vacancies

All vacancies require approval to fill, before they can be advertised. The vacancy approval process may change depending on the needs of the organisation but will usually require, as a minimum, approval from the Chief Officer of the recruiting cluster, Chief Officer – Finance; and Chief Officer – People and Citizens Services.

The current process is set out on the Managing Vacancies page of People Anytime. Requests to recruit to vacancies are made using TalentLink and further information and guidance is available here.

3.2 Short Term Promoted Teaching Vacancies (up to 23 months)

This is a temporary arrangement until post can be filled on a permanent basis or in some cases covering long term sickness or maternity leave.

The process for promoted teaching vacancies is as follows:

- Head Teacher emails QIM (Staffing) outlining the circumstances of the resourcing gap and seeking approval to fill.
- If approved, Head Teacher circulates the opportunity within the particular school in the first instance and where it is not possible to fill the opportunity, then the opportunity is circulated to all schools across the city for a minimum of 7 days to allow all staff to have an opportunity to apply via note of interest form.
- Head Teacher considers applicants and selects as per normal selection process.

Where a vacancy is anticipated to last longer than three months, it must be filled by issuing a fixed term contract in accordance with the *LNCT Agreement on the Use of Temporary Contracts for Teaching Staff (May 2021)*.

Where a teacher undertakes promoted duties for less than three months the arrangement must be made using a Temporary Responsibility Payment Temporary Responsibility Payment claim. If it becomes clear that the duties will extend beyond three months, a fixed-term contract must be issued at the earliest opportunity.

All temporary appointments, regardless of their expected duration, must be confirmed in writing and issued with the appropriate contractual documentation, as required under SNCT Appendix 2.8

Use-of-Temporary-Contracts-for-Teaching-Staff FINAL agreed 18.5.21.pdf

3.3 Recruitment and Selection Training

All Recruiting Managers/Panel Chairs and Elected Members who will be involved in recruitment and selection, must undertake recruitment and selection training. You can find out more about the recruitment and selection training and book a space here.

As a minimum, the Chair of the shortlisting/interview panel must have completed the Council's recruitment and selection training, as the role of the chair is to oversee the selection process and ensure it is carried out fairly, and in accordance with the Council's recruitment and selection guidance.

It is recommended that, wherever possible, the same panel is used for the shortlisting element as for the selection interview.

Whilst all panel members should have undertaken recruitment and selection training, if this has not been possible, they must familiarise themselves with the recruitment and selection guidance (in particular the legal and equality duties) and should complete the mandatory equality & diversity online learning module (you can access this training via our online learning portal here), before becoming a panel member.

Where the selection panel includes individuals who are **not** Council employees, the panel chair is responsible for ensuring that they understand this agreement and are aware of their role. This must be done prior to the start of the selection process

In accordance with the relevant legislation, managers involved in the appointment of Head Teacher and Depute Head Teacher posts must ensure that appropriate recruitment and selection training is made available for Parent Council members, or their representatives, who will be involved in the recruitment process. Please contact NikPaterson@aberdeencity.gov.uk for any questions relating to Parent Council training.

4. Advertising the Vacancy

All permanent teaching vacancies and some temporary vacancies e.g. Maternity cover will be advertised on myjobscotland (internal and external)**,** the Scottish local government recruitment portal. For temporary vacancies please contact the QIM (Staffing) to discuss. Applicants apply online using the myjobscotland website. External roles can also be added to the Council's social media channels as appropriate (please contact the Talent Team who can arrange this). Temporary vacancies should be discussed with QIM (Staffing) in the first instance.

Requests to advertise in specialist publications such as TES, will only be considered in exceptional circumstances. This will require Chief Officer approval. This should be discussed with the QIM (Staffing) or the Talent team.

5. Application Forms

For teaching vacancies, the council uses the online myjobscotland standard job application form, which provides all the relevant information for selection purposes. The system also captures all the data we require for equal opportunities monitoring purposes. This is captured separately to the application details and is not available to selection panel members.

The Council's application process asks applicants to confirm any relationship with any senior officer or Elected Member of the Council. In addition, applicants for teaching vacancies, should also confirm any relationship with a Parent Council member on their application form. Where there is any uncertainty, the recruiting manager should contact the Talent team.

