

PERSONNEL COMMITTEE – 2ND APRIL 2019

Report of the Head of Strategic Support

Part A

ITEM 6 GUARANTEED INTERVIEW SCHEME – VETERANS, AND LEAVE ARRANGEMENTS – RESERVE FORCES

Purpose of the Report

To gain Personnel Committee approval to implement the proposal to guarantee interviews for veterans and to agree amendments to the Leave Arrangements Policy relating to reservists.

Recommendation

That the Personnel Committee agree to the implementation of a Guaranteed Interview Scheme for veterans and amendments to the Leave Arrangements Policy relating to reservists.

Reason

Veterans are more likely to be unemployed than civilians due to a range of barriers, predominantly in translating their skills, effectively mapping these to identify appropriate civilian jobs and creating competitive applications and interviews to make it through the recruitment process.

The Ministry of Defence have specified that a period of post operational leave should be built in prior to reservists returning to their workplace.

Policy Justification and Previous Decisions

The Council have pledged their support to the Armed Forces community, which includes the promise to support the “employment of veterans, young and old”.

The Leave Arrangements Policy has been amended to clarify leave arrangements and continual service for reservists who have been deployed and return to work.

Implementation Timetable including Future Decisions

The proposals outlined above will be adopted following agreement by the Personnel Committee.

Report Implications

The following implications have been identified for this report.

Financial Implications

No financial implications have been identified.

Costings - No additional costs have been identified.

Risk Management

There are no specific risks associated with this decision.

Background Papers: None

Appendices: Appendix A - Guaranteed Interview Scheme for Veterans
Appendix B - CBC Recruitment and Selection Guidance
Document 2019
Appendix C - Application Form
Appendix D - Provisional Offer letter
Appendix E - Leave Arrangements – Reserve Forces.

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Part B

Background

1. In 2013 Charnwood Borough Council signed the Armed Forces Covenant, created a Covenant Board and appointed an Armed Forces Champion.
2. The Armed Forces Covenant is a promise from the nation that those who serve or have served in the Armed Forces, and their families, are treated fairly.
3. The Council is one of over 1500 employers across the UK who have pledged their support to the Armed Forces community, which includes the promise to support the “employment of veterans, young and old” under the Employer Recognition Scheme. Every year the government gives gold, silver and bronze awards to those private and public sector organisations who are considered to have made contributions to the Armed Forces, which include the recruitment of ex-service personnel and commitments to support reservists. Charnwood has recently received notification of a silver award and is now striving towards achieving the gold standard.
4. Veterans are more likely to be unemployed than civilians due to a range of barriers, predominantly in translating their skills, effectively mapping these to identify appropriate civilian jobs and creating competitive applications and interviews to make it through the recruitment process.
5. Charnwood Borough Council believes as an employer that it has a responsibility and opportunity to support ex-military personnel and reservists to successfully transition into meaningful second careers that enable ex service personnel to achieve their full potential.
6. As part of this process the Armed Forces Covenant Board has outlined a range of ideas for Charnwood to consider and adopt as follows:
 - Offer a guaranteed interview for Veterans who meet the essential criteria:
 - To ask if an applicant is a veteran or reservist when offering the post:
 - Use the Career Transition Partnership to advertise posts as part of the recruitment process:
 - Offer a buddy or mentor scheme for new employees who are veterans or reservists:
 - Review current Leave Arrangements – Reserve Forces policy to address requested changes and recommended best practice by the Ministry of Defence.

Guaranteed Interview Scheme for Veterans

7. The Council is proposing to introduce a Guaranteed Interview Scheme for veterans who meet the essential criteria of the post and of the scheme.

8. Eligibility includes the following:

- Meeting the essential criteria outlined in the job profile:
- The armed forces must have been the last long term substantive employer.

9. The scheme does not guarantee a job. It is intended to support those leaving the armed forces (Veterans) to fulfil their potential in civilian life.

10. The Recruitment and Selection Policy and application form will also need to be updated to reflect this commitment.

11. The Armed Forces Covenant Board also recommend that a number of changes are made to organisational processes when offering a guaranteed interview. Those changes are outlined below, with details of how these will be met within the Council:

- **To determine if an applicant is a veteran or reservists when offering the post.**

The Provisional Offer Letter has been amended to fulfil this purpose. Human Resources will be able to establish from the application form anyone who has declared they are a veteran or anyone who has identified as serving in the forces through their employment history. Those individuals will receive an offer letter asking for consent to share their details for monitoring purposes and potential supportive schemes implemented by the Council, such as the Buddy Scheme:

- **Buddy Scheme**

A Buddy Scheme is being established with support from Learning and Organisation Development targeted at veterans, spouses of serving personnel, reservists, adult cadet force leavers and those bereaved in these circumstances. The buddy will be an employee of the Council who will be there to provide support to the employee:

- **Careers Transition Partnership**

An agreement is in place to advertise relevant posts through the Careers Transition Partnership. It is the single source for all official armed forces resettlement services. The Council is able to advertise relevant posts at no cost through this service.

Changes to Leave Arrangements – Reserve Forces.

12. The Ministry of Defence has issued additional guidance to the deployment and return to the workplace of reservist. This includes giving special consideration for leave before deployment and on return home, allowing extra time to spend with families.

13. To support this within the Council, a section has been added to the policy on annual leave that encourages reservists to take any accrued annual leave before mobilisation, subject to the needs of the service. The section also clarifies that annual leave does not accrue during the period of mobilisation for the employee, as leave is accrued with the Ministry of Defence. When a reservist demobilises they are entitled to a period of post-operational leave, paid for by the Ministry of Defence. Normal carry over of leave accrued at the Council will apply following demobilisation, with the exception that the wording has been changed to reflect carry over from the year prior to mobilisation into the year that they return to work following demobilisation, rather than into the next leave year and it is specific to these circumstances.
14. The new section provides clarification that the Reservist will continue to accrue any contractual service related rights during mobilisation and their continuity of service will be restored upon their return to the Council. It also outlines the process to be followed when a reservist is returning to work to ensure compliance with the regulations.

15. Trade Union Comments

At the JMTUM meeting on 27th January 2019 the Trade Unions asked for it to be noted that they were in agreement of this scheme and supportive of the measures the Council has put in place to support Veterans and Reservists.

Guaranteed Interview Scheme - Veterans

Introduction

Charnwood Borough Council has committed to being a Reserve Forces friendly employer. The Council recognises it has a role to play in helping those leaving the Armed Forces (veterans) to fulfil their potential in civilian life. To support veterans, the Council has introduced a Guaranteed Interview Scheme for Veterans as one of a range of measures introduced through the Council's Armed Forces Operational Board.

