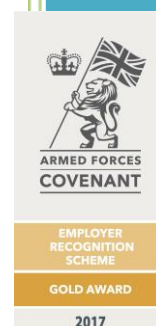


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Human Resources
Inverclyde Council
Municipal Buildings
GREENOCK
PA15 1LX

Inverclyde Council Recruitment & Selection Procedures



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DOCUMENT CONTROL

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1	April 2014	Legislative – Equality Act 2010 Update following introduction of online recruitment portal Inclusion of Competency Based Interviews Separation of policy and procedure to two documents
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3	February 2019	Update of Appendix 2 – guidance on the provision of recruitment references
4	October 2020	Update to safe recruitment procedures, addition of sections 15.3.9 and 15.4.4, update to 15.7.2, addition of 15.9.1. Update to section 15.8 – inclusion of reference to UK Visas and Immigration checklist and Employer's Guide to Right to Work Checks Update to legislation, section 18 - Immigration, Asylum and Nationality Act 2006 (the 2006 Act)

Distribution		
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Corporate Directors & Heads of Service	TBC	
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1 PURPOSE & SCOPE

1.1 General

- 1.1.1 The purpose of the Recruitment & Selection procedures is to ensure consistency in the Recruitment and Selection process and compliance with legislation and the Council's Recruitment and Selection Policy.

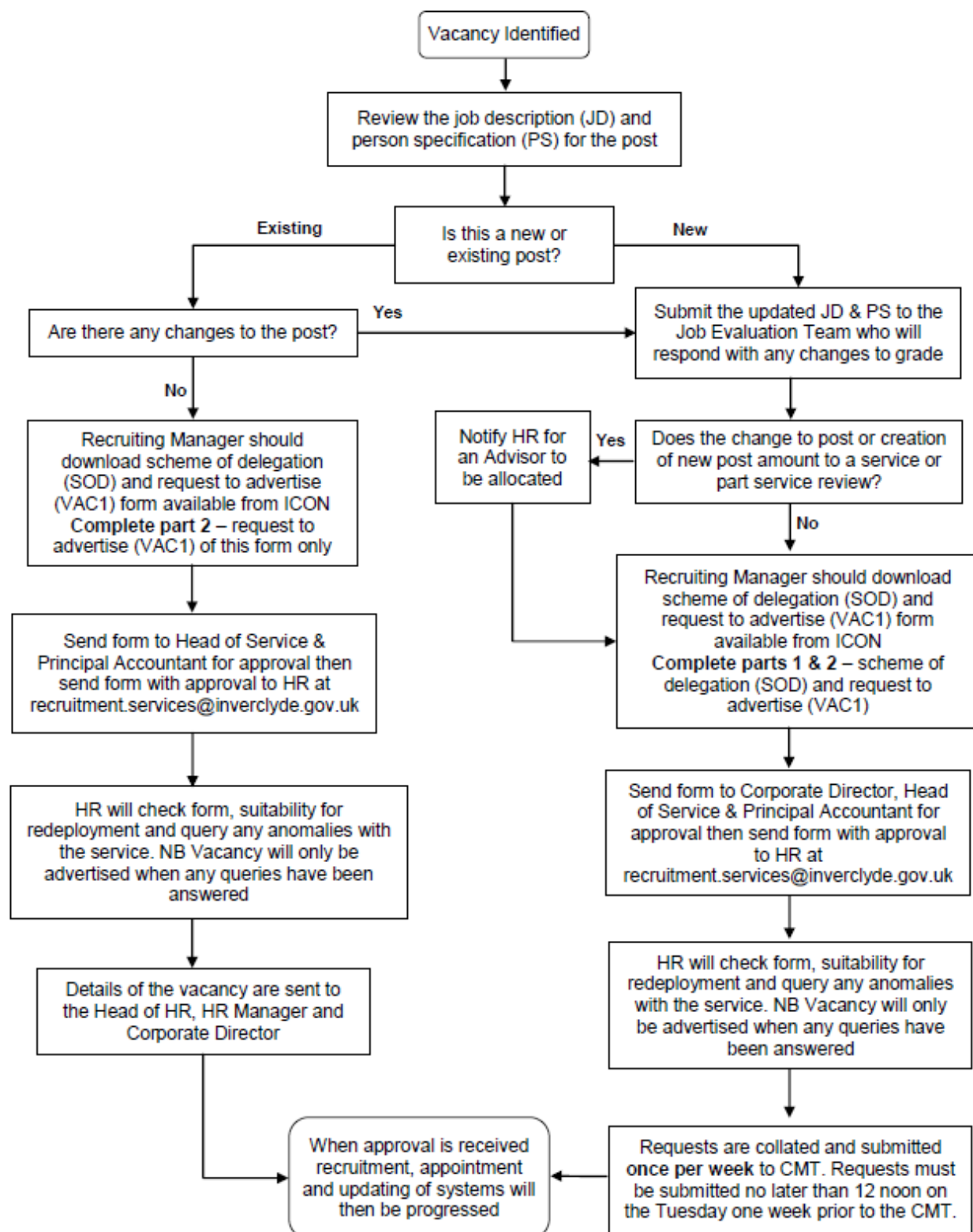
1.2 Scope of Procedure

- 1.2.1 This procedure applies to posts covered by conditions of service for all posts within Inverclyde Council, with exception of the Chief Executive and Chief Officers.
- 1.2.2 The recruitment & selection procedure and portal guide documents sets out the role of Recruiting Managers and Human Resources at each stage of the Recruitment and Selection Process.
- 1.2.3 Human Resources can be contacted for advice at any stage of Recruitment and Selection.
- 1.2.4 Human Resources reserve the right to withhold any vacancy for redeployment, at any stage of the Recruitment and Selection Process.

2 REDEPLOYMENT REGISTER

- 2.1.1 Before requesting to advertise a vacancy the Service manager must check the redeployment register on ICON to identify potential matches to post
- 2.1.2 The Service Manager should notify Human Resources of a potential match quoting candidate's reference number from the register.
- 2.1.3 Human Resources reserve the right to withhold any vacancy for redeployment, at any stage of the Recruitment and Selection Process.

3 VACANCY ANALYSIS & APPROVAL



Note: where a Corporate Director decides not to authorise a post the appropriate Head of Service will be notified of the decision by email advising them to discuss any issues with the Corporate Director

4 ADVERTISING

4.1 *Sourcing candidates*

4.1.1 Human Resources in consultation with the service manager will:

- determine the most appropriate source of candidates for a particular post, with regard to best value for the Council and equalities.
- determine whether the post is suitable to offer as a secondment for a specified period of time
- consult the redeployment register before advertising any vacancy, in accordance with Inverclyde Council's Redeployment Policy
- give advice in relation to the recruitment process ie drafting advert, job description and person specification, providing examples where necessary

4.1.2 IR35 - Off Payroll Working: The Intermediaries Legislation (known as IR35) applies to off-payroll working in the public sector. Where the rules apply, people who work in the public sector through an intermediary will pay employment taxes in a similar way to employees. An intermediary can be the worker's own limited company, such as a personal service company (PSC), a partnership of which the worker is a partner, or another individual.

The Council is required to assess such workers prior to engagement and, depending on the results, in certain cases will be required to make deductions for Tax and National Insurance from the worker's invoice before paying the remaining balance.

The Service engaging the worker should carry out the assessment using the HMRC's Employment Status Service (ESS) tool prior to engagement, and ensure the correct processes are followed to set up and pay the worker. You should choose answers that best match the usual working practices of the engagement. <https://www.gov.uk/guidance/check-employment-status-for-tax>

Workers employed directly by companies or agencies which are not their own are not included within these regulations as they are taxed directly by the company or agency they are employed by.

Should you require assistance with this or the HMRC tool can you please contact Payroll who should also be advised of details of those who fall into the IR35 category.

Please refer to the Off-payroll working – Guidance for Managers on ICON under Useful Guidance.

4.1.3 For regularly advertised posts a new job advert is not always required. If needed the Service Manager is responsible for drafting an advertisement for the post. The advertisement should include:

- an outline of the requirements of the job
- the essential and desirable criteria for the job
- job location
- job tenure (if temporary or fixed term, for how long)
- contact name and telephone number for informal enquiries
- genuine occupational requirements

- 4.1.4 The advertisement must not include language that may be considered discriminatory or ambiguous.
- 4.1.5 Posts may be advertised internally and externally simultaneously where the internal labour market is likely to produce a limited response, or where the Council desires to attract a wider field of applicants. There may be occasions where there is restricted advertising however this must be approved by HR.
- 4.1.6 All vacancies will be advertised on the Scottish Local Government's National Recruitment Portal. Human Resources will add grade/salary and closing date when placing the advert on the recruitment portal.
- 4.1.7 Vacancies will also be included in the Council's Internal Vacancy Bulletin (IVB). This bulletin is available on service notice boards and is sent directly to those on the redeployment register and employees on maternity leave. Heads of Service and Service Managers are responsible in ensuring those without access to ICON have the IVB circulated to them.
- 4.1.8 Human Resources, in consultation with the Service Manager will determine whether it is also necessary to advertise the post via another source e.g press publications, job centres or utilising a recruitment agency.
- The suitability of a post for job share will be stated in the advertisement, where necessary. For internal employees with a particular pattern already in place suitability in relation to a new post should be reviewed.
- 4.1.9 In some circumstances, the Council may wish to give consideration of protected characteristics i.e. age, gender, race or religious belief for a particular post where there is a genuine occupational requirement.
- 4.1.10 Some government funded employment and training programmes target particular age groups. Such posts include certain Teaching posts within a faith school, or delivering personal care to service users. Such instances are rare and will only occur after careful consideration of the specific needs of the vacancy being filled. Managers must consult Human Resources for guidance in such cases.

4.2 Applying for a post

- 4.2.1 Applications will only be accepted in respect of advertised vacancies. Speculative job applications will not be accepted.
- 4.2.2 An applicant and a manager's guide to using the portal can be found on [ICON under the useful guidance section](#). Candidates can also gain assistance by contacting Human Resources by telephone, email, textphone or in person at Human Resources Reception.
- 4.2.3 Personal data including age, marital status, nationality and ethnic origin is not sought on the application form. This type of personal data is sought on a separate document for the purposes of equal opportunities monitoring after an offer of employment has been made and is retained by Organisational Development and Human Resources for analysis.
- 4.2.4 All necessary information relating to the vacant post will be contained within the advertisement on the portal. This includes:
- Job Description

- Person Specification
- Essential applicant information – including the Council's condition of service
- Any additional information which may be relevant to the job, e.g. service structure or general Council information

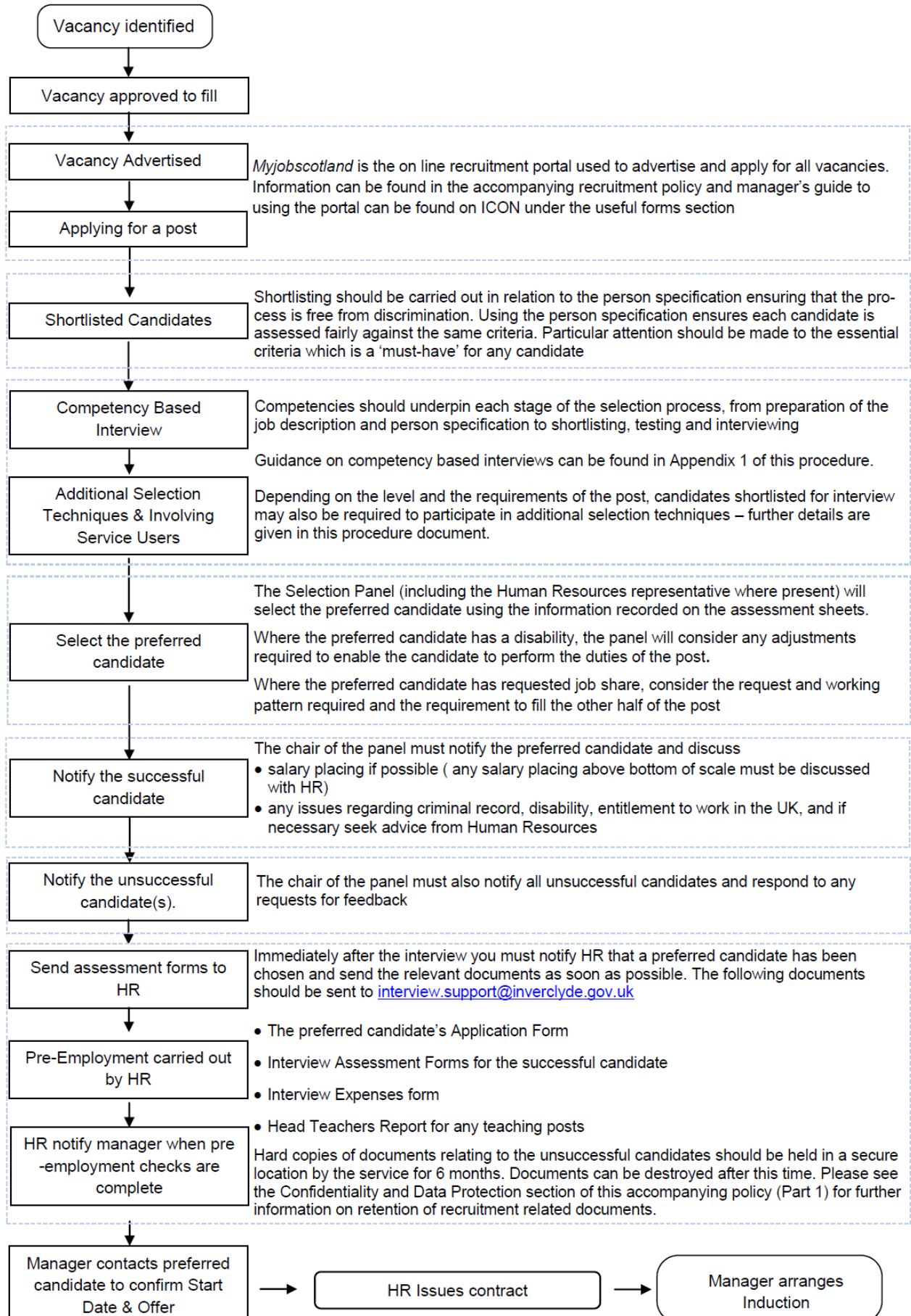
5 MYJOBSCOTLAND – RECRUITMENT PORTAL

5.1.1 **Myjobscotland** is the on line recruitment portal for all of Scotland's local authorities. Managers will use the portal to:

- view vacant post details
- view applications for the post
- short-list for interview
- set up interview slots
- send an invitation to interview e-mail to candidates
- send a regret e-mail to unsuccessful candidates
- indicate the preferred candidate

A detailed step-by-step guide on how to use the recruitment portal can be found on ICON

6 ADVERTISING TO INDUCTION



6.1 Additional Selection Procedures

- 6.1.1 Different types of posts may require different selection techniques. Services may wish to consider the use of additional selection procedures if considered appropriate in combination with a competency based interview.
- 6.1.2 Recruiting managers should contact Organisational Development and Human Resources for advice on the appropriate use of these techniques in the first instance. Additional Selection Procedures should only be used if they have been validated in relation to the job, satisfy equality obligations and are administered by a suitably trained employee.
- 6.1.3 Examples of additional selection techniques may include:
- The use of assessment centres incorporating a variety of selection techniques – may be beneficial for larger scale recruitment or promoted posts
 - Skill/Aptitude tests - For certain posts, skills or aptitude tests may be used to allow candidates' to demonstrate expertise, e.g., in computer skills, or working with figures. This may also include discussion or engagement with service users or carers. Examples of these can be provided by HR on request.
 - Presentations - Candidates may be required to give a presentation on a specified topic using appropriate information technology. The candidate should be advised of the length and format of the presentation.
 - Psychological testing - These may be used for certain senior management posts. Such testing will be carried out and evaluated by qualified professionals on behalf of the Council.
 - Case studies or scenarios – e.g giving a candidate examples to work through that replicates a job specific task
- 6.1.4 Any of the above may be used to indicate future job performance and will be used in conjunction with the Candidate's application and interview to assess his/her suitability for the post.
- 6.1.5 In all cases where any of the above are used, candidates will be informed prior to interview. Details of any additional selection procedures should be included in the email sent from the recruitment portal.

6.2 Involving Service Users or Carers

- 6.2.1 It is Council policy to consult with, and involve, service users in matters which directly affect their lives. For certain posts, particularly in Social Work, Education and Community Support Services, service users and/or their carers may take part in the Recruitment and Selection process. This may involve consultation in the drawing up of job descriptions and person specifications, formulating questions for interview, followed by participation in interviews.
- 6.2.2 The decision to shortlist and select a candidate will remain with the Service manager assisted by Human Resources.

- 6.2.3 Any service users or carers attending interviews will be briefed on the requirements of the post. They will also be briefed on the work history of candidates selected for interview. Information on the candidates' application forms will therefore be shared with the service user/carers. They will be informed of the Council's requirement for confidentiality.
- 6.2.4 Where service users or carers participate in interviews, they will be allocated pre-determined questions to ask each candidate. They will ask the same questions of all candidates. Where children or young people are involved, the interviews will be planned and structured appropriately and support provided. Throughout the process, the rights of children and young people as set out in the United Nations Convention on the Rights of the Child will be promoted and upheld.
- 6.2.5 As part of the selection process, a group of service users may meet with candidates individually, supported by an individual who is not a member of the interview panel. This person will relay feedback from these discussions to the panel. This person or persons may be an employee of Inverclyde Council, or may be seconded from another organisation with specific expertise in this area.
- 6.2.6 Service users/carers participating in interviews may be present when the interview panel make their decision. While their opinions will be sought and taken into account, the decision to select will remain with the interview panel.
- 6.2.7 Candidates for interview will be advised of any participation by service users or carers prior to interview.

6.3 *Joint appointments*

- 6.3.1 When separate organisations share staffing arrangements and recruit someone to work for more than one organisation e.g Council and Health, this is known as a joint appointment.
- 6.3.2 The ownership for the recruitment & selection process of this type of post may rest with either of the parties jointly responsible for the post (Council or Health). Applicants will therefore be subject to the recruitment & selection policy & procedures of the organisation responsible for filling the vacancy.

7 SHORTLISTING & SELECTION PROCEDURES

7.1 *General*

- 7.1.1 To ensure a positive experience for applicants, shortlisting should be carried out as soon as possible following the closing date of the advert. Ideally interviews should be scheduled to take place two or three weeks after the closing date.
- 7.1.2 Inverclyde Council aims to ensure that all candidates, including those who are unsuccessful, have a positive experience during this process. It is important that all candidates feel that they have been given full and careful consideration and that they were communicated with in a timely and professional manner.

7.2 *The Selection Panel*

- 7.2.1 The recruiting manager should form a Selection Panel for shortlisting and interview. Where possible, this should include the manager or supervisor with direct responsibility for the post.

- 7.2.2 In some circumstances when recruiting multiple candidates for the same post one panel to select several preferred candidates may be used.
- 7.2.3 Members of the interview panel from the hiring service must be present during all interviews and should also be involved in drawing up the shortlist. An HR Advisor may also be included in the interview panel where necessary. HR may also attend on a random basis to ensure consistency.
- 7.2.4 In respect of the Council's Equal Opportunities Policy, every effort should be made to have an appropriate panel composition in relation to the gender of the candidates to be interviewed. It is the Council's policy to make every effort to ensure that interview panels are balanced with at least one male and one female member where possible.
- 7.2.5 All members of the interviewing panel should be properly trained in recruitment and selection techniques and at least one officer should be aware of all the relevant employment legislation that must be complied with throughout the process. Details of available training courses can be found on the Learning & Development page on ICON.

7.3 Shortlisting

- 7.3.1 Shortlisting for interview will be based on the essential and desirable criteria for the post as set out in the person specification ensuring that the process is free from discrimination.
- 7.3.2 In the first instance, candidates who meet all the essential criteria will be identified. Reference will then be made to the desirable criteria to shortlist further in the event of a large volume of applications.
- 7.3.3 Candidates who have indicated on their application that they have a disability, and who meet the essential criteria for the post, will be shortlisted for interview in line with our Disability Confident Initiative. Should a manager not shortlist a disabled candidate they must be clear on their reasons for excluding candidates from the shortlist e.g if the essential criteria is not met. Any such decision may be challenged by the candidate or external body e.g the department of work and pensions (DWP). The recruitment & selection complaints procedure is open to all candidates, internal or external, where an individual feels that they may have been treated unfairly at some stage of the recruitment and selection process. This process can be found in the [policies section on ICON](#).
- 7.3.4 Normally any applications received after the closing date will not be accepted as it is the responsibility of the applicant to ensure that their application has been completed before the closing date.
- 7.3.5 The handling of applications must be closely controlled and monitored by Senior Managers.
- 7.3.6 Depending on the level and the requirements of the post, candidates shortlisted for interview may also be required to participate in an additional selection procedure for example a skills or aptitude test or presentation. Additional selection methods may be used to indicate future job performance and will be used in conjunction with the Candidate's application and interview to assess his/her suitability for the post. In all cases where any of these are used HR should be consulted and candidates informed prior to interview.

8 THE INTERVIEW PROCESS

8.1 *Conducting the interview*

- 8.1.1 All interviews must be conducted in a fair and consistent manner and must be structured and systematic. The panel interview (basic question and answer) has been accepted and used effectively for many years in Local Government and is relatively easy to arrange. It is a good way for panel members to share judgement and discuss matters relating to an interview and candidates immediately following the interview, when it is fresh in the minds of panel members.
- 8.1.2 The competency based approach should be used during the interview process. This is explained further in Appendix 1.

8.2 *Selecting the preferred candidate*

- 8.2.1 The preferred candidate, will be chosen by the interview panel on the basis of his/her qualifications, skills, knowledge and abilities. Interview assessment sheets should be completed throughout by each member of the panel and sent to HR on completion.
- 8.2.2 If the preferred candidate wishes to job share the post, the Service Manager will discuss with him/her at interview the sharing of the duties, and the candidate's preferred working pattern. If job share is suitable the work pattern will be agreed subject to the requirements of the service.
- 8.2.3 In the event of the preferred candidate declaring previous criminal offences, prior to, at, or following interview, the Service Manager will discuss with him/her, the nature of the offence, the time elapsed since the offence, and the relevance to the post. Detailed discussions may take place following the formal interview. Discussions with the preferred candidate will take place in accordance with the Council's Policy on the Recruitment of Ex- Offenders.
- 8.2.4 When all interviews are complete and the panel have identified the preferred candidate the chair of the panel should notify:
- the preferred candidate
 - the unsuccessful candidates
 - Human Resources – via email with relevant documents
- 8.2.5 When notifying the preferred candidate the chair of the panel should:
- Remind the candidate their offer is subject to satisfying the Council's safe recruitment checks
 - Discuss salary placing (placing beyond the bottom of the scale should be discussed with HR at all times and agreed before safe recruitment commences). This will not be revisited after safe recruitment is complete and the contract has been issued.
- 8.2.6 The panel will offer feedback to all candidates. Such feedback is to assist the candidate in understanding his/her own performance and in planning for his/her future career. Candidates have the right to see their own application forms, and assessment sheets. Where notes are taken as a memory aid by individual interview panel members, these will be destroyed immediately following the interviews.

9 SAFE RECRUITMENT - PRE EMPLOYMENT CHECKS

9.1 *General*

9.1.1 Safe recruitment procedures allow Inverclyde Council to:

- ensure the person appointed has the skills, knowledge and qualifications required to carry out the duties of the post,
- protect his/her health and safety at work,
- protect vulnerable groups
- ensure he/she is legally entitled to work in the United Kingdom

9.1.2 All appointments to the Council are subject to satisfactory pre-employment checks. Applicants will be issued with a conditional offer subject to satisfactory pre-employment checks. A start date is only agreed after these have been carried out.

9.1.3 This applies to external and internal appointments and redeployment candidates.

9.1.4 Inverclyde Council currently carry out the following pre-employment checks for **preferred candidates only**:

- References/HT Reports
- Protection of Vulnerable Groups Scheme (PVG)
- Criminal Records Check/Basic Disclosure
- Health Screening
- Essential Qualifications and Registration
- Proof of identity and Entitlement to work in the United Kingdom

9.1.5 Employees of the council should not give references in respect of relatives or friends. In exceptional circumstances where this is unavoidable the referee should express their interest or nature of relationship and should not in any way be involved in the selection process.

9.1.6 The required checks may vary for each candidate dependent upon the requirements of their post.

9.1.7 It is not Council Policy to access the public social media pages of candidates for the purposes of background checking. However, the Council retains the right to investigate any pertinent information brought to our attention and any such investigation will only be undertaken if the approval of the Head of Organisational Development, Human Resources & Communications has been received.

9.1.8 Pre-employment checks are normally completed within two weeks of interview, or up to five weeks where Disclosure Scotland or PVG is required.

9.1.9 Further information in relation to safe recruitment can be found within the safe recruitment procedure available on ICON or from Human Resources

9.2 *The Public Service Network*

9.2.1 The Public Service Network replaces our previous email and access to certain data systems. As part of this move we now apply the Baseline Personnel Security Standard (BPSS). The BPSS involves four main elements:

- Identity Check
- Nationality and Immigration Status
- Employment history (past 3 years)
- Verification of Criminal Record (unspent convictions only)

9.2.2 The first three bullet points are already carried out as part of our safe recruitment process. To comply with PSN Inverclyde Council now ask all preferred candidates who do not require a PVG to complete a basic disclosure.

10 COMMENCING EMPLOYMENT

10.1 Formal Offer of Appointment

10.1.1 A written statement of terms and conditions of employment (i.e., contract of employment) will be issued to the preferred candidate either with the offer of employment or within 8 weeks of commencement.

10.2 Induction

10.2.1 The purpose of induction is to ensure the effective integration of employees into the organisation for the benefit of both parties. All employees require this to assist them understand the Council and their role in delivering services.

10.2.2 All employees should receive induction training as follows:

- Job and Service induction training
- Corporate induction training

10.2.3 Service Managers should consider whether employees changing posts within the Council would also benefit from a refresh in Corporate Induction Training via e-learning.

11 RECRUITMENT OF SUPPLY/SESSIONAL EMPLOYEES

11.1 General

11.1.1 Some services may require sessional/supply workers to provide cover for absence at short notice, or to deal with a sudden increase in demand for a service.

11.1.2 Comprehensive lists of applicants who possess general core skills for appropriate posts throughout the Council for which supply cover is required, including those who are available at short notice to take up employment may be retained by services.

11.1.3 An advertisement should be placed on the recruitment portal for those wishing to be placed on the sessional/supply list.

11.1.4 In order to speed the process of drawing on individuals when necessary all first time applicants if considered suitable should be interviewed at the time of application.

11.1.5 For non-teaching employees Service Managers can authorise appointments from their sessional registers. For teaching employees and EYECO's this is managed through the click and go system.

- 11.1.6 All individuals are subject to the pre-employment checks before being included on any supply/sessional register.
- 11.1.7 Where an individual is being required to work continuously for 13 weeks or more HR must be notified. Please see [temporary employee protocol on ICON](#) for further guidance.
- 11.1.8 For further information regarding sessional employees please see the sessional worker protocol which can be accessed via [ICON](#) or by contacting Human Resources.

11.2 Supply Teachers Register

- 11.2.1 An annual advertisement will be placed on myjobscotland recruitment portal for those wishing to be placed on the teaching supply register.
- 11.2.2 Available supply appointments are filled using the click and go system. Further information on this can be found within the click and go manual.
- 11.2.3 Further information regarding the use of supply teachers can be found within the SNCT handbook which can be found online at http://www.snct.org.uk/wiki/index.php?title=Table_of_Contents

12 CONFIDENTIALITY AND DATA PROTECTION

- 12.1.1 The Data Protection Act 1998 regulates the use of personal data; not only computerised data but also manual records. For further information on data protection and information governance please refer to the [information governance policy](#) on ICON.
- 12.1.2 During the Recruitment and Selection process, applications are only available to Human Resources employees and the Selection Panel through the recruitment portal.
- 12.1.3 Following selection, details of the preferred candidate are placed in a personal file and the applications of all other candidates are returned to the vacancy file with supporting documentation from the vacancy.
- 12.1.4 The personal file of the preferred candidate is retained in Human Resources.
- 12.1.5 The personal file is stored in secure cabinets, access to which is restricted.
- 12.1.6 All employees involved in the Recruitment and Selection process are bound by the Council's Code of Conduct regarding confidentiality.

13 COMPLAINTS

- 13.1.1 The Council will endeavor to respond to any concerns the employee or applicant has concerning any aspect of the Recruitment and Selection process. A complaint concerning non-appointment should be submitted within **7 days** of notification of the outcome of an interview using the recruitment and selection complaints procedure. Please refer to the [recruitment and selection complaints procedure](#) for further information.

14 TRAINING AND REVIEW

- 14.1.1 All officers and elected members involved in the application of the Recruitment & Selection Policy and Procedures will be trained to ensure consistency of application and full understanding. The policy, procedure and associated training materials may be changed, in consultation, periodically to reflect best practice and the law.

15 PRE-EMPLOYMENT CHECKS

15.1 General

- 15.1.1 Human Resources will conduct pre-employment checks for all new employees, internal moves and redeployments. All appointments are subject to satisfying these checks and a start date must not be agreed until they are complete.

- 15.1.2 Human Resources will contact the recruiting manager when the checks have been completed to allow a start date to be confirmed with the candidate

15.2 Recruitment Timescales

Weeks	Recruitment Stage	Notes
1 & 2	Advert	Posts advertised for 2 weeks (unless otherwise agreed)
3 & 4	Shortlisting	Shortlisting should be completed within 2 weeks of the closing date. If this is not possible all applicants should be contacted by the chair of the panel to advise of the delay.
5 & 6	Hold Interviews	Interviews should be arranged and held within 1-2 weeks after shortlisting
6	Send Paperwork to HR	After notifying the preferred candidate interview paperwork should be sent directly to HR to start safe recruitment checks
7 - 11	Safe recruitment completed	Completed within 5 weeks of HR receiving paperwork
12	Employee Start Date	Employee start date agreed by service following confirmation from HR that safe recruitment is complete

15.3 References

- 15.3.1 These are normally taken up after interview for the preferred candidate only. In certain circumstances they may be sought prior to interview by the service using the required pro-forma. The content of references will be shared with the Service Manager who chairs the selection panel, normally the manager to whom the post holder will be responsible.
- 15.3.2 References will be sought to cover the past 3 years employment history for external candidates and 1 years employment history for internal appointments. Where 3 years employment history is unattainable character references will be obtained. For external candidates two satisfactory references are required before a formal offer of appointment is issued. For internal candidates only one reference is required.

- 15.3.3 Referees should be employment referees, one of which must be the present or most recent employer. School or college leavers may name a Head Teacher or College Principal. Where it is not possible to obtain employment references, character references will be accepted. They should be people who hold positions of responsibility, are familiar with the candidate's work or good character and are not a family member or close friend.
- 15.3.4 Where a candidate applying for a post requiring contact with children or vulnerable adults cannot name a referee from a present employer, he/she will require to provide a third referee.
- 15.3.5 A copy of the job description, person specification and a questionnaire will be issued to the referees named on the application form. Referees are asked to comment on the person's skills, expertise and abilities, whether the person has had any absences in the previous two years, and whether there are any disciplinary proceedings pending.
- 15.3.6 References are processed electronically using the recruitment portal, myjobscotland, for all employees with the exception of teachers.
- 15.3.7 HR will attempt to contact nominated referees on two occasions. If there has been no response after the 2nd attempt candidates will be contacted by HR and asked to contact their referees to provide a reference within 10 working days. If HR do not receive satisfactory references by this date the offer of employment may be withdrawn.
- 15.3.8 Individuals have a right to a copy of information held about them that is covered by the Data Protection Act 1998. Appendix 2 provides guidelines in dealing with reference requests and any references received by you.
- 15.3.9 Telephone references can be obtained to speed or where there has been a delay from referees.

15.4 Protection of Vulnerable Groups Scheme (PVG)

- 15.4.1 The PVG scheme is the Scottish vetting and barring scheme replacing Disclosure Scotland for those employees working with vulnerable groups such as children and adults at risk.
- 15.4.2 Where the post requires the postholder to be a member of the PVG scheme this should be discussed, including details of associated financial costs, with candidates at interview.
- 15.4.3 Further information in relation to this scheme can be found on ICON and on the [Disclosure Scotland website](#)
- 15.4.4 A preferred candidate cannot undertake regulated work unless they have obtained membership of the PVG Scheme.

15.5 Disclosure Check

- 15.5.1 The Public Service Network (PSN) replaces our previous email and access to certain data systems. For this reason for those candidates who do not require to be a member of the PVG scheme a Basic Disclosure will be carried out.
- 15.5.2 Should the Disclosure check result in any concerns relevant to the post, the Service Manager will discuss these with the preferred candidate, if necessary in consultation with Human Resources, and relevant procedures to safeguard confidentiality.

- 15.5.3 For some offences, the Rehabilitation of Offenders Act 1974 allows an individual to withhold information on his/her criminal record where a defined period of time has lapsed from the date of the conviction. Provided the candidate has not been re-convicted of another offence, the original offence can be disregarded.
- 15.5.4 This is required for posts exempt from the Rehabilitation of Offenders Act 1974 as amended by the Rehabilitation of Offenders Act (Exclusions and Exceptions) Scotland Order 2003. Checks are carried out by the Scottish Criminal Records Service's Disclosure Scotland office.
- 15.5.5 Having a criminal record will not necessarily debar an individual from working with Inverclyde Council. This will depend on the nature of the position, together with the circumstances and background of the offences. For further information, please refer to the Council's policy on the Recruitment of Ex -Offenders.

15.6 Health Screening

- 15.6.1 Inverclyde Council recognises that the health, safety, and welfare of its employees is paramount. It is essential that health problems, which may impact on an employee's ability to safely carry out the duties of the post, are identified at an early stage in order to ensure that the individual's health is not put at risk and that services are delivered effectively and efficiently.
- 15.6.2 All preferred candidates will require to complete a health questionnaire and may be requested to attend the Council's Occupational Health Medical Adviser before starting employment.
- 15.6.3 Certain occupations, such as those requiring the use of vibrating equipment, will prompt more detailed checks specific to the post.
- 15.6.4 Where the preferred candidate has a pre-existing medical condition, this will not necessarily bar him/her from appointment. If required, the advice of the Medical Adviser will be sought. The Medical Adviser's report will be discussed with the preferred candidate, and, if required, the relevant service manager.
- 15.6.5 Where health issues are identified, the Council will consider all reasonable adjustments which will enable duties to be performed safely, in compliance with the Equality Act 2010 and other relevant legislation.
- 15.6.6 Access to work may be able to provide support for employees in relation to reasonable adjustments at work. Employees should contact them directly on;
- Telephone: 0345 268 8489
 - Textphone: 0345 608 8753

Further information can be found at www.gov.uk/access-to-work

15.7 Essential Qualifications and Registration

- 15.7.1 The Council has a responsibility to ensure that employees are appropriately qualified for the posts to which they are appointed.

- 15.7.2 It is important that the preferred candidate meets the essential criteria for the post as detailed within the person specification. The preferred candidate will be required to provide evidence that he/she holds the relevant qualifications & statutory/professional body membership required for the post. SSSC allows candidates to register within 6 months of employment. This should be checked by the chair of the panel at interview and copies will be taken by HR from the preferred candidate during safe recruitment.

15.8 Proof of identity and Entitlement to work in the United Kingdom

- 15.8.1 All candidates will be required to provide certain documentation to evidence his/her identity and entitlement to work in the United Kingdom. This is necessary to comply with legislation relating to immigration.
- 15.8.2 A link providing guidance on acceptable documentation is given within the email inviting candidates for interview.
- 15.8.3 Please refer to the [UK Visas and Immigration \(UKVI\) right to work checklist](#) for a list of documents which can be accepted as proof of right to work in the UK. Further guidance on how to carry out right to work checks is available in the [UKVI Employer's Guide to Right to Work Checks](#).

15.9 Authorisation to start

- 15.9.1 When a preferred candidate has been approved to start before completion of safe recruitment checks, then appropriate written evidence is required to evidence this with a hard copy of the HR manager's approval being placed in the personnel file of the candidate.

16 INDUCTION

16.1 Job and Service induction training

- 16.1.1 This should be carried out by the Service Manager/Supervisor following the Induction checklist. This checklist can be found on [ICON](#)
- 16.1.2 This induction should be completed with the employee within one month of their start date and returned to Human Resources for inclusion in their personal file. You must contact the Council Officer for a ID badge for each new employee and also IT helpdesk to register access to a Council PC where appropriate.
- 16.1.3 E-Learning courses to be completed in 1st week of employment include
- Corporate induction training
 - Information Security
- 16.1.4 Employees will be expected to undertake other mandatory e-learning based on occupation at the start of their employment and are responsible for refreshing at regular periods.

17 OTHER RELATED POLICIES

17.1.1 Each of the following policies are directly related to the recruitment & selection policy and provide additional information on our procedures. These are available on ICON at <http://icon/hr/policy-a-z/> or on request from Human Resources

- Sessional Worker Protocol
- Temporary Employee Protocol
- Recruitment of Ex-offenders
- Redeployment Policy
- Politically Restricted posts
- Recruitment & Selection Complaints Procedure
- Job Evaluation Procedure

18 RELEVANT LEGISLATION

A brief summary of the main acts (and codes of practice) which affect recruitment are listed below.

Act or Code of Practice	Main Impact on Recruitment
Equality Act (2010)	Replaced all previous discrimination legislation directly impacts equal opportunities and pre-employment
Rehabilitation of Offenders Act 1974	Where a person who has been convicted of an offence and has served a sentence, not exceeding 30 months in custody, has rehabilitated him or herself, he/she must be treated as if the offence had never been committed. This means the candidate is not obliged to reveal any such sentence to a prospective employer.
Rehabilitation of Offenders Act (Exceptions) Order 1975	The Exceptions Order 1975 as amended outlines that some posts are exempted and candidates are obliged to reveal all criminal convictions to the employer.
Data Protection Act 1998 ('the Act')	This Act regulates the use of automatically processed information relating to individuals and the provision of services in respect of such information.
Access to Medical Reports Act 1988	Employers or employer's representatives such as a Medical Referee cannot apply for a medical report from a Doctor who has been responsible for a person's physical or mental health without their consent.
Local Government and Housing Act 1989	This Act outlines those posts which are considered to be politically restricted and requires that all appointments be made on merit.
Employment Act 1990	Employers must not discriminate against job applicants on grounds of trade union membership or non-membership of a trade union.
Trade Union and Labour Relations (Consolidation) Act 1992	The Act consolidates the enactment's relating to collective labour relations and outlines the access to employment rights of job applicants in relation to trade union membership and activities.
Immigration, Asylum and Nationality Act 2006 (the 2006 Act)	Sections 15-25 of The Act contain legislation on prevention of illegal working, including making an employer liable for a civil penalty if they employ someone who does not have the right to work (section 15). The 2006 Act replaced section 8 of the Asylum and Immigration Act 1996 in relation to employment commencing on or after 29 February 2008.

(End)

19 APPENDICES

19.1 APPENDIX 1 – Competency Based Interviews

Competency Based Interviews – Guidance for Interview Panel Members

1. General Guidance

The competencies listed below have been introduced across the Council as essential competencies for all **Local Government Employees** within Inverclyde Council, and as you are aware, these competencies lend themselves well to recruitment and selection. The Workforce Development Strategy 2009-2012 set out to introduce competency based interviews using the corporate competencies, these are:

1. Adaptable to Change & Innovative
2. Effective Communicator
3. Customer/Client Focused
4. Self Aware Team Player
5. Local Government Awareness
6. Motivated & Productive
7. Job Specific/Technical/Professional Expertise
8. Excellent People Manager (*Management Positions Only*)
9. Delivers Results (*Management Positions Only*)
10. Excellent Financial Manager (*Management Positions Only*)

The competency based element of interview questions, should not be treated as secondary, but as an integral part of the overall selection process for all posts. Recruiting managers are still able to ask question specific to the post being filled, section 7 (Job Specific/Technical/Professional Expertise), remains undefined to allow managers to ask job specific questions.

The purpose of using a competency based interview approach is to allow all candidates equal opportunity to present to the panel members their experiences in each of the approved corporate competencies based on evidential examples. It also allows us to advise potential employees what the competency expectations are within the Council.

2. Interview Question Templates

There are 2 templates. They do not have to be used in full, see section 3.

Template 1 - Covers all 10 competencies and allows greater space for detailed responses to questions.

Template 2 - Covers the first 7 competencies only it has less space and is shorter to work through.

The Job Specific/Technical/Professional section on both templates, (part 7) is purposefully blank to allow panel members to develop their own questions relative to the post. The questions for part 7 should be developed only by managers/panel members who have attended the Corporate Recruitment & Selection course in person or the Brightwave/E-learning equivalent. Advice on suitability of the job specific questions is available from Human Resources on request.

3. How to use the Interview Question Templates & General Interview Guidance

For ease of use and taking into consideration time constraints at interviews, it is not necessary to ask all of the questions within the templates. The guidance below should be followed;

A. For Service Managers and Team Leader Posts – Grade K and above

If interview includes a presentation topic (recommended), this should be given to candidates in advance of the interview (normally by email from Recruitment Portal) – presentation at interview recommended time is 10 minutes + Q&A on the presentation.

Use competency **Template 1** following presentation and use the following sections:

- (7) Job Specific/Technical/Professional
- (8) Excellent People Manager
- (9) Delivers Results
- (10) Excellent Financial Manager

(+) *if no presentation choose another two competencies.*

Whole process – recommended up to 1 hour

B. For Professional / Technical Posts – Grade H - J

If interview includes a presentation the topic (optional) should be given to candidates in advance of the interview (normally by email from Recruitment Portal) – presentation at interview recommended time is 10 minutes + Q&A. on the presentation.

Use competency **Template 1** following presentation and use the following sections;

- (7) Job Specific/Technical/Professional
- (+) choose any three other competencies from sections 1-6

(++) *if no presentation choose four competencies*

Whole process – recommended up to 45 minutes

C. For All Other Posts – Grade A to G

Use competency **Template 2** –

(7) Job Specific/Technical/Professional
(+) choose 3 other competencies

Whole process – recommended up to 30 mins

Note: there may be posts where a test is deemed appropriate in such cases use the format outlined in B., i.e. 10 minutes for test before interview questions.

4. Tips for Using the Competency Method

A lot of candidates may be familiar with this approach to interview, whilst others may not. As such, if a candidate does not respond to the questions presented to them fully in the first instance, you may wish to use the “Situation, Task, Action, Result (STAR)” method to **prompt** more detailed responses to your initial question. This will ensure the candidate is very clear on the level of information you desire to obtain via your questions, i.e.:

S – What was the situation?

T – What tasks/actions were required to complete the task?

A – What action was involved on your part?

R – What was the result/outcome?

This allows the candidate to break down their answers so as to provide specific examples of how and when they have practically demonstrated the desired behavioural competencies. It is important not to score candidates low because the STAR technique was applied, if they ultimately respond to your question.

5. Interview Assessment Scores.

Following the interview use the Interview Assessment Sheet to record your views on how each candidate responded against the chosen competencies. The assessment scores are relative to the Councils performance appraisal scores of 1-4 as follows:

Interview Score 1
Candidate responses are of an excellent standard and indicate that they match or exceed the requirement of the post in the competency being assessed.
Interview Score 2
Candidate responses are of a very good standard and indicate that they match the requirements of the post in the competency being assessed.
Interview Score 3
Candidate responses are of a satisfactory standard and indicate that they may match the requirements of the post in the competency being assessed
Interview Score 4
Candidate responses are of a lower standard and do not indicate that they match the requirements of the post in the competency being assessed.

Each section of the interview templates has an indicator table to assist scoring.

Please refer to practice documented in the Recruitment Portal Managers Guide for post-interview actions.

6. Overview of Competency Based Interviews – Flowchart

Overview of Competency Based Recruitment Process For Managers

1. Managers will be sent Competency Interview Templates in same email as portal applications document following closing date for each post (PDF).



2. Services select short listed candidates and arrange interviews in line with Recruitment Portal Guidance (note interview duration in line with Competency Based Interview Guidance).



3. Use the Competency Based Interview Templates to conduct interviews.



4. Follow process for notifying HR, successful & unsuccessful candidates as per Recruitment Portal Guidance

PLEASE NOTE:

Always ensure use most up to date Interview Assessment template from ICON.

19.2 APPENDIX 2 - Employment References Guidelines

Human Resources

DATA PROTECTION & EMPLOYMENT REFERENCES GUIDELINES

Version 0.6



Produced by:
Policy Development, Human Resources
Inverclyde Council
Municipal Buildings
GREENOCK
PA15 1LX

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INVERCLYDE COUNCIL IS AN EQUAL OPPORTUNITIES EMPLOYER

**THIS POLICY BOOKLET IS AVAILABLE ON REQUEST, IN LARGE PRINT, BRAILLE, ON
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1 INTRODUCTION

The purpose of this guide is to provide information and guidance to assist in the provision and receipt of references for employees and workers in accordance with the relevant legislation. This includes guidance on the right of the individual to access references written about them.

2 THE DATA PROTECTION ACT – RIGHTS OF ACCESS

Individuals have a right to a copy of information held about them that is covered by the Data Protection Act 1998. When an individual asks for a copy of a reference written about them, many employers refuse to provide it because it was supplied in confidence. This may breach the Act. The Act applies differently to references, which have been **given** by an employer and those that have been **received** by an employer.

3 REFERENCES THAT THE EMPLOYER HAS WRITTEN

3.1 Duty of care:

There is no legal obligation to provide a reference however it is good practice to provide objective information on a candidate's suitability for a role. It is Inverclyde Council's policy to provide employment references on behalf of employees. When writing a reference on behalf of an employee, Inverclyde Council has a legal duty to the employee in that it must take reasonable care when writing a reference, the reference must be true, accurate and fair, and must not give a misleading impression of the individual. If an employee fails to secure a job because of an inaccurate reference you have written, he or she may be able to sue Inverclyde Council. **Where there is doubt over the appropriate person to provide the reference please discuss this with your Service Manager in the first instance.**

Similarly, the Council also has a legal duty to the person or organisation receiving the reference not to make careless or negligent comments. Therefore, care should be taken to ensure that if information is omitted, the reference, as a whole, is not misleading. This applies both to references which give a falsely positive or negative impression of a candidate.

The purpose of references is to obtain information about a candidate's employment history, qualifications, experience and/or an assessment of the candidate's suitability for the post in question. Prospective employers may seek information on matters such as length of employment, job title, brief details of responsibilities, abilities, overall performance, timekeeping and reason for leaving. Information given in a reference should always be based on fact. Referees should be cautious about giving any subjective opinion about an individual's performance, conduct or suitability which they cannot substantiate with factual evidence.

If you are a manager or supervisor who receives a request for a reference, you must not provide confidential references about an employee (or worker) unless you are sure that this is the employee's wish. You may be asked to write a reference in place of a colleague who was named as a referee, but who is not able to provide the reference (e.g., through being absent). Wherever possible, the agreement of the person who is the subject of the reference should be sought.

3.2 Written references:

Most organisations request written references, using a questionnaire. It is important when returning the reference that it is marked private and confidential for the attention of the named recipient.

Normally references requests will include basic facts and may ask some additional questions. References can include;

- basic facts about the candidate, for example, dates of employment and job description
- details of the candidates skills and abilities/ strengths and weaknesses which may be considered to determine their suitability for the role
- absence levels and confirming the reasons for leaving

Any reference provided must be fair and factually accurate and not include irrelevant personal information.

On occasion a character reference may be sought, for example, a teacher may be asked to provide a character reference for a pupil commencing their first part time job.

3.3 Telephone references:

There are different obligations in respect of providing references requested by telephone. These relate to:

1) Requests from within the Council (Internal): the provision of references by telephone is acceptable under the Council's Recruitment and Selection policy. The person requesting the reference must use the prescribed verbal reference form. (form PER/REC11). Copies are available from Human Resources.

2) Requests from outside the Council (External): managers or supervisors may receive a telephone call from a person or organisation requesting a reference for an employee. It is Council policy not to give information concerning an individual without a written request and the consent of the individual who is the subject of the reference. Where time or distance constraints make this impractical, consideration should be given to providing a telephone reference, providing the identity of the caller is verified and the consent of the employee is obtained. The manager should therefore contact the employee wherever possible to obtain his/her consent. If the individual cannot be contacted, ask the person requesting the reference for confirmation that the individual has consented to the request. The request may also

be submitted by e-mail. When responding to a request for a reference by telephone, it is good practice to take the name, organisation, and telephone number of the individual requesting the reference and call him/her back. This will help you to confirm that the request is genuine.

The manager should be aware of:

- the identity of the person requesting the reference;
- his/her role in the organisation
the nature of the post the person has applied for; (ask for a copy of the job description and person specification to be supplied to you), by fax if necessary.
- answer factual questions only
- keep a record of the information provided, to whom and when

3.4 Health and absence records:

A manager cannot disclose details of someone's medical condition as this may be in breach of the Data Protection Act. However, he/she can disclose level of absence (number and duration of absences). Aside from the terms of the Act, if the manager is aware that someone has a medical condition which may jeopardise his/her health and safety in carrying out the duties of the job applied for, he/she can alert the prospective employer to this (e.g., where it is known the person is subject to blackouts and the job entails working at heights). The manager does not have to say what the condition is: only that the condition could pose an increased risk of illness or injury in relation to particular duties. He/she must inform the individual concerned in such an event.

Under the provisions of the Equality Act 2010 it is unlawful for employers to ask candidates questions about their health before they have been offered a position (there are exceptions to this within certain industries). However this may form part of the reference request after the position has been offered.

Factual information should be provided, for example, if the candidate has been absent for 12 days over 3 periods within the last 12 months the manager should not state that attendance is poor. The response should simply state - 12 days, over 3 periods within 12 months, which is factually correct and is not based on opinion.

3.5 Criminal convictions:

The manager must not answer any questions about criminal convictions. It is the responsibility of the prospective employer to take this up with the individual. Where appropriate, the prospective employer will arrange for a Disclosure Scotland check.

3.6 The Individual's right of access to the reference you have written:

If an individual asks for a copy of a reference written about him/her, the manager is not legally obliged to provide it because of an exemption to the Act. However, it is

important to bear in mind that an employee or ex-employee may have a right to see the reference written about them once it is in the hands of the recipient (see below – paragraph 4.2). The recipient should seek the referee's consent before releasing the reference to the individual.

The manager can refuse the recipient permission to disclose the reference, e.g., where this would reveal his/her identity. Even if the recipient edits out the referee's name and other identity details, the employee or candidate may still be able to identify the author from the content. The recipient could lawfully withhold the reference on this basis.

To avoid potential disputes about content, managers should ensure that anything written in a reference is already known to the employee. Nothing written in a reference should come as a shock or surprise to the employee. The reference is not the place to inform the employee about their poor timekeeping or performance! Where the individual is still a current employee, the manager is advised to discuss the reference with the employee, or provide him/her with a copy. This will avoid any potential problems later.

3.7 Providing a negative reference:

In most cases the provision of a reference will be a positive experience for all concerned. The referee may be asked would they re-employ. On occasion the answer to this question may be 'no'. If so, the reason provided must be factually accurate and not based on opinion. However re-employment may be dependent on the circumstances at the time of the application and the nature of the position applied for.

While a reference must be fair and accurate it should not provide subjective opinions or anything that cannot be supported factually. In providing a reference the referee should not inaccurately suggest that the candidate is unsuitable for a post. They may however make comment on the candidate's abilities under the job description provided by the potential employer. It may assist to discuss any response with the candidate in the first instance before completing the reference.

Any reference provided for a candidate who has resigned due to undergoing internal procedures, for example, disciplinary procedures, should be completed in conjunction with the HR Operations Team. There is no duty to provide full and comprehensive detail and it is good practice to forward the candidate a copy of the reference in the first instance. If the candidate is dissatisfied with the intended reference the potential employer may be informed that it is not possible for the reference to be completed for this reason.

In the event that a poor reference is sent directly to the prospective employer and the candidate is unhappy about the reference provided they can request to be sent a copy. For further information refer to <https://gdpr.eu/>

The referee has a duty of care both to the individual who is the subject of the reference and the person or organisation receiving the reference. The reference must be true, accurate and fair, and must not give a misleading impression of the individual.

If you, as a manager or supervisor, are requested to give a reference for an employee or ex-employee, and the reference is likely to be a negative one, you should contact Human Resources for advice before writing the reference.

4 REFERENCES RECEIVED FROM SOMEONE ELSE

It is Inverclyde Council's policy to obtain at least 2 employment references for a potential employee prior to appointment. In most cases this will be the individual's current employer and their most recent previous employer. The Council also reserves the right to contact any previous employer for information, whether named as a referee or not. References are normally taken up for the preferred candidate after interview. Where references are requested prior to interview, and the candidate does not wish his/her current employer contacted, previous employers will be approached. Other circumstances would include verification of periods of employment or reasons for leaving an employer.

Requests for references should normally be made through Human Resources, using a standard letter and pro-forma. The referee is also sent a copy of the job description and person specification for the post. This letter has been written to let the referee know that the individual, under the Data Protection Act, has a right to request access to the reference once it is received by Inverclyde Council, and to ask them if they would object to it being released.

Telephone references may be obtained by the Chair of the interview panel using the prescribed pro-forma to record the reference. If a manager obtains a reference in this way, he/she should treat the content of the telephone reference in the same way as a written reference.

4.1 The individual's right of access to the reference received by a manager:

References received from another organisation about a potential employee are not treated the same as references a Council manager has written, even if the reference received is marked "confidential". **Once a reference is received by the Council, under the Data Protection Act, there is a duty to consider a request for a copy under the normal rules of access.** Please note this does not mean the individual has an automatic right to receive the reference. The Council must consider whether it is reasonable to grant access to the reference in the circumstances.

4.2 Identifying a third party:

If a candidate asks to see a reference a Council manager has received, the manager is not obliged to disclose the identity of the person who gave the reference., i.e., a third party, unless he/she has consented to this.

There is an exemption under the Act for information from which a third party can be identified, unless the third party has consented to the disclosure or it is reasonable in all the circumstances to disclose the information. Clearly, providing a copy of a reference will disclose the identity of a third party, i.e., the person who gave the reference.

If a Council manager or supervisor is asked for copy of a reference, he/she needs to approach the referee to get his/her consent to, or reasons for objecting to, the release of the reference. If the referee gives consent, then there is no problem and the copy reference can be provided. However, if the referee does not consent, then the Council manager needs to consider whether it is reasonable in all the circumstances to provide the copy anyway. If it's possible to delete all information from which the referee can be identified, then a copy of the reference could be provided with that information deleted. The manager must remember though, that it may be virtually impossible to do that. It is not simply a question of deleting the name and address as the content of the reference may itself make it possible to identify the referee, particularly as the person asking for the copy will normally have provided the names of referees and has only two or three options for this.

Where it is not possible to delete all information that could identify the referee, the manager needs to consider whether the circumstances justify releasing the copy reference anyway. He/she should weigh up the referee's interest in having their comments treated confidentially against the individual's interest in seeing what has been said about him/her. For example, an inaccurate or misleading reference could prevent a person obtaining employment. Therefore, a person's right to see and challenge the contents of a reference is likely to outweigh the referee's right to confidentiality.

If the Council obtained a reference under a promise of confidentiality, the manager needs to consider if the information is actually confidential. The manager cannot withhold information that is already known to the individual. Factual information such as employment dates and absence records will already be known to the individual and therefore must be provided.

4.3 Considerations to be taken into account in considering the release of a reference:

- Any express assurance of confidentiality given to the referee
- Any relevant reasons the referee gives for withholding consent
- Potential or actual effect of the reference on the individual
- The fact that a reference must be truthful and accurate and that without access to it the individual is not in a position to challenge its accuracy
- Good employment practice suggests that an employee should have already been advised of any weakness
- Any risk to the referee

In most circumstances, the Council manager should provide the information in a reference, or at least a substantial part of it, to the person it is about if they ask for it. Even if the referee refuses consent, this will not necessary justify withholding the information, particularly where this has a significant impact on the individual, such as preventing them from taking up a job offer. However, there may be circumstances where it would not be appropriate to release the identity of the referee, such as where there is a realistic threat of violence or intimidation by the individual towards the referee. In such circumstances, the manager should consider whether it is possible to keep the identity of the referee secret.

If it is not reasonable in all circumstances to provide the information without the referee's consent, the manager should consider whether he/she could respond helpfully by providing a summary of the contents of the reference. This may protect the referee while also giving the individual an overview of the contents of the reference.

Human Resources should be notified immediately of any 'access requests' for references that received from an external organisation about a potential employee.

5 MORE INFORMATION

Should you require any more information or guidance please contact Human Resources on 01475 712740.