6. Selecting for Interview

6.1 Identifying the Interview Panel

To ensure consistency and confidentiality, the shortlisting process should be undertaken by the **same** panel members who will be conducting the interview. A panel should comprise a minimum of two people, including the Chair. The Chair should be mindful of panel composition for reasons related to equality and diversity and to ensure that stereotypes and bias are avoided (e.g. gender and race).

Selection and Interview Panel Composition

For reasons of legal accountability, a selection panel would not normally include anyone who is not an employee of Aberdeen City Council. An exception to this is for appointments to teaching jobs where there is a legal requirement to include certain individuals who are not employees of the Council (see table below) and for the appointment of Chief Officers where Elected Members are involved in the selection process.

The composition of Selection Panels for teaching appointments is set out in the table below. Please note that for Head Teacher and Depute Head Teacher posts the selection process will be undertaken in accordance The Scottish Schools (Parental Involvement) Act 2006 and the Parental Involvement in Head Teacher and Depute Head Teacher Appointments (Scotland) Regulations 2007, which provide for the Parent Council to be involved in the appointment of Head Teachers and Depute Head Teachers.

Job Title	With Parent Council	No Parent Council
Head Teacher	1 or 2 senior managers (QIM level or above) (Chair) Head Teacher - another school Local or other Elected Member (see note below) Sufficient Parent Council members to ensure they form at least 1/3 of the panel (where they wish to attend)	1 or 2 senior managers (QIM level or above) (Chair) Head Teacher - another school Local or other Elected Member (see note below)
Depute Head Teacher	1 or 2 senior manager (QIO level or above) Head Teacher (chair) Local or other Elected Member (see note below) Sufficient Parent Council members to ensure that they form at least 1/3 of the panel (where they wish to attend)	1 or 2 senior managers (QIO level or above) Head Teacher (chair) Local or other Elected Member (see note below)
Principal Teacher/Faculty Head (Secondary)	Head Teacher of the school (Chair) Senior Leadership Team member Principal Teacher/Faculty Head - another school	• N/A
Principal Teacher (Primary)	Head Teacher of the school (Chair) Senior Leadership Team member Principal Teacher - another school	• N/A
Secondary Teacher	Head Teacher of the school (Chair) Senior Leadership Team member Relevant Principal Teacher	• N/A
Primary/ Special Teacher	Head Teacher of the school (Chair) A minimum of 2 Senior Leadership Team members (from another school if required)	• N/A
Music Instructor	The Head of the Music service – or nominated representative - should chair the panel. The panel should be made up of the chair plus at least 2 other	• N/A

	representatives of the Local Authority. One should have a specialism in the appropriate area of music.	
Relief Teacher (Secondary)	2 Senior Leadership Team members Principal Teacher/Faculty Head of the subject-any school or appropriate education central team members (GTCS registered)	• N/A
Relief Teacher (Primary/Special)	2 Senior Leadership Team members – any school or appropriate education central team members (GTCS registered)	• N/A

Please Note:

- In multi member wards, officers will contact all members for the ward giving proposed dates for leeting and interviews for Head Teacher and Depute Head Teacher posts and invite elected members to advise their availability to support the process. Elected members will be asked to confirm their availability within one week for the proposed recruitment dates and times. If more than one member is available, preference should be given to those who have not recently participated in recruitment processes within the ward.

- For Head Teacher and Depute Head Teacher posts, all members of the panel are entitled to vote. The chair of the panel will have the casting vote in the event of panel members voting equally for different candidates. Appointment panels should aim where possible to reach a consensus on the best candidate for the post. A record should be kept of the way each panel member has voted.

- The inclusion of a "peer" for promoted teaching post interviews is designed to enable a moderating role while providing valuable staff development opportunities. Selection panels for appointments to Roman Catholic Schools will additionally include a Church representative who is also entitled to vote.

The interview panel should agree in advance of the interviews:

- the chair of the panel, usually the line manager, or in some cases, the QIO/QIM
- the structure and format of the interview
- interview questions, the order and who will ask which. (see section on question design below for more information about this)

6.2 Shortlisting Applicants

When shortlisting, interview panel members should:

- Assess the information provided in the application form against the role requirements set out in the job profile. Applicants should **not** be compared against each other.
- Agree a shortlist from applicants who meet **all** of the minimum requirements (as set out in the job profile). It is recommended that where possible, an optimum number of 5 to 6 candidates are shortlisted for one vacancy. If there are a large volume of candidates who meet the minimum requirements, it may be necessary to weight some of the requirements as being more important and re-evaluate the shortlist on this basis.
- Where there is only one applicant, or where only one applicant meets the minimum requirements, it is possible to proceed with the selection process, to determine their suitability for the role.

Equality, Diversity and Inclusion Tip*: Remember not to make any assumptions from the application form that are not relevant to the role. For example, a name, or employment and education dates and locations, might lead to some unconscious bias related to age, race or ethnicity. In addition, avoid assumptions based on employment or education gaps as these may be periods of time where someone was unwell or had childcare or caring responsibilities. Furthermore, spelling errors or grammatical mistakes may be linked to disability or where English is not a first language. Assumptions of this nature should be avoided, instead considering the content of the application.*

6.3 Guaranteed Interview Schemes

The Council has a number of guaranteed interview schemes as outlined below. Should any of them apply to the role you are recruiting for, applicants will have an option to tick a box on their application form indicating that they wish to be considered under one of the following schemes.

All Jobs

- As a Disability Confident employer, we offer a guaranteed interview for applicants who have a disability as defined by the Equality Act 2010 and who meet the minimum criteria set out in the job profile.
- We offer a guaranteed interview for looked after young people, those that are in continuing care or are a care leaver up to the age of 29 and who meet the minimum criteria set out in the job profile.

6. 4 What if there are no suitable applicants?

If none of the applicants satisfactorily meet the minimum criteria for the role as set out in the job profile, the vacancy can be re-advertised. Please contact the Talent Team for support and to discuss options.

6.5 Recording Shortlisting Outcomes

Recruiting Managers must update TalentLink with the outcomes of the shortlisting process for each applicant. Where an applicant is not going to progress to interview, the reason should be recorded for feedback purposes.

Once TalentLink is updated, please email askHR@aberdeencity.gov.uk, the HR Service Centre who will arrange to progress interviews and send notification emails to the unsuccessful applicants.

7. The Interview Process

For Teaching vacancies, the selection process will comprise a selection panel interview with set and follow-up questions.

For promoted Teaching vacancies, the selection process will include a selection panel interview with set and follow-up questions and may include other selection tools such as a presentation, a Technical panel interview, psychometric test, and/or a focus group of young people, for example.

A selection interview is the standard method used to determine a candidate's suitability for a role. It provides an opportunity to obtain further information and to assess the abilities and behaviours of candidates against the agreed job profile, as well as to determine if any development gaps identified can be met with reasonable support and development.

An interview is a two-way process and as well as being assessed for the role, it provides an opportunity for the candidate to learn more about the role, the team and the organisation.

There is no minimum recommended time for interviews, although a typical selection interview will range from 30 to 45 minutes, depending on the role. For senior roles and/or where additional assessment tools are being used, more time may be necessary.

All candidates should be allocated the same length of interview time to ensure that they have an equal opportunity to demonstrate how they meet the requirements for the role. As such, care should be taken to ensure that interviews do not over-run and that candidates are seen on time.

The exception would be where a candidate with a disability requires additional time due to the nature of their disability (e.g. where they have an interpreter present). This should be accounted for in advance and when setting up the interview times.

Interviews should be held in a private and convenient location, with no interruptions. When selecting a location, managers should consider accessibility, ambient noise, the environment and lighting, as well as any planned fire alarms or building works. It is possible to undertake virtual interviews, using e.g. Microsoft Teams, as an alternative to in-person interviews.

It is good practice to provide candidates with as much information about the selection process as possible in advance, including timings, specific location details and information about the panel composition. You may wish to include where to report and who will meet them and anything they should bring.

Equality, Diversity and Inclusion Tip: *The selection process should be designed to allow a candidate to provide evidence of their skills, knowledge and experience as well as their suitability for the role. This is not an opportunity to provide unnecessary stages or processes which may act as a barrier to employment for some protected groups over others. Please ensure the selection process is objective, fair, transparent and measurable and reflects the nature of the role being recruited to. Please see section 7.6 for further information on potential selection tools and please contact the Talent Team for support and guidance.*

Equality, Diversity and Inclusion Tip. Some teams have trialled providing candidates with interview questions in advance. This allows a candidate to provide you with their best examples. If you are doing this, you will need to ensure you are allowing this on an equal basis for all candidates.

7.1 Arranging Interviews

Recruiting Managers will complete an interview details form providing information on the interview arrangements including date(s), times, location, interview structure and whether any additional selection methods are to be applied. On receipt of this form the HR Service Centre will set up interview slots on Talentlink and send invitation e-mails to the shortlisted candidates.

Where possible, candidates should be given at least 7 calendar days' notice of the interview date.

In some cases, for example overseas candidates, or those with a significant distance to travel, it may be more appropriate and cost effective to undertake the selection process using virtual interviews using for example, Microsoft Teams.

7.2 What documents should a candidate bring to interview?

The invite to interview email asks candidates to bring the following documentation to interview:

- original certificates evidencing qualifications and/ or membership of any professional bodies that are required as per the job profile for the role.
- documentary evidence that they can legally live and work in the UK.
- where required, their driving licence. [Candidates are advised that, if they become preferred candidate, they will be required to obtain a code from the DVLA to allow the Council to check the details of their driving licence. If the role requires a LGV/HGV licence, the candidate will be advised that they will be required to sign a mandate so that their licence details will be registered by a third party source to allow real time information to be supplied].
- where required, 3 forms of identification for PVG checks

It is the responsibility of the chair of the panel to ensure that all of the above is verified as original documents and copies are taken to be used at preferred candidate stage, where required.

For photo identification documents, the copy should confirm that the originals have been seen, using the following statement – 'This is a true likeness of (Full Name)' Post reference number (ABC-

---) with the full name of the officer who has verified the documents, printed and signed with the date of the verification.

Equality, Diversity and Inclusion Tip: *Some candidates may be in a situation where their right to work identification does not match their gender identity. For this reason, some candidates may be hesitant to provide this documentation at interview stage for fear of being 'outed' as trans or non-binary. Recruiting managers should not insist on seeing this documentation and should be referred to our diversity pack. Their right to work in the UK can be verified at preferred candidate stage should this be required.*

Equality, Diversity and Inclusion Tip: *Please note that some candidates may not wish to shake hands and there are some candidates who may not make regular eye contact. Be aware and mindful of how this is influencing your decision-making as some of this may be as a result of a candidate being neurodivergent, less confident or could also be linked to cultural or religious background. Ensure you are focusing on skills, knowledge and experience and what a candidate is telling you, rather than aspects of a person that are not relevant to the role*.

7.3 Writing Interview Questions

Interview questions should be based on the requirements set out in the job profile and should test candidates to ensure that they adequately meet the criteria and are suitable for the role and responsibilities of the job. Both job specific 'technical' questions and behavioural/competency-based questions should be covered. Behaviour/competency-based questions ensure that candidates align with, and have the ability to, make a positive contribution to the Council's guiding principles.

Questions should be sufficiently generic in nature to enable external candidates to be able to provide examples and to ensure that those with limited or no work experience are able to talk about their experience in terms of transferable skills.

Hypothetical questions should be avoided, such as *'What would you do if….?', 'How would you respond to….?'* and *'How would you deal with….?'* as these are likely to result in hypothetical answers. It is better practice to ask candidates to give an example of when they have dealt with a situation or set of circumstances.

Questions which could be considered as discriminatory, relating to a candidate's personal life or family commitments should be avoided, as well as any questions about a candidate's health or disability. Where such a question is asked by a panel member, another member of the panel **must** intervene and inform the candidate that they should disregard and not answer the question.

7.4 The Need for Consistency

The selection panel should agree, in advance, the set of questions they will ask all candidates. The interview structure and content must be applied consistently to all candidates. However, supplementary questions and/or questions about an individual application are both permitted and encouraged to ensure as much evidence is available to support the selection decision.

7.5 Gathering Evidence of Competence

Using behaviour/competency-based questions will enable candidates to demonstrate the behaviours necessary for the job. The extent to which candidates will be expected to demonstrate competence in the core duties and responsibilities will depend on the role and type of job. The behaviours listed in the GTCS Standards Knowledge Base > Professional Standards provide the type of behaviours candidates will need to be able to demonstrate at interview for jobs at all levels.

By adopting a behavioural/competency-based interview style, based on a relevant job situation, candidates will be able to give real life examples of how they have carried out a task/approached a situation in the past and describe what their role was in the example. This will provide good indication of how they will behave/perform when faced with similar challenges/situations in the future.

Examples include:

- Tell me about a time you have successfully implemented a positive behaviour strategy.
- Give me an example of when you have worked effectively as part a team.
- Describe how you ensure that the needs of all your pupils are being met.

7.6 Additional Selection Tools

In addition to a selection interview, there are a wide range of selection tools and techniques that can be included to supplement the selection interview decision. One or a number of these can be included as part of the process. If using additional selection tools, this must be clearly detailed within the invite to interview email to ensure candidates are aware and fully prepared.

If additional selection tools are being used to complement the selection interview, there must be a clear rationale for using them and they must be fair, consistent and valid.

Supplementary tools should not be used in isolation and care must be taken to ensure they are not discriminatory, especially related to any candidates with characteristics covered by the Equality Act 2010. It should be noted that direct observations of teaching or in-class demonstrations will not form part of the selection process. The selection process will rely on structured interviews, presentations, and other assessment tools as outlined in this agreement.

Equality, Diversity and Inclusion Tip: *Positive discrimination is not permitted under the Equality Act (2010) and whilst we have some positive action initiatives such as our guaranteed interview schemes, the final selection decision should be based on objective merit alone. There is one exception and that is for disability with the Equality Act (2010) stating that employers can lawfully treat job applicants who are disabled more favourably because of their disability than a non-disabled candidate. This means that selection processes can be adapted and a disabled candidate could be selected over a non-disabled candidate. Please seek advice from the Talent Team before making this decision.*

Examples of Additional Selection Tools include:

Presentations
If a role involves delivery of presentations, it may be appropriate to ask candidates to provide a presentation / briefing as a means of testing their ability to undertake this task.

Tests
Occupational tests may be a useful tool when assessing particular skills required within a job such as keyboard, problem solving or numeracy skills, for example. Candidates must be informed if they are to be required to undertake any tests and if preparation is required for these tests. Sufficient time should be provided to allow candidates to prepare. Where the use of a test is planned, advice is provided in the next section below.

For Music Instructor positions, candidates may be asked to perform a musical piece as part of the selection process. This performance will serve as an assessment of their technical proficiency and musical abilities relevant to the role. Candidates will be informed of the specific requirements for this performance in advance, ensuring they have adequate time to prepare.

Assessment Centres
For senior leadership roles, assessment centres including a range of assessment tools can be developed, including the tools above and additional tools such as group exercises and stakeholder panels. Please contact the Talent Team for further information.

7.7 Candidate Questions

The interview also provides an opportunity for candidates to get further information about the role, the team and the organisation. The Chair of the Panel should ensure that there is time for candidate questions, usually at the end of the interview.

7.8 Closing the Interview

At the end of each interview, candidates should be informed about the next steps, including when and how to expect a decision, and confirmation that their documentation has been checked and copied.

7.9 Using Interview Assessment Forms

The recruitment process must be objective and accurately documented. Any recruiting manager can be affected by bias and/or prejudice therefore it is essential that panel members are constantly aware of this.

It is recommended that the Interview Assessment Form is used to record the questions asked, the candidate responses and the overall assessment of each candidate. The form includes guidance on scoring of candidates, model answers and a recommendation to appoint or not.

This form will help panel members to deliberate systematically and concentrate on relevant facts and information rather than subjective feelings and unsubstantiated general impressions.

In addition, the completed forms will help panel members justify the choice of preferred candidate if the selection panel's decision is questioned and can also be used to inform feedback to the unsuccessful candidates.

Recruiting Managers should record adequate information about each candidate on the Interview Assessment Form.

Upon completion of the selection process, recruiting managers should email the Interview Assessment Form for each candidate to askhr@aberdeencity.gov.uk. In the event of an enquiry or complaint being lodged, the details on the Interview Assessment Form can be used to demonstrate how a selection decision was arrived at showing what was taken into account.

Recruiting Managers should be aware that any information held about an individual is subject to the Data Protection Act 2018. Therefore, all information recorded must be justified, relevant to, and necessary for, the recruitment and selection process itself.

8. Making the Selection Decision

8.1 Selecting the Most Suitable Candidate

When all interviews are complete, the interview panel must reach a selection decision. The Interview Assessment Forms for each panel member, containing notes of each interview should be used to support decision making and to record the outcomes.

When making the decision, the panel needs to objectively determine the candidate who meets all of the job profile requirements and demonstrates that they have the necessary skills, expertise and behaviours to be successful in the role and deliver on the outcomes set out in the job profile. The selected candidate will then become the 'preferred candidate'.

The chair of the panel is responsible for conducting this discussion and for ensuring that each person on the panel has an opportunity to contribute.

Equality, Diversity and Inclusion Tip: *Positive discrimination is not permitted under the Equality Act (2010) and whilst we have some positive action initiatives such as our guaranteed interview schemes, the final selection decision should be based on objective merit alone. There is one exception and that is for disability with the Equality Act (2010) stating that employers can lawfully treat job applicants who are disabled more favourably because of their disability than a non-disabled candidate. This means that selection processes can be adapted and a disabled candidate could be selected over a non-disabled candidate. Please seek advice from the Talent Team before making this decision.*

8.2 Confirming Preferred Candidate Status

Once the selection decision has been made the chair of the panel should contact the preferred candidate to confirm the preferred candidate status and advise that the necessary pre-employment

checks (referred to as preferred candidate checks) will now be undertaken, and the HR Service Centre will be in contact with the candidate by email to commence the checks.

Please see section 9 below for details on preferred candidate checks.

The chair should make it clear that a formal job offer will only be made on completion of the preferred candidate checks. The preferred candidate should avoid terminating their current employment until this stage is complete.

It may also be necessary to discuss 'reasonable adjustments' to duties, working arrangements or premises in relation to a 'preferred candidate' with a disability.

8.3 Informing Unsuccessful Candidates

Once the recruiting manager has updated Talentlink with the interview outcomes, unsuccessful candidates will receive an automated email, confirming that they have been unsuccessful in the selection process and provided with a name and contact email address if they would like feedback.

Unsuccessful candidates may be disappointed with the outcome and for this reason it is good practice that feedback is offered. It is important that feedback is given honestly and with a developmental focus – outlining both where the candidate performed well and where they could improve for future.

9. Preferred Candidate Stage

Once the chair of the panel has contacted the preferred candidate and Talentlink has been updated, the HR Service Centre will commence preferred candidate checks.

The type of preferred candidate checks will depend on the nature of the role and will have been captured at request to advertise stage on Talentlink. Each type of preferred candidate check is outlined in this section.

9.1 References

Reference(s) will be obtained at preferred candidate stage automatically via Talentlink. Testimonials provided by candidates from previous employers or personal contacts are not acceptable.

For internal candidates, references are not required, except where an internal candidate is moving to a role where the Safer Recruitment Guidance applies, in which case two references will be required.

For external candidates, one reference is required, except for roles which involve work with children or vulnerable adults, in line with Care Inspectorate and SSSC Safer Recruitment Through Better Recruitment Guidance, where two references are required.

Reference(s) should not be provided by any member of the selection panel. Where this proves difficult, the chair of the selection panel should contact the Talent Team for advice.

One referee should be the candidate's current, or most recent, line manager. Where a candidate is unable to provide a reference from a current or previous line manager, i.e. a school leaver/graduate who has not had previous employment, then a reference from a suitable alternative source such as an educational reference (e.g. Teacher or Tutor) will be acceptable.

Information obtained from a reference should always be treated as confidential. However, due to our obligations under the Data Protection Act 2018, recruiting managers may be required to provide a candidate with a copy of a reference provided by their referee(s) on request. This is explained to referees within the reference request. Similarly, recruiting managers will be required to disclose such information to a statutory agency or employment tribunal if there is a complaint alleging discrimination.

Providing a Reference - if you are requested to provide a reference for an employee or former employee, please use the Aberdeen City Council Corporate Reference Template and accompanying guidance rather than the requesting employer's template.

9.2 Qualifications / Registrations

Where the job profile for a role sets out specific qualifications or registration requirements, it is essential that candidates are able to evidence that they have can meet these requirements. The recruiting manager must provide copies of the original documentation to the HR Service Centre, for retention in the employee's personal file.

9.3 Right to Work in the UK

In accordance with our legal duties under the Asylum & Immigration 1996, employers have a duty to ask potential employees to produce specific original documentation for checking and copying purposes, to evidence their right to live and work in the UK (see section 7.2). Under this legislation, an employer is deemed guilty of a criminal offence if it employs someone who is not legally entitled to work in the UK, or has the right to do the work on offer. The Council has in place guidance for managers on Employing Foreign Nationals to explain what documents employers must ask potential employees to produce in order to establish that they can legally work in the UK.

9.5 Recruitment of Ex-offenders and Declaration of Criminal Convictions Checking Process

The Council's **Recruitment of Ex-offenders Policy Statement (see Appendix 2)** seeks to promote equality of opportunity for ex-offenders applying for employment with the Council.

The policy statement indicates the following:

'The Council actively promotes equality of opportunity for all with the right mix of talent, skills and potential, and welcomes applications from a wide range of candidates, including those with criminal records. The Council's recruitment and selection process will be based on skills, qualifications, experience and behaviours'.

Protecting Vulnerable Groups (PVG) Scheme

In line with the Protection of Vulnerable Groups (Scotland) Act 2077, if a role involves 'regulated work' with children or protected adults or both, a preferred candidate will require membership of the PVG Scheme. This information is held against the role within the HR / Payroll system and captured at the request to advertise stage on Talentlink.

All teaching roles require a PVG scheme membership and as part of the preferred candidate check process, the candidate will be asked to complete the online PVG Scheme application form. If a check is unclear, the HR Service Centre will contact the recruiting manager to confirm the nature of the information contained within the certificate to enable a decision about a candidate's suitability to be determined.

For further support and advice on assessing unclear checks please see below.

Interpreting and Assessing Information on a PVG Outcome

Upon receipt of the PVG Form, the information should be read and reviewed.

If there are no convictions or other relevant non conviction or other government information, then the check can be deemed satisfactory.

If it is unclear from the information provided on the PVG outcome whether the conviction is relevant or the recruiting manager should contact the Talent team or QIM (Staffing) in the first instance for advice. Where required, the Talent team may advise that the preferred candidate is given the opportunity to provide additional information and clarification. Steps should be taken to verify any additional information shared and explanations provided. A record of the conversation should be completed.

Once all the information is gathered, the recruiting manager can make a decision with support from the Talent Team.

The PVG scheme record, or scheme record update may show that the individual is under consideration for listing. If the individual is external the offer of employment will be withdrawn. If internal, the individual will be progressed through the HR risk assessment process which dependant

on the decision of Scottish Ministers as to whether the individual is listed or not, may result in termination of employment.

Where a role requires PVG membership preferred candidate should **not** commence employment until confirmation of a satisfactory check has been obtained and this is confirmed to the HR Service Centre.

10. Making the Job Offer and Confirming the Appointment

Once the preferred candidate checks are complete, the HR Service Centre will contact the recruiting manger to confirm this. The recruiting manager must confirm that they are all completed satisfactorily. At this point, the recruiting manager should contact the preferred candidate to make the formal job offer.

Where a preferred candidate verbally accepts the job offer, the recruiting manager should notify the HR Service Centre who will complete the appointment process and prepare the necessary contractual documents.

The successful candidate is asked to review the contractual documents and return a signed copy to the HR Service Centre to be retained in the employee's personal file.

As part of the onboarding process, recruiting managers should keep in regular contact with their preferred candidate(s) during this pre-employment stage to ensure they are kept up-to-date and feel welcomed to the organisation and team.

11. Recruitment and Selection Complaints Process

While the Council seeks to ensure that the recruitment and selection of employees provides equality of opportunity for all applicants, it has to be recognised that, occasionally, an unsuccessful applicant may feel aggrieved by failure to be shortlisted or appointed.

Section 8.3 above sets out guidance about providing feedback to candidates which may reduce the likelihood of a complaint, and recruiting managers are strongly encouraged to provide feedback.

The following procedures set out how external applicants can make a complaint and the procedure for manages in how we handle recruitment complaints. Please note that internal applicants may also use this procedure or alternatively raise a grievance under the Managing Grievances policy. A People and Organisational Development Adviser will provide advice as required.

Procedure for Applicant Wishing to Make a Recruitment Complaint

Procedure for Dealing with a Recruitment Complaint

12. Pension Auto Enrolment

12.1 Safeguards - Duty on Employers

Under the Auto-enrolment regulations there is a duty on employers to apply safeguards to individuals. The safeguards are intended to protect individuals, meaning there are certain things the employer must not do, both before a person starts working for them and once that person is a member of a pension scheme with that employer.

The safeguard in relation to the recruitment process is as follows:-

'The employer must not ask any questions or make any statements that either states or implies that an applicant's success will depend on whether they intend to opt out of the pension scheme. This is known as prohibited recruitment conduct.'

Such a question or statement (whether verbal or written) could arise in the course of any one of the following:

- During the process of advertising the job or inviting job applications
- During the interview or other selection process
- During the process of asking for information (including any information requested from referees or others) in relation to an application
- Providing information about employment
- Whilst informing on terms or conditions of employment

Those involved in recruitment and selection must therefore comply with the above.

Appendix 1 - **Recruitment of Ex-offenders Policy Statement**

1. Policy Statement

The Code of Practice, published by Scottish Ministers under section 122 of Part V of The Police Act 1997 ("the 1997 Act") places obligations on recipients of disclosure information (registered bodies, counter signatories and other recipients) issued under the 1997 Act and the Protection of Vulnerable Groups (Scotland) Act 2007 ("the 2007 Act").

The Council fully complies with the Code of Practice, the 1997 and 2007 Acts in relation to the treatment of individuals who are subject to Disclosure checks.

The Council undertakes to treat all applicants for positions fairly and not to discriminate unfairly against the subject of a Disclosure on the basis of convictions or other information revealed.

A copy of this Policy Statement will be made available to anyone who requests a copy.

2. Policy Principles

The Council is committed to equality of opportunity, to following recommended practices, and to providing a service which is free from unfair and unlawful discrimination. It ensures that no applicant or member of staff is subject to less favourable treatment on the grounds of their offending background unless it is strictly necessary due to the nature of the post sought.

The Council actively promotes equality of opportunity for all with the right mix of talent, skills and potential, and welcomes applications from a wide range of candidates, including those with criminal records. The selection of candidates for interview will be based on skills, qualifications, experience and behaviours.

The Council will request a Disclosure Scotland check only where this is considered proportionate and relevant to the particular position. This will be based on a thorough risk assessment of that position and having considered the relevant legislation which determines whether or not a Basic or Standard Disclosure under the 1997 Act or a PVG Scheme Record under the 2007 Act is applicable for the position in question.

Where a Disclosure application or request is deemed necessary for a position, individuals will be made aware that the position will be subject to a Disclosure Scotland check and that the nature of the position entitles us to ask about spent or unspent convictions. The Council will request the individual selected as the preferred candidate to undergo the appropriate Disclosure check.

The Council undertakes to discuss any matter revealed in a certificate under the 1997 Act or a Scheme Record issued under the 2007 Act, with the subject of that Disclosure before a decision is made.

The Council undertakes to ensure an open and measured discussion on the subject of any offences or other matters that might be considered relevant for the position concerned. Failure to reveal

information that is directly relevant to the position sought could affect an individual's application for employment or lead to their dismissal.

The Council will ensure that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of Disclosure information. It will also be ensured that they have received appropriate guidance and training in the relevant legislation relating to employment of ex-offenders (e.g. the Rehabilitation of Offenders Act 1974)

In line with the Rehabilitation of Offenders Act 1974, the Council will only ask about convictions which are defined as "unspent" in terms of that Act, unless the nature of the position is such that it is legally entitled to ask questions about an individual's entire criminal record, subject to rules.

The Council undertakes to make every subject of a Disclosure aware of the existence of the Code of Practice, a copy of which can be obtained from the Disclosure web site by following this link https://www.mygov.scot/disclosurehttps://www.mygov.scot/disclosure-code-of-practice/code-of-practice/

Having a criminal record will not necessarily exclude an individual from working with Aberdeen City Council. This will depend on the nature of the role, together with the circumstances and background of the offences committed.