Scope

The Guaranteed Interview Scheme for Veterans will operate for all external recruitment. This scheme has no bearing on redeployment, redundancy selection or organisational reorganisations.

Purpose

This Scheme recognised that veterans can bring valuable transferable skills, qualities and benefits, including:

- Communication skills
- Organisational skills and commitment
- Problem solving and adaptability
- Leadership and management skills
- Health and safety / security awareness
- Team working skills

The Guaranteed Interview Scheme for Veterans is a commitment that the Council has made to support the Armed Forces Community Covenant. This commitment is to guarantee an interview for any veterans that meet the essential criteria set out in the job profile for roles that are advertised externally.

The scheme does not guarantee a job for a veteran. The recruitment and selection procedures will ensure the most suitable candidate for the job is appointed, based on the selection criteria of the job profile.

Eligibility

The following applicants are eligible for the Guaranteed Interview Scheme:

- Applicants that meet the essential criteria set out in the job profile, and
- where the Armed Forces were their last long term substantive employer

Recruitment and Selection

- Advertising – The Council has agreed to advertise relevant jobs on the Career Transition Partnership (CTP) website in addition to normal advertising processes.
- Shortlisting - The recruiting manager must check the application form to see if the applicant has declared that they are a veteran. Any veteran that meets the essential criteria for the role and the scheme eligibility must be offered an interview alongside other applicants that meet the essential criteria.
- Interviewing – The Veterans Military Service Records pack should be checked by the Recruiting Manager at interview. This pack will outline the veteran's military service record, alongside their skills and experience.

Where a candidate has falsely claimed to be a veteran an offer of employment may be withdrawn.



Manager's Guidance on the Recruitment and Selection of Charnwood Borough Council Employees

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Purpose

Charnwood Borough Council is committed to investing in its employees and seeks to recruit people who meet its requirements. The purpose of this guidance is to support recruiting managers to adopt a thorough and fair approach throughout the recruitment and selection process and to set out best practice, taking account of relevant legislation and the Council's commitment to [Equality and Diversity](#) and safer recruitment.

As all organisations employing adults to work with children, young people and vulnerable adults should have a consistent and thorough process of safer recruitment to ensure those recruited to undertake this work are suitable. It is the responsibility of the Council to have a range of safer recruitment and selection practices in place.

Safer recruitment is about recruiter managers properly examining the competency, experience, qualifications and attitudes of potential employees in relation to work with vulnerable groups.

This guidance is based on good practice and seeks to enable the recruitment of suitable employees to work with children, young people and vulnerable adults

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Scope

This guidance applies to the recruitment and appointment of all employees of the Council, except the appointment to the posts of Chief Executive, Chief Officers and Statutory Officers for which there is a separate procedure contained within the Council's Constitution.

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Equalities

Through its Equality & Diversity Strategy the Council has set out to promote equality and eliminate discrimination. All members, managers and employees have a part to play in achieving this.

The Council is committed to the principle of equal opportunity in employment and seeks the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with [criminal records](#).

A key aspect of the Council's commitment to equality and diversity is to seek to develop a work force that reflects the diversity of the Borough by taking steps to:

- Promote a working environment that values and respects the identity and culture of each individual by not tolerating any acts of discrimination or harassment, and by introducing standards of behaviour contained within the Code of Conduct for all our employees;
- Ensure that people from groups currently under represented in the work force are encouraged to seek employment with the Council;
- Guarantee that all applicants with a disability, recognised by the Equality Act 2010, receive an interview if they meet or come close to meeting the essential requirements of the job;

- Provision of reasonable adjustments to ensure that those with a disability are not disadvantaged during the recruitment process;
- Develop and promote work life balance policies and procedures for employees;
- Use of the “tie-break” provision under the Equality Act 2010, where following a competitive selection process, two or more candidates score equally by an objective and auditable scoring criteria (see Appendix E).

All recruiter managers should be aware of the requirement not to discriminate during the recruitment and selection process and mindful that an applicant can lodge a claim to an Employment Tribunal at any stage in relation to any aspect of the process. To minimize risk, recruiting managers should ensure all elements of the recruitment process are suitable for and accessible to all sectors of society. Consideration should be given to the following:

Language

The language used, orally or in writing, should:

- Be clear and unambiguous;
- Not contain any acronyms, abbreviations, etc.;
- Not single out or be perceived to single out specific groups e.g. specifying an advertisement that the candidate must be "mature";
- Not make reference to an individual's personal circumstances e.g. child care, family structure, as this could be discriminatory.

Reasonable adjustments

Reasonable adjustments should be put in place at all stages of the recruitment process for a candidate who has identified that they have a disability. Such adjustments may include ensuring the interviewing room has a wheelchair ramp or providing a skills test in large font.

When considering making reasonable adjustments, the candidate should be consulted and then advised well in advance of any adjustments made e.g. if additional time for test or the preparation of a presentation is to be provided, the candidate may be required to attend at an earlier time.

A candidate's disability **should not** be discussed as part of the formal interview but at the point where the job offer has been made and that the applicant has accepted the job offer. **This should be done sensitively, indicating a willingness to make adjustments to the job as long as they are “reasonable”.**

Detailed guidance is available on the intranet for managers on supporting disabled employees.

Exceptions

It is not illegal to discriminate positively in favour of a particular group where there is a "genuine occupational requirement" (GOR) i.e. the nature of the post requires an applicant from a particular gender, racial group, religion or belief or sexual orientation. If in exceptional circumstances a manager has an operational requirement to recruit from a particular group advice must be sought from HR Services.

Criminal convictions

Having a criminal record does not automatically bar a person from employment with the Council, and the Council undertakes not to treat any applicant unfairly on the basis of previous convictions. Whilst a criminal record cannot be disregarded, the Council seeks to ensure a fair and consistent approach to the recruitment process. Further advice is available in the [Criminal Convictions Section](#) of this guidance.

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Preparing to Advertise a Vacancy

- It is important at the start of the recruitment process that a realistic timetable is prepared; a [Recruitment Planner/Checklist](#) (with links to the relevant sections of this Guidance) is available to assist recruiters to plan and follow the process.
- Consider whether the post is still required and if the working hours, etc. are still appropriate.
- Consider what type of appointment is required (e.g. casual, fixed term, secondment, permanent, etc.). Further information is available by clicking [here](#).
- Recruiting managers should establish whether a post is politically restricted prior to advertising. ([Local Government \(Political Restrictions\) Regulations 1990.](#)). Posts that are politically restricted must be identified as such in the job advertisement;
- Recruiting managers **must** establish whether the post requires a Disclosure and Barring Service (DBS) check as this will need to be identified in the job description and advert. The Council currently has a list of posts designated by the Senior Management Team as a '[regulated activity](#)'? (A list of these posts is available on the intranet by following this [link](#).) If it is a new post, the manager must determine if it requires a DBS check. Recruiting managers **must** only request a DBS check where it is a requirement of the post. Further advice can be sought from Human Resources.
- Prepare a job description and person specification using the standard template. Guidance on what this should include is available by clicking [here](#).
- If the job details relate to a new post or the original profile for the post has been amended (unless the changes are of a very superficial nature), it must be submitted to Human Resources for evaluation. The Council uses the Hay job evaluation scheme to determine the grading of posts. Recruiters must send the revised documentation to Corporate HR Services (email hrcorporate-support@leics.gov.uk). This link will take you to the [Job Evaluation pages on the intranet](#).
- Consider where the post will be advertised. Advice is available from Human Resources on placing adverts in external media if required.
- Prepare the job advert and agree the publication/closing date.
- Agree the interview date(s).
- Select the [interview panel](#) (including, if necessary, training the interview panel);

- Agree the [short-listing criteria](#) and selection method(s) based on the person specification, including the [weighting](#) of the person specification;
- Choose the interview venue ensuring that it has the appropriate facilities to accommodate disabled applicants.

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The Advertising Process

- Before recruiting to a post, managers must first seek permission from the Head of Service to recruit by completing and submitting the [Recruitment Approval Request Form](#).
- Managers must complete and submit the [Request to Recruit/Advertise E-Form](#) attaching the job description and person specification and the authorised [Recruitment Approval Request Form](#) to Human Resources.
- The [Request to Recruit/Advertise E-Form](#) is received by HR in a generic email box which generates a unique reference number. This number must be quoted in all subsequent enquiries to HR as to the progress of the vacancy.
- The advert request will be processed by Human Resources. The recruiting manager must allow at least 48 hours (working days) from receipt of the e-form for the advert to be processed.
- Once HR has processed the advert, applications can be viewed through self serve web recruitment via i-Trent.
- All vacancies will be advertised internally and on the Council's recruitment website for a period of two or three weeks (as specified by the recruiting manager on the e-form). It is normal practice to advertise on jobs go public and the Council's internet page. Adverts are not routinely placed in newspapers or journals, however, if any other media is required, Head of Service/Budget Holder approval is needed and the costs must be met by the relevant department. HR will require proof of approval.
- Recruiting managers are able to view all applications submitted for the post, including those from redeployees, via i-Trent.
- If an application is received from an eligible redeployee, the recruitment manager must consider this application in advance of those from other applicants without redeployment status. Further information regarding the process that the recruiting manager should follow is available in the [Redeployment Policy and Guidance](#).

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Planning the Selection Process

The Interview Panel

It is the responsibility of the recruiter to identify a suitable panel. The panel should be well-briefed on the post in question and the recruitment and selection process. All members of the panel must participate in every stage of the recruitment process.

The panel should comprise of at least two people, all of whom should have undertaken the Council's recruitment and selection training (it is recommended that the equalities aspect of the training must be refreshed every two years), which would normally include the line manager and, for technical posts, someone with the requisite technical knowledge for the job. For posts designated as a '[regulated activity](#)', panel members should also have received Safeguarding training.

Head of Service appointments must include the Chief Executive on the interview panel and may include a member of the Cabinet. Strategic Director and above are appointed by a Member Panel.

Determining the Selection Process

Although the interview is normally the main focus of the selection process, it will not normally provide all the information required in making an informed decision; alternative methods should also be considered to enable applicants to demonstrate their competencies fully.

The method used to test candidates suitability should be appropriate to the duties of the job and designed in such a way that the opportunity is available for the candidate to demonstrate the suitability of their knowledge, skills and ability to do the job (e.g. if an essential criteria of the post is "word processing skills", the most appropriate means of checking these is a practical test).

Where a candidate has requested a reasonable adjustment(s) the adjustments made must be relative to the applicant's disability e.g. it may be appropriate to allow a candidate with dyslexia additional time to complete a test, but this would not be appropriate adjustment for someone with mobility problems.

Examples of selection methods include:

- **Ability Tests** - These tests measure practical skills such as word processing or arithmetical skills. If a particular skill is required, the most accurate means to assess this would be through a test.
- **Knowledge Tests** - Selection methods such as presentations and writing reports are a way of identifying a candidate's knowledge base. However, the method used should be appropriate to the post (e.g. a candidate should not be asked to give a presentation if giving presentations is not a requirement of the job);
- **Group Exercises** - This type of exercise is relevant for roles which depend on team working and is intended to show what role an individual may assume in a group, measure their ability to express themselves and indicate their ability to lead and influence.

The selection method that will be used to assess the essential and desirable criteria for the post should be identified in the person specification. The recruiting manager should also establish how each element of the selection process will be scored. Scoring must be applied consistently to all candidates and the results carefully recorded to ensure that all candidates are assessed fairly and treated equally. Advice is available from Human Resources on designing an appropriate selection process.

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The Shortlisting Process

Shortlisting Candidates

Shortlisting a candidate is a key part of the recruitment process, ensuring that the most suitable people are interviewed for the vacancy. Prior to the shortlisting process the recruiter should have identified the [weightings](#) values of the desirable, and if necessary, the essential criteria for the post as detailed in the person specification.

After the application closing date, the recruiting manager will need to print off the [shortlisting grid](#), which will enable them to carry out the shortlisting exercise. Use of a [shortlisting grid](#) promotes fairness and consistency and provides an audit trail. All members of the interview panel must participate in the shortlisting process.

The Council has made a commitment that all applicants with a disability, recognised by the Equality Act 2010, will be guaranteed an interview if they meet or come close to meeting the essential requirements of the job.

The Council supports the Armed Forces Community Covenant and as such will guarantee an interview if an applicant meets the essential criteria for the role and the criteria outlined in the [Veteran Guaranteed Interview Scheme](#).

When shortlisting, panel members must:

- Ensure that any [weightings](#) decided upon are applied consistently to every application;
- Check that all applications have been fully and properly completed, in accordance with safer recruitment requirements;
- Ensure consistency by not considering any CVs that may have been sent with the application.
- Ensure that internal candidates are considered on the same basis as an external candidate.

Gaps in employment history or other issues/concerns

At this stage the panel may identify gaps in employment history and/or issues that may be cause for concern. If any gaps or issues of concern are highlighted, these should be noted and taken up with the candidate - normally, this would be during the interview if the candidate is shortlisted, but in some cases, it may be necessary to contact the candidate prior to interview.

Alongside obvious gaps, such as omissions or incomplete details on the application, recruiters should be alert to other signs that may cause for concern (e.g. frequent changes of employment that do not show any clear career progression or a move from high paid permanent employment to temporary or casual work) and explore these with the candidate during their interview.

It is good practice to compare the information provided by the applicant with the information contained in the references. Any inconsistencies should be explored with the candidate at interview. A written record of these discussions should be attached to the application form.

The [shortlisting grid](#) should be completed and retained by the Chair of the panel. As the grid records the decisions made on each application, it will enable a clear explanation to be given if feedback is required.

Declaration of Criminal Conviction(s) at application stage

If an applicant declares at the application stage that they have a conviction, HR will retain this declaration until the end of the shortlisting process. If the applicant is shortlisted HR will then send the declaration to the recruiting manager. If the applicant is not shortlisted, HR will destroy the declaration.

Upon receipt of a declaration, the recruiter should inform the other panel members of the content. If the panel decide that the conviction(s) is relevant further information should be sought from the candidate as described below at the end of the interview.

If the Panel decides to offer the post to an applicant who has declared a relevant conviction, approval must be obtained from the appropriate Strategic Director before an offer of appointment is made.

Political Restrictions on Employment

Recruiters need to be mindful that they cannot appoint, as an employee, a Councillor who currently is or has been in the last 12 months a Member of the Authority. (Section 116 LGA 1972).

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Preparing for the interview

The panel needs to be fully prepared prior to the interviews commencing. It is also important to remember that the candidate will be assessing the Council and whether it is an organisation they wish to work for.

It is good practice for the panel to meet prior to the interviews to agree the format of interview process. The panel should also discuss how it will explore any gaps in employment history and any other concerns identified on the application form during the shortlisting process or from references.

Each panel member should have copies of the:

- Application forms;

- Job description and person specification;
- Scoring matrix.

Panel members should also have a copy of the interview questions which they should familiarise themselves with prior to the interview. The Chair should also have information about the terms and conditions of the job (e.g. salary details) in order to answer candidates' questions.

The Chair is responsible for ensuring that arrangements are made for the smooth running of the interview process:

- All the relevant documentation is prepared and distributed to panel members prior to interview;
- Suitability of the venue - taking into consideration any additional or special requirements such as access;
- Refreshments, car parking spaces, etc. are arranged.
- The interview timetable allows sufficient time between interviews for overruns, breaks and panel discussion.

Reasonable Adjustment

Applicants are asked to indicate on their application if they require any reasonable adjustments to be made for the selection process. If a need for an adjustment has been identified, the manager should contact the applicant in advance of the interview in order to ensure that appropriate adjustments are in place.

Where a candidate has requested a reasonable adjustment, the adjustment made must be relative to the applicant's disability (e.g. it may be appropriate to allow a candidate with dyslexia additional time to complete a test, but this would not be an appropriate adjustment for someone with mobility problems).

Further guidance about supporting disabled employees is available on the intranet by following this link [click here](#). Additionally further advice is available from Human Resources.

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Interview questions

Interviews are a particularly helpful way of gaining information about a candidate's knowledge, skills, experience and abilities to ascertain their relevance, and how they can be transferred to the post in question. In addition, they can help identify whether the candidate meets the required weighting of a particular element which may not have been clear from their application or reference.

Interview questions should be agreed in advance by all the panel members and a decision made as to who will ask each question. Questions should focus on the candidate's actual experience and how it relates to the role applied for, with the answers being assessed against the criteria for the post. It may be necessary for the panel to have scenario questions available in case a candidate hasn't had previous experience.

The [interview question grid](#) can be used to act as a template to allow the recruiter to draft the interview questions and outline standard answers. Without preparing standard answers it will be difficult for panel members to evidence what criteria they have judged applicants against.

Whilst it is important that all candidates are asked the same questions around the criteria on the person specification, it is equally important that the panel is satisfied that it has gained enough information to assess how well the candidate meets the criteria and to reach an objective decision about the candidate's suitability to do the job. If the panel is not satisfied that the question has been answered or thinks that the candidate has misunderstood the question, it is acceptable to probe further by asking supplementary questions. A detailed record of the candidate's responses should be kept.

Panel members must not lead candidates to give the correct answer or ask questions regarding the individual's personal circumstances (e.g. child care, family structure) as this could be discriminatory.

For posts designated as a '**regulated activity**'

At an interview for a post designated as a '[regulated activity](#)' whilst questions should be structured against the criteria for the post (as above), they should also include questions about a person's safeguarding knowledge, understanding, attitudes to and motives for working with children/vulnerable adults. The [Sample interview questions](#) also suggest positive and negative indicators. Recruiting managers may also find it useful to ask these questions for any post that involves working with children and/or adults, irrespective of whether the post requires a criminal records check.

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Invitation to Interview

Once shortlisting is completed the recruiting manager must confirm those applicants due for shortlisting and those who have not been shortlisted on i-Trent. Following this the recruiter must complete the [Interview Selection E-Form](#). The [Interview Selection E-Form](#) will need to be completed and submitted to notify HR of who has been shortlisted, giving a minimum of 10 days for posts designated as regulated activity, and 7 days for all other posts. The E-Form will ask managers to provide details of the interview arrangements, such as date, times of interviews, location and any other information or documentation that candidates will require for the interview (i.e. presentation, test, etc.).

Managers must note that requests for HR assistance to conduct attitude and psychometric tests will incur an additional charge.

If a candidate is unable to attend for interview on the date specified, the recruiter has discretion as to whether to reschedule the interview, if it is agreed that the candidate can attend at a later date, the interview panel should remain the same.

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References

References are an important part of any recruitment and selection process and even more so for posts designated as '[regulated activity](#)'. References should always be sought and obtained directly from the referee for the successful candidate. Recruiting managers must not rely on references or testimonials provided by the candidate or on open references and testimonials (e.g. addressed "To Whom it May Concern").

The purpose of a reference is to obtain objective factual information about a candidate and an informed opinion of their suitability for the job measured against the person specification. References should be treated with caution and read very carefully. The following good practice principles should be followed:

- References should not be accepted from family member, relatives, close friends or colleagues;
- For applicants who have not worked in paid employment or on a voluntary basis, a character reference should be sought from someone who is able to confirm (as well as possible) the applicant's suitability. This may be someone in authority (e.g. Head Teacher, Lecturer, Community Leader). In the case of a school/college leaver, one of the referees must be the Head Teacher/Principal of the last educational establishment they attended;
- For applicants who have previously worked in paid employment or on a voluntary basis, character references should only be accepted as a supplement to an employer's reference.

All reference requests should include a copy of the job description, person specification and [standard reference request form](#) or [Reference request form for a Regulated Activity post](#).

References should be scrutinised against the information provided on the application form and any discrepancies checked. Any concerns about a reference should be taken up directly with the referee. It is the recruiting manager's responsibility to ensure that satisfactory written references have been received prior to the candidate commencing employment.

References for Posts Designated as a '[regulated activity](#)'

Written references must be obtained for the successful candidate. Human Resources will request references for '[regulated activity](#)' posts using the [Reference request form for a Regulated Activity post](#) and including a copy of the job description and person specification. **The recruiting manager must also have contacted the referees to verify that the references received originated from them.**

A provisional offer of appointment letter will be issued by Human Resources following the manager submitting the [Selection Outcome E-Form](#). The provisional offer of employment letter confirms that satisfactory pre-employment checks must be received, including written references. The need to obtain a full written reference from the referee remains as verbal references are not acceptable.

The following requirements must be followed for posts designated as a '[regulated activity](#)':

- The individual's personal file should contain two relevant written references. For applicants who have never been in paid employment but have undertaken voluntary work, a reference should be sought from the voluntary organisation concerned;
- Where the applicant is not currently working with children and/or vulnerable adults but has provided details of previous work in this field, in either a paid or voluntary capacity, a reference must be sought from that employer/organisation, even if the applicant has not listed them as a referee;
- Any information about past disciplinary action or allegations must be considered, taking account of all the circumstances of the case. Cases are not likely to cause concern where an issue was resolved satisfactorily some time ago; an allegation was determined to be unfounded' no formal disciplinary sanctions were imposed and no further issues have been

raised. More serious or recent concerns/issues that were not resolved satisfactorily, a history of repeated concerns or allegations are more likely to cause concern.

If an applicant refuses to give permission for contact to be made with a previous employer/organisation where they have worked with children or vulnerable adults, or is reluctant to do so, this should be cause for concern and must be investigated further.

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References for Non Regulated Activity Posts

The recruiting manager will obtain references for the successful candidate for non-regulated activity posts. A provisional offer of appointment letter will be issued by Human Resources following the manager submitting the [Selection Outcome E-Form](#). The provisional offer of employment letter confirms that satisfactory pre-employment checks must be received, including written references.

It is the responsibility of the recruiter to ensure that satisfactory written references have been received prior to the candidate commencing employment, as verbal references are not acceptable.

This link will take you to the [Reference request form non-Regulated Activity post](#) on the intranet.

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Requirements for References

For all new employees (including those from other Local Authorities) - two references should be taken, and one of these must be from the current or most recent employer.

For existing CBC employees voluntarily applying for a post, one reference should be obtained from the applicant's current line manager for both regulated and not regulated activity posts. If a current CBC employee is applying for a post designated as a '[regulated activity](#)', at least two **relevant** written references should be held on their personal file. Human Resources can confirm details of previous references. Where suitable references (i.e. which comment on their suitability for working with children/vulnerable adults and any issues around safeguarding/child protection) are not already on file, additional references must be obtained.

For CBC employees subject to redeployment - no references are required unless they are applying for a post designated as a '[regulated activity](#)', in which case at least two **relevant** written references should be held on their personal file, as outlined above.

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Redeployment

For employees subject to redeployment - no references are required unless they are applying for a post requiring a '[regulated activity](#)', in which case at least two **relevant** written references must be held on their personal file. Human Resources can confirm details of previous references. Where suitable references are not already on file, additional references must be obtained.

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The interview

The Chair of the panel, usually the recruiter, is responsible for ensuring that the interview is conducted fairly and all candidates are treated equally. They should also ensure that all panel members participate fully and their views are considered. Panel members should independently score each candidate and agree panel scores after each interview.

At the start of the interview, the Chair should:

- Welcome each candidate;
- Introduce the other panel members by name and job role;
- Give an overview of the interview process and questions that will be asked. For post designated as a '[regulated activity](#)' explain that the panel will explore their attitude towards children and/or adults). The panel may also find it useful to ask these questions for any post that involves working with children and/or adults, irrespective of whether the post requires a criminal records check;
- explain that notes will be taken during the interview;
- Advise the candidate of any relevant information on terms and conditions of employment (e.g. working hours, salary, etc.);

At the end of the interview, the Chair should:

- Give an opportunity for candidates to ask questions;
- Give an indication of timescales for decision and feedback;

A candidate's disability should not be discussed until a provisional job offer has been made and accepted.

Following the formal part of the interview:

- If a candidate has declared that they have a relevant criminal conviction or caution, they must be asked for further information, including details of the offence and when it was committed. To assess fairly how any declared conviction impacts on the individual's suitability to do the job, the Chair should complete a [Criminal Record Impact Assessment](#). The Criminal Record Impact Assessment Forms ([Part 1](#) and [Part 2](#)) must be retained on the successful candidate's personal file or for unsuccessful candidates, for a period of 6 months.

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Appointment Process

Decision to appoint

This guidance applies to the recruitment and appointment of all employees of the Council, except the appointment to the posts of Chief Executive, Chief Officers and Statutory Officers for which there is a separate procedure contained within the Council's Constitution.

When making the decision to appoint, all aspects of the selection process should be considered. As all candidates should have met the essential criteria, the successful candidate will be the person receiving the highest aggregated score.

Interview Panels should always appoint the best person for the position. If one candidate has clearly scored higher than others **they must be selected**. Where more than one candidate achieves the same score, the panel may select in favour of one of the candidates if they are from a group that is under-represented within the service area being recruited to. This is known as the “tie-break” rule which is a positive action provision under the Equality Act 2010. It should only be used where it is considered that such action is the only way to address such under-representation.

Recruiters need to be mindful that they cannot appoint, as an employee, a Councillor who currently is or has been in the last 12 months a Member of the Authority (Section 116 LGA 1972).

Provisional Job Offer

Once the panel has come to a decision of who to appoint, the recruiting manager should contact the successful candidate as soon as possible to advise them of the outcome. The recruiting manager must make it clear to the successful candidate that the offer of appointment is subject to:

1. Confirmation of their right to work in the UK. The individual should be asked to provide original documents to evidence this entitlement. Further information regarding acceptable documents is available in the [Prevention of Illegal Working Guidance](#);
2. Receipt of a satisfactory medical report;
3. Confirmation of essential qualifications and/or professional registrations;
4. Receipt of satisfactory references;
5. Confirmation of receipt of a satisfactory DBS Disclosure Certificate (if applicable).

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A provisional offer should be made to the successful candidate and not confirmed until all of the pre-employment checks are satisfactory completed.

Where the preferred candidate has identified that they have a disability, the recruiting manager should only discuss this with the individual after they have accepted the job offer. This should be done sensitively, indicating a willingness to make adjustments to the job as long as they are “reasonable”.

Once the successful candidate has confirmed that they wish to accept the post as offered, all the other candidates should be informed they have been unsuccessful and offered the opportunity of feedback. HR will write to unsuccessful candidates.

The recruiter is required to complete the [Selection Outcome E-Form](#) for the successful candidate so that HR can issue a provisional offer letter and arrange the pre-employment medical questionnaire (and a DBS check if required) to the preferred candidate.

The recruiter must ensure that the [New Appointees Checklist](#) is completed and that all the documentation required is sent to HR. Failure to do this will result in the successful candidate’s contract and payment of salary being withheld. The recruiting manager must complete the [New Starter Form](#) in order for HR to issue a contract of employment.

If an additional vacancy occurs and/or the preferred candidate withdraws from the post, the recruiter may appoint another individual who was interviewed for that post, provided this is within three months of the interview taking place. In this instance, it will be necessary for a [New Starter Form](#), the interview notes and a copy of the [New Appointees Checklist](#) and the required documentation is provided to HR.

The recruiter must retain the interview notes for all unsuccessful candidates for a period of 6 months, in case they are required in connection with an Employment Tribunal claim or requested by a candidate under the Data Protection Act.

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Pre-employment Checks

Pre-employment checks should be conducted on all newly appointed employees prior to commencement in post. As a minimum the following checks must be undertaken for all employees:

Personal File - Appointees Checklist

The [New Appointees Checklist](#) must be printed and completed prior to any documentation being sent to Human Resources.

Right to Work in the UK

It is a criminal offence to employ someone who does not have the right to work in the UK. Successful candidates cannot commence employment until satisfactory documentary evidence has been provided and photocopies taken. **If the successful candidate cannot fully demonstrate their right to work in the UK their appointment to the post cannot be continued.**

Once a provisional offer of employment has been made, the recruiting manager should make arrangements to check the successful candidate's right to work documents. The documents required depend on the nationality of the individual. Guidance on acceptable documents and the checks that the recruiting manager must undertake on them is available in the [Prevention of Illegal Working Guidance](#). The photocopied documents should be signed, verified and dated by the recruiting manager and forward to Human Resources along with the completed Personal File - Appointees Checklist.

Medical clearance

All appointments are subject to satisfactory medical clearance. Following completion of the [Selection Outcome E-Form](#), a provisional offer letter will be issued by Human Resources. All appointments are subject to satisfactory medical clearance. Where the successful candidate has access to email, HR will arrange for a link to be sent to the individual asking them to complete the pre-employment medical questionnaire online. Otherwise, a paper copy will be provided to the individual. The completed questionnaire is submitted directly to the Council's Occupational Health provider for clearance. In some instances the candidate may be required to attend Occupational

Health for a medical examination. The recruiting manager will be advised by HR once satisfactory medical clearance has been obtained.

Qualifications/Professional Registration

Where a post requires essential qualifications and/or licence to practice (e.g. Solicitor, HGV licence), the original documentation must be seen and copied. This documentation should have been seen and copied at interview. If it was not obtained at that stage, it is the responsibility of the recruiting manager to obtain any outstanding documentation.

References

For posts that do not require a DBS check, it is the recruiting manager's responsibility to obtain references. Reference requests should include a copy of the job description, person specification and [standard reference request form](#).

Where a post does not require a criminal records check, recruiting managers are able to make a provisional offer of appointment subject to satisfactory references being received. It is the recruiting manager's responsibility to ensure that satisfactory written references have been received prior to the candidate commencing employment as verbal references are not acceptable.

DBS Checks

The Council is registered with the Disclosure and Barring Service (DBS) for the purposes of conducting checks regarding criminal records for posts [exempt from the provisions of the Rehabilitation of Offenders Act 1974](#) and complies fully with the [DBS Code of Practice](#) and undertakes to treat all applicants for positions fairly. The Council will not discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed. It also abides by the Code of Practice issued by the DBS concerning checking, handling and storage of the results of any criminal record checks that are made as part of its recruitment, selection and other processes.

As a "registered body", the Council has an obligation to only request DBS checks that are relevant. A criminal records check should only be undertaken if the post is identified, on the list of posts designated by the Senior Management Team as a '[regulated activity](#)'. This list is available on the intranet by following this [link](#). It is unlawful to seek a criminal records check for a post that does not meet the regulatory requirements. If the post you are recruiting to does not appear on the list you should contact Human Resources to seek clarification. The advert and job profile should clearly identify that a post is subject to a criminal records check.

It is the Council's duty to utilise robust procedures to prevent and deter people deemed unsuitable to provide personal/social care to adults or work with children from accessing the workforce providing services to these groups. Safer recruitment requires strict [pre-employment vetting](#) checks to assess the suitability of an individual.

The recruiting manager must ensure that the Personal File - Appointees Checklist is completed and that all the documentation required is sent to Human Resources. Failure to do this will result in the successful candidate's contract and payment of salary being withheld.

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Criminal Convictions

Criminal Convictions

Some posts within the Council are exempt from the provisions of the Rehabilitation of Offenders Act 1974. The Council's [policy on the recruitment of ex-offenders](#) is made available at the outset of the recruitment process to all individuals applying for posts where a DBS Disclosure is required. Questions can only be asked about ['unspent' convictions as defined in the Rehabilitation of Offenders Act 1974](#).

In order to fairly assess how any declared convictions impact on the individual's ability to undertake the job, it is necessary for the recruiting manager to complete a [Criminal Record Impact Assessment](#). The Criminal Record Impact Assessment Forms ([Part 1](#) and [Part 2](#)) must be retained on the personal file for the successful candidate and for unsuccessful candidates, for a period of 6 months.

The Council must abide by relevant legislation including The Safeguarding of Vulnerable Groups Act 2006, The Protection of Children Act 1999, The Education Act 2002, The Criminal Justice and Court Services Act 2000 (amended 2003), The Care Standards Act 2000 and The Protection of Vulnerable Adults Act (July 2004), in respect of those it employs in areas where they have contact with or access to children and/or vulnerable adults. It is an offence for the Council to employ anyone who has been barred by the Independent Safeguarding Authority in posts classified as ['regulated activity'](#) in relation to working with children and/or vulnerable adults.

DBS Checks

East Midlands Shared Services, as a registered body with the Disclosure and Barring Service (DBS), previously the Criminal Records Bureau and the Independent Safeguarding Authority, acts as an Umbrella Body of the Disclosure and Barring Service (DBS) undertaking DBS Disclosure checks on behalf of the Borough Council.

The Council will not discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed. It also abides by the Code of Practice issued by the DBS concerning checking, handling and storage of the results of any criminal record checks that are made as part of its recruitment, selection and other processes.

The Council has an obligation to only request DBS checks that are relevant. A criminal records check should only be undertaken if the post is identified, on the list of DBS Posts. This list is available on the intranet by following this [link](#). It is unlawful to seek a criminal records check for a post that does not meet the regulatory requirements. If the post you are recruiting to does not appear on the list you should contact Human Resources to seek clarification. The advert and job profile should clearly identify that a post is subject to a criminal records check.

It is the Council's duty to utilise robust procedures to prevent and deter people deemed unsuitable to provide personal/social care to adults or work with children from accessing the workforce providing services to these groups. Safer recruitment requires strict [pre-employment vetting](#) checks to assess the suitability of an individual.

For further information please refer to the [Guidance for Managers on the DBS Process](#).

The recruiting manager must ensure that the New Starters Appointees Checklist is completed and that all the documentation required is sent to Human Resources. Failure to do this will result in the successful candidate's contract and payment of salary being withheld.

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DBS checks on individuals who have lived outside of the UK

Please refer to the Guidance for Managers on the DBS Process.

DBS Application Process

Please refer to the section on How to Make an Application for an Online DBS Application within the [Guidance for Managers on the DBS Process](#).

Starting an employee prior to them receiving their DBS Disclosure Certificate

It is advised that employees do not commence in the post until a satisfactory DBS Disclosure Certificate has been obtained. In exceptional circumstances, a Strategic Director can be asked to give authorisation for an employee to commence work prior to a satisfactory DBS Disclosure Certificate being obtained. In these circumstances, a risk assessment must be undertaken to assess the risk of placing the person in the job prior to them receiving their DBS Disclosure Certificate and consideration must be given to putting additional safeguarding measures in place.

As a prerequisite to these additional measures:

- The application must have been completed and submitted to the DBS; and
- All other pre-employment checks must have been undertaken.

The following additional safeguarding measures must be undertaken:

- If the employee is required to work in a position delivering personal care to adults and they need to start immediately, a [DBS Adult First check](#) can be undertaken where appropriate (see below);
- Restricting the employee's access to or involvement with children and/or adults and occupying their time with training/induction and other job-related activities;
- Ensuring that the employee does not have unsupervised access to children and/or adults during the period preceding receipt of the DBS Disclosure Certificate. Supervision arrangements should be clearly documented in the risk assessment and the arrangements reviewed on a fortnightly basis. Employees subject to additional supervision arrangements must be informed that they will be under supervision and the reason and nature of the supervision should be specified;
- The role of the supervisor must be clearly spelt out and that individual must understand what is required of them.

When the risk assessment has been completed, permission must be obtained from the appropriate Strategic Director before the employee can start work.

What is DBS Adult First?

Requests for a DBS Adult First check carries strict criteria and are permissible only where it is necessary to take such action because of a real danger that staffing levels will fall below statutory obligations. Further information is available by following this [link](#).

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Appendix A Recruitment Planner/Checklist

| | TARGET DATE | COMPLETED DATE |
|--|-------------|----------------|
| <u>PLANNING THE RECRUITMENT PROCESS</u> | | |
| Identify funding for the post and consider the type of appointment needed. | | |
| Establish whether the post is Politically Restricted . | | |
| Establish whether the post requires a criminal records check . | | |
| Prepare / review the job description and person specification including the weightings of the person specification criteria. | | |
| If required, arrange for the job profile to be evaluated / re-evaluated . | | |
| Gain authorisation from the Head of Service or Strategic Director to recruit by completing and submitting the Recruitment Approval Request Form . | | |
| <u>PREPARING A RECRUITMENT PLAN</u> | | |
| Complete the Request to Recruit/Advertise E-Form . | | |
| Review the job description and person specification including the weightings of the person specification and to ensure that it meets the future demands of the organisation. Review the wording and remove requirements that are no longer appropriate i.e. Good attendance record, smart appearance, a specified number of years' experience. | | |
| Ensure the job description and person specification is in the current CBC format. | | |
| Prepare the job advert and agree the publication/closing date. | | |
| Agree interview dates | | |
| <u>PLANNING THE SELECTION PROCESS</u> | | |
| Select Interview Panel and ensure their availability for the proposed interview dates. | | |
| Agree the shortlisting criteria and selection methods based on the person specification. | | |
| Make arrangements for interview – <i>consider appropriate access for disabled applicants.</i> | | |
| Compile the Interview Questions. | | |
| <u>THE SHORTLISTING PROCESS</u> | | |
| Meet with panel members to undertake the Shortlisting Process and complete the shortlisting grid. | | |

| | | |
|--|--|--|
| Inviting candidates to interview (ask about special arrangements/notify applicants of tests or presentations if relevant/include recruitment pack). | | |
| INTERVIEW PREPARATION | | |
| Meet with panel members in advance of the interview date to formulate the interview questions and other arrangements for the Interview. | | |
| Ensure that all documents are made available to Panel Members prior to the interview. | | |
| THE INTERVIEW | | |
| Question the candidate on any gaps in employment history, declared criminal convictions, or any other issues/concerns. | | |
| THE APPOINTMENT PROCESS | | |
| Ensure that references have been requested | | |
| Take the decision to appoint and make a provisional offer of appointment to the successful candidate. | | |
| Make arrangements for the successful candidate's documents to be checked and photocopied (i.e. proof of identity, qualification and registration certificates, documents required for DBS checks). | | |
| If the candidate is disabled, discuss any reasonable adjustments that may be required. | | |
| Complete the Selection Outcome E-Form for the successful candidate so that HR can issue a provisional offer letter and pre-employment medical questionnaire, and also a DBS Disclosure Application form if required) to the preferred candidate. | | |
| The recruiter must complete the Personal File – Appointees Checklist. | | |
| The recruiting manager must complete the New Starter Form in order for HR to issue a contract of employment. | | |

Appendix B - Types of Appointment

Consideration should be given to the type of appointment that is required.

Additional options to consider include:

Permanent

This type of contract should be used where there is no end date as to when the work will cease.

Casual Work

Casual workers should only be used when there is a need to cover ad hoc periods or a one-off absence/event of up to one month. If it is necessary for the post to continue after one month, this should be on a temporary basis. Guidance on filling a temporary vacancy is available on the intranet by [following this link](#).

Further guidance on the use and appointment of casual workers is available on the intranet [by following this link](#).

Secondment

Comprehensive guidance on the use of secondments is available on the intranet under [Secondment Policy and Procedure](#).

Fixed Term

Comprehensive guidance on the use of fixed term contracts is available on the intranet by [following this link](#).

Agency Workers

The Council has appointed Commensura to act as a Neutral Vendor Managed Service for the provision of all temporary agency workers and interim staff. Commensura should be used when engaging an agency worker.

Recruitment of any agency worker must take place in accordance with the good practice requirements set out in this guidance, and all necessary legal obligations must be observed.

Detailed guidance on the rights of Agency Workers is available on the intranet [by following this link](#).

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Appendix C - Job Description and Person Specification

A well-constructed job profile forms the basis for the whole recruitment and selection process and is the key to ensuring that the right person with the right mix of skills is appointed. It is used to determine the selection criteria, help formulate interview questions, assist in devising selection techniques (e.g. designing assessment activities) and enables decisions to be made about competing candidates. Its use also minimises the extent to which subjective judgements can creep into the selection process. Following appointment, it can also be used to communicate expectations about performance to the new job holder.

The Council's standard [CBC job description and person specification template](#) consists of a job description and person specification. Before recruiting to a new or existing position, it is important to invest time in gathering information about the nature of the job. The role should be reviewed and analysed to see whether changes are needed to the job description and/or person specification to meet both the current and future demands of the role and the organisation.

Before recruiting to a new or existing position, it is important to invest time in gathering information about the nature of the job and establish whether the post is designated as a '[regulated activity](#)' or on the list of posts [exempt from the provisions of the Rehabilitation of Offenders Act 1974](#). If the post requires a DBS Disclosure, this must be identified in the job description.

Job descriptions and person specifications must be submitted for all vacancies in the standard Council template.

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Job Description

The job description sets out the purpose of the job and the key responsibilities of the job holder.

Person Specification

The person specification is the key document for use in the shortlisting and selection process. Recruiting managers should avoid overstating requirements or including unnecessary ones, as this can unreasonably exclude some sectors of the population from applying and make it more difficult to recruit to the post by excluding potentially suitable applicants.

In general, person specifications should include details of:

- Qualifications, skills, abilities/competencies, knowledge and experience required;
- Personal qualities relevant to the job, such as the ability to work as part of a team.

The "How Identified" column explains how each of the criteria will be assessed (e.g. from the application form, sight of certificates, a practical test, assessment centre, or the interview itself). **Person specifications must not include any reference to years of experience, attendance record and appearance or any other requirement that could be perceived as discriminatory.**

Weighting, essential and desirable criteria

The use of essential and desirable criteria in the person specification is a form of weighting system. All of the criteria must be measurable as they will play a key role in the interview process.

Essential criteria are attributes which set the minimum standards expected for satisfactory performance in the job. These must be relevant to the post and justifiable. The list of essential

criteria should be realistic (it is recommended that no more than 3 in each section, or approximately 12 items in total within the person specification are deemed essential) as all candidates selected for interview must (with the exception of a candidate with a disability) meet them all. If there are too many essential criteria, there is a risk that too few, if any, candidates will be able to be interviewed.

Desirable criteria are attributes which would enable the applicant to perform the job more effectively. If a candidate meets the desirable criteria it may be more likely that they will “hit the ground running” and have a less steep learning curve.

Desirable criteria can be used to distinguish between candidates at the shortlisting stage and during the selection process. Assigning weightings from 5 (most important) to 1 (least important) to the desirable criteria can help panels judge applicants in an objective manner.

The recruiting manager should identify the importance rating for desirable criteria at this stage as it will be used during shortlisting. Care must be taken to apply the weightings in relation to the needs of the job; they should not be influenced by the recruiting manager’s view of different applicants.

If the profile relates to a new post or the original profile for the post has been amended, it must be submitted to Human Resources for evaluation before being advertised.

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Appendix D - Job Adverts

The advertisement should be drafted using the job description and person specification; the advert should enable potential applicants to decide whether they are interested in the job and whether they could do it successfully. Where possible, adverts should include key information about the job however they must also be cost effective so it may be that adverts refer to another source where further information can be found e.g. the Council's website.

There are number of key pieces of information which should be included in your advert (listed below). However where this is prohibitive in terms of the cost of advertising, you may choose to include just the vital information or that which may not be obvious to potential candidates.

- The job title
- Any key essential requirements of the job
- Any particular person requirement (as taken from the person specification)
- The salary scale/grade of the post.
- The application/response details, including the closing date for applications, the telephone and email contact details.
- The Equal Opportunities statement.
- Advertisements must relate clearly to the person specification and not ask for requirements that are not included in the person specification.

However, where this is prohibitive in terms of the cost of advertising, you may choose to include just the vital information or that which may not be obvious to potential candidates. Adverts must relate clearly to the person specification and not ask for requirements that are not included in it.

The following information should be included in the advert, where applicable:

- The post is Politically Restricted;
- The post requires a criminal records check. Depending on the type of check required the following wording must be included in the advert, either:
 - This post is the subject of a DBS enhanced check for a regulated activity; or
 - This post is the subject of an enhanced DBS check.

A Politically Restricted Post ;

Designated as a '[regulated activity](#)', in which case, the following wording must be included in the advertisement – 'As a 'Regulated Activity' an Enhanced DBS Disclosure is essential.' In addition within the recruitment material it must be made clear that reference will be sought prior to interview.

Closing Date

The advertising process is undertaken in 2 stages, as set out below. The first stage is to advertise to redeployees. For internal and external advertising, the recommended closing date is a minimum of two weeks from the first appearance of the advertisement.

Job Information

It is good practice when recruiting to provide prospective applicants with relevant information about the Team, the Service and the Council as this helps them to gain a better understanding of the aims and ethos of the organisation and the service they are being recruited into.

The job information should also give guidance for the completion of the application form, application form guidance, the job description and person specification.

The information gathered by the application form is crucial to safer recruitment procedures and it is also the basis for short-listing. The application form gives the applicant an opportunity to provide in a sealed envelope (which should remain sealed until after the shortlisting process) any information on previous criminal convictions, cautions and reprimands. This does not remove the need to conduct robust pre-employment checks including, if required, a DBS Disclosure.

Finally, if the job is designated as a '[regulated activity](#)' and the [references](#) are required prior to interview it is essential that the information sent to candidates makes it clear that they will be sought in advance of the interview.

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**APPLICATION FORM****CONFIDENTIAL**

Pre-employment screening checks including references, may be undertaken on recruitment applications and applicants for the purposes of confirming information requested and provided within this application form.

| 1. POST DETAILS | |
|-------------------|-----------|
| Post applied for: | Post ref: |
| Department: | Location: |

| 2. PERSONAL DETAILS | |
|---------------------|--|
| Legal Surname: