

States of Jersey

Recruitment and Selection Policy

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1 POLICY STATEMENT

The recruitment and selection of employees is one of the most fundamental decisions a manager can make. It is therefore essential that good information and advice is available to support managers in appointing the most appropriate person for the role, in an open, fair and unbiased way.

1.1 Aims

The purpose of this policy is to provide a sound framework for recruitment and selection, taking into account the Jersey Appointments Commission (JAC) Recruitment Code, local legislation (such as employment and data protection laws) and best practice guidance. Its aim is to assist the States in finding the most talented and appropriate people to fill its vacancies in both a timely and cost effective manner.

Procedure Guidelines for the recruitment and selection process are available separately. See Manager's Guide to Recruitment and Selection.

1.2 Who does this policy apply to?

This policy covers all aspects of the recruitment and selection process and applies to all our employees unless otherwise specified, potential employees and anyone involved in the recruitment process. This policy does apply to fixed term appointments but does not apply to temporary agency workers.

1.3 Key principles

Key principles are broad statements of intent that describe our approach to recruitment and selection.

- We will follow good recruitment practices, to identify and select the most appropriate candidate for the role, based on merit.
- We will consider all candidates equally at each stage of the recruitment and selection process.
- We will provide all candidates with adequate information about the role and the selection process.
- We expect everyone involved in recruitment and selection to act with honesty and integrity throughout the process, e.g. by declaring when there may be a conflict of interest.
- We support our local community by giving preference to 'locally qualified' candidates who are capable of undertaking the role.
- We will strengthen and develop our existing employees through effective succession planning practices and by considering limited internal competition where it is appropriate.
- We commit to providing, regular training and development , so we can fully undertake our responsibilities within the recruitment and selection process.

- We treat candidates with dignity and respect throughout the recruitment and selection process. Everyone involved will work together to ensure a positive experience for candidates, regardless of the outcome of the selection decision.
- Our aim is to complete recruitment and selection activities in a timely, efficient and cost effective way , and ensure that the selection methods are reliable and appropriate for the grade and type of role.
- We will fully comply with the requirements of legislation where relevant (such as employment and data protection laws).
- We aim to lead and promote best practice in recruitment and selection in the Island. We will do this by keeping abreast of developments in this field, utilising technology and continuously reviewing our approach.
- We use the recruitment and selection process to build our brand, enhance our reputation and become an ‘employer of choice’ in the Island.

Further guidance on Recruitment Principles and best practice can be found in the JAC Recruitment Code and Guidance documents.

2 RELATED POLICIES

Jersey Appointments Commission Recruitment Code, Guidance on Senior Recruitment and Code of Practice for Appointments to Autonomous and Quasi Autonomous Public Bodies and Tribunals.

States of Jersey policies:

- Redeployment Policy
- Equality and Diversity in Employment policy
- Medical Rehabilitation and Return to Work Policy
- Employment of People Beyond Retirement Age Policy
- Employment of Overseas Nationals Policy
- Employment References Policy
- Employment of People with Past Criminal Offences Policy

3 ROLES AND RESPONSIBILITIES

3.1 Jersey Appointments Commission (JAC)

Under the Employment of States of Jersey Employees (Jersey) Law 2005, it is the duty of the JAC to oversee the recruitment of States employees and appointees so as to ensure that appointments are made in a fair, efficient way and that best practice is followed throughout the process. The JAC are responsible for producing and reviewing recruitment related guidelines. The JAC is also required to participate in senior level appointments.

3.2 States Employment Board (SEB)

The SEB is responsible for approving all posts remunerated at £100,000 per annum and above. This includes interim appointments, newly created posts, replacement of existing post holders and current posts where there is a potential change in remuneration.

3.2 Chief Officers

Chief Officers are responsible for ensuring that, within their departments, everyone involved in the recruitment process is able to demonstrate that they have carefully followed and remained compliant with this policy and the related codes .

They are responsible for periodically requesting that part or all of the recruitment process for his / her department is tested.

3.3 Recruiting Managers

Recruiting Managers are responsible for adhering to this policy and any related policies and procedures and codes (such as those set out by Medical Statute for Medical appointments within the Health service) at all times.

3.4 Human Resources (HR)

HR are responsible for developing policies and procedures, supporting the Recruiting Manager, monitoring compliance with the policy, approving all vacancies, ensuring appropriate residential status and pre employment checks, producing offer letters and contracts, and updating HR systems.

4 RECRUITMENT AND SELECTION POLICY

4.1 Reviewing a Vacancy

When a vacancy arises, before recruiting, it is important that managers review the need for the role, its duties, responsibilities and grade, and consider whether the tasks may be undertaken in other ways (e.g. by technology, by restructuring or by existing part time employees wishing to increase their hours).

4.2 Getting a Vacancy Approved

Before any vacancy is advertised, it must be approved by HR, the relevant budget holder and the departmental Finance team (schools do not have to obtain approval from Finance).

All vacancies must be processed through the Recruitment Team (unless alternative arrangements have been agreed) using the authorised systems. Vacancies, including interim appointments, where remuneration is £100,000 per annum or above, must be approved by the SEB.

The Jersey Appointments Commission must be consulted at the earliest possible opportunity when recruiting to Senior posts. See the JAC Guidance on Senior Appointments for JAC involvement .

4.3 Job Description and Person Specification

The Job Description and Person Specification are key documents which are used to advertise the role, support shortlisting and final selection decisions. The Job Description should clearly state the duties and responsibilities of the role. The Person Specification describes the essential and desirable criteria (such as skills, knowledge, qualifications and experience) which should directly relate to the role and be applied equally to all candidates. Both documents must be produced prior to advertising any vacant role.

4.4 The Redeployment Register

We are committed, as far as is possible, to protecting the employment of our existing employees, see Redeployment Policy. The Redeployment Register enables departments to find suitable candidates prior to wider advertisement, thereby retaining valuable skills and knowledge within the States.

It is our policy that employees who are on the Redeployment Register will, if suitably qualified, have priority over other candidates. Therefore, before vacancies are advertised, HR will check the Redeployment Register, for suitable employees who can demonstrate the relevant knowledge, skills and experience. We will only advertise if there is not a suitable employee on the Redeployment Register.

4.5 Advertising a Vacancy

It is our aim to ensure that any recruitment advertisement accurately describes the role, skills and experience required. Managers must provide candidates with enough information to decide whether they are suitable for the role.

4.6 Internal only Advertising

We believe in ensuring the continuous development of our employees. Therefore, in certain circumstances, it is possible to restrict the advert to 'internal only' within the States or 'internal restricted' to within a department. For example, when specific skills and experience gained extensively in the States are required, or when succession plans with existing employees are in place. This limitation of competition is only allowed when the recruiting manager and HR are confident that there will be no compromise in the quality of the appointment.

Employees, who have been working temporarily (e.g. on a on a fixed term contract or as an agency worker) must have completed at least 6 months in their role in order to apply for internal only vacancies.

See Jersey Appointments Commission Exceptions to Open Recruitment below.

4.7 Using Recruitment Agencies

As a general rule recruitment agencies should only be used for short term temporary assignments. In exceptional circumstances e.g. for specialised recruitment, agencies may be used if other methods have not proved successful. Recruiting managers should contact their HR officer for advice, or see the Manager's Guide to Temporary recruitment.

4.8 Exceptions to Open Recruitment

In order to test the market for the most appropriate person and to demonstrate that the appointment is unbiased, recruitment should be by fair and open competition and decisions to appoint should always be based on merit. These principles should always be followed however, certain exceptions to open recruitment are permitted, in order to provide flexibility where it is genuinely needed.

The **Jersey Appointments Commission** describes the limited circumstances in which exceptions to open advertisement and recruitment are permitted.

- a) Posts subject to succession planning and talent development
- b) Restructuring and redeployment
- c) Short term appointments (up to a maximum of 6 months)

- d) Extensions to short term appointments (up to a maximum of 6 months)
- e) Posts requiring specialists skills
- f) Secondments
- g) Social obligations (people on work schemes or with a barrier to employment)
- h) Acting up

Decisions on Exceptions

Decisions for posts up to and including Civil Service Grade 13 (or your pay group equivalent) must be agreed by the Senior HR Manager unless the role reports directly to the Chief Officer. Extensions to short term appointments (up to a maximum of 12 months) may be granted providing there is a good business reason to do so.

Decisions for posts of Civil Service Grade 14 (or your pay group equivalent) and above, must be referred by the Senior HR Manager to the HR Director for approval. .

For Senior positions, e.g. all posts where the post holder reports directly to a Minister, a Chief Officer or where the post commands a salary requiring approval from the States Employment Board, hiring managers must refer to the Jersey Appointments Commission Guidance on Senior Recruitment.

Managers should always consult their HR Officer or HR Manager before making exceptions to open recruitment (apart from appointments of less than 6 months). The reasons for exceptions should be clearly recorded in the recruitment system and retained, for audit purposes.

4.9 Equal Opportunities_

The States has issued the following statement:

'The Public Service is fully committed to equal opportunities in all aspects of its business. The Equality and Diversity policy is to ensure that all candidates and employees receive equal treatment regardless of

gender, age, disability, race, religion or social circumstances subject to the constraints of current Immigration and Housing policies’.

Nowhere does Equality & Diversity have more impact than during the recruitment and selection process. Everyone involved in the process must be clear about their responsibilities within the Equality and Diversity policy, from the way in which advertisements are worded and the recruitment process is administered, to the sort of questions asked and comments made during interviews.

Interviewers must ensure that all candidates are treated equally, fairly and with a consistent approach.

Managers should familiarise themselves with the Equal Opportunities monitoring questions asked during the recruitment application process.

4.10 Recruitment of People with a Barrier to Employment-

We are committed to supporting candidates with special employment needs or barriers to employment.

‘Barriers to employment’ is a broad term used to describe a range of circumstances, for example:

- People who have been out of work long term and are in need of re-skilling
- People with disabilities or illnesses (these may be major or minor, short or long term)
- Long term unemployed
- People with learning difficulties (such as dyslexia)
- Ex-offenders. See ‘The Employment of People with Past Criminal Convictions’
- Existing employees recovering from illness or injury. See Medical Rehabilitation Policy.

We aim to focus on the person’s ability to achieve the role’s objectives, not on any barriers to employment that are not relevant to the role.

We will always take into consideration any barriers to employment that a candidate may have and we will make arrangements to support them in demonstrating their abilities during the recruitment process.

Having identified the candidate's capability to do the role, in certain cases, there may need to be some adjustment to working practices to enable the person to fulfil their full potential and meet the performance goals.

It is important that a candidate's employment barriers are taken into account. However, these considerations should not prevent a department from applying the same approach to managing the person as any other member of the department.

We will work in partnership with all appropriate work schemes and charities to provide suitable employment opportunities for people with a barrier to employment.

Occupational Health Service may also provide assistance if required.

4.11 Guaranteed Interview Scheme

Under our Guaranteed Interview Scheme, all candidates with a disability, who meet the essential criteria for the role, must be shortlisted for interview. The essential criteria for the job are the key skills, knowledge and experience required to perform the role.

A person has a disability if:

- they have a physical or mental impairment, and
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities

It is the recruiting manager's responsibility to check the application form to identify if a candidate has a disability, and to make arrangements if any 'reasonable adjustments' need to be made to the recruitment and selection process. Examples of reasonable adjustments are allowing more time to

complete a test, giving verbal instructions, if for example the person has dyslexia, or changing a venue if ground floor access is needed.

During interviews with candidates who have a disability, it is important not let any misconceptions or assumptions about disability influence your views on whether the person can do the job. Questions about the candidate's disability must be framed positively and with the intent of establishing:

- the candidate's ability to do the job, and
- what adjustments can be made to enable the employment.

4.11 Employment of People Beyond Retirement Age

Our aim is to adopt a flexible and equitable approach to employing people who, on approaching or reaching retirement age, wish to work with us. Managers must familiarise themselves with the 'Employment of People Beyond Retirement Age' Policy before shortlisting candidates.

4.12 Locally Qualified Status

When considering appointments, it is our policy that preference is always given to candidates who are 'locally qualified' under the Regulation of Undertakings and Development Law.

Only in limited circumstances (e.g. posts that are 'hard to recruit to') may it be possible to appoint someone who has not attained locally qualified status (e.g. on a J Category Licence or locally without 5 years residency). Recruiting managers must refer the matter to HR prior to any recruitment activity.

4.13 Employing Overseas Nationals

We have a responsibility to ensure that all candidates are legally entitled to work in the Island. Residency checks are carried out in HRBST, in accordance with the Employment of Overseas Nationals Policy.

4.14 Close Relatives

So that both we and our employees are protected from any conflict of interest, it is our policy that employment can only be offered to a person that is closely related to one of our current employees, i.e.

spouses, partners, parents, children, siblings, if their appointment meets all the required criteria. See Employment of Close Relatives for full details.

4.15 Conflict of Interest

A conflict of interest can occur if a panel member has a relationship (such as partner, spouse, family member or friend) that they do not declare or if they have a vested interest in the recruitment outcome. The panel Chair must ask the panel to declare any conflicts of interest and circulate it to other panel members in advance of the interview. The Chair should then assess the impact of the relationship on the recruitment process.

4.16 Shortlisting

Clear criteria for shortlisting must be established in advance and applied equally to all candidates. To avoid any possibility of bias, the recruiting manager and at least 1 member of the interview panel should carry out shortlisting. For senior positions, hiring managers should refer to the JAC.

All candidates (both internal and external) must be screened in accordance with the shortlisting criteria. Shortlisting decisions must be objective and based on evidence that the candidate meets the criteria for post, as described in the Person Specification and Job Description.

Where an internal candidate has a clear mismatch between the skills and experience they offer and the requirements of the role, there is no obligation to interview them. However, in order to assist with their future development, they must be told the reason why they have not been shortlisted.

4.17 Composition of Interview Panels

- For posts up to and including Civil Service Grade 13 (or your pay group equivalent) the hiring manager and at least one member of the interview panel should carry out shortlisting and interviews. If internal candidates have applied, one of the panel members must be an independent, and must be involved in the shortlisting and interviewing of all candidates.

- For posts of Civil Service Grade 14 (or your pay group equivalent) and above that do not fall under the criteria set for Senior positions (as noted below), the hiring manager and at least two members of the interview panel, one of whom must be an independent, should carry out shortlisting and interviews .
- For Senior positions, e.g. all posts where the post holder reports directly to a Minister, a Chief Officer or where the post commands a salary which is equal to or in excess of the sum requiring approval from the States Employment Board, hiring managers must follow to the Jersey Appointments Commission Guidance on Senior Recruitment.

Members of the panel must normally be at least the same grade or higher than the job being filled. Panel members should undertake appropriate training in recruitment and selection before participating in the process. At least one panel member (ideally the panel Chair) must have the Recruitment and Selection Certificate to Practise.

4.18 Checking Identification, Qualifications and Professional Status

In all cases it is necessary to check that the candidate is who they say they are and that they have the professional qualifications which they claim to have. This should be done by one of the interview panel at the interview stage.

4.19 Using Additional Selection Methods

Additional selection methods (such as Occupational Tests or presentations) to support the interview process, are widely accepted as valid predictors of job performance in the role. Using an approved test is considered a fair and objective way to assess candidates against the role criteria that may otherwise be difficult to validate by interview alone.

It is important to ensure that testing methods can be justified and that the time and resources invested in testing is proportionate with the significance of the role. The Interview panel should agree the relative weighting of tests in the decision making process and ensure that each candidate is rated consistently.

All candidates should be tested under exactly the same conditions, excluding any allowances made as 'reasonable adjustments' for candidates who have barriers to employment. It is very important that selection tests are not unfairly discriminatory. Advice is available from HR for those wishing to use selection tests during the recruitment process.

4.20 Informing Candidates of Selection Decisions

Unsuccessful internal candidates should be informed verbally and offered the opportunity to discuss their interview performance at a separate meeting, see interview feedback. Unsuccessful external candidates should be informed as soon as possible, once the preferred candidate has accepted the role.

The preferred candidate should be advised by telephone that they have been successful, that the offer is subject to satisfactory pre-employment checks and that references will be taken up.

4.21 Pre-Employment Checks

Pre-employment checks must be carried out on the successful candidate, before they can start work. The checks required will depend on the role (e.g. medical clearance, references, criminal record checks and Identification checks)

The preferred candidate can be made a conditional offer of employment, and sent a holding letter, whilst pre-employment checks are made.

Medical Clearance

All successful candidates must receive medical clearance from the Occupational Health Service before their offer of employment can be confirmed.

Reference Clearance

The purpose of references is to confirm the candidate's employment history, qualifications, experience and suitability for the role. It is our policy to make all employment offers subject to satisfactory

references and we are entitled to withdraw the offer if there are reasonable grounds to do so. No offer of employment will be confirmed without first obtaining satisfactory references.

We will only take up references once the preferred candidate is selected. It is essential to gain the express permission of candidates before approaching referees, see procedure for offers of employment. Where a candidate indicates that they do not wish their current employer to be contacted before a provisional offer is made, this should be respected. Taking up references before this point is only permitted in very limited circumstances. References are personal data and as such should be treated with confidentiality and kept in a secure place. See Employment References Policy and Procedure for reference requests.

CRB Checks

Under the Rehabilitation of Offenders (Jersey) Law, 2002, candidates applying for certain roles such as those with regular unsupervised access to children or vulnerable adults, to dangerous drugs, or particularly sensitive work must disclose all criminal convictions as part of their application. For these roles it is necessary to obtain a CRB check (via the Jersey Vetting Bureau) before confirming an offer of employment.

Recruiting managers should clarify with their HR Officer if the role they are recruiting requires a CRB check, and if so, they should familiarise themselves with our policy on the Employment Of People With Past Criminal Offences. CRB checks must be kept secure and confidential and once the report has been considered, it must be destroyed. Under no circumstances must the report be kept on file.

In exceptional circumstances where there is an urgent operational need to start the new employee and CRB checks are not obtained, it may be possible to start the employee with the authorisation of the Directorate Head (for HSS) or the Senior HR Business Partner and the Chief Officer (all other

departments). Authorising officers will require a thorough risk assessment to take place before authorisation can be given. Decisions and risk assessments must be kept on file.

4.22 Contracts of Employment

Appointments will usually be made at the entry level of the grade for the post (e.g. 5/0) unless relevant experience would justify additional increments. Advice should be sought from HR if the intention is to appoint at a higher increment or above the advertised salary scale.

4.23 Retention of documentation and records

At the end of the recruitment and selection process the panel Chair must summarise the selection decision and retain documentation on all candidates in a secure place, in accordance with Data Protection principles, for a period of 12 months after the year in which the recruitment took place. It is the responsibility of the panel Chair to ensure that all other documentation is destroyed.

HR are responsible for retaining all records pertaining to a recruitment campaign and ensuring that all Data Protection requirements are followed, particularly when engaging external parties and agents.

4.24 Confidentiality

It is essential that at all stages of the recruitment process all information is kept in strictest confidence. Anyone involved in the process, who does not already have a confidentiality clause in the contract of employment will be asked to sign a Confidentiality Agreement.

5.0 BREACHES OF THIS POLICY

Everyone involved in the recruitment and selection process must be able to demonstrate that they have complied with this policy, its related Codes and the States recruitment and selection procedures.

Audits of the recruitment and selection process are undertaken on a regular basis and may be requested by JAC.

Complaints concerning the application of this policy and its related Codes, should, in the first instance be directed to the Senior HR Business Partner of the department concerned, or the Chief Officer. The

JAC are willing to hear complaints from those who are dissatisfied only after the above have been contacted, and providing this is done within 6 months of the initial complaint.

5.1 Additional Information

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Policy Owner: Sam Duffy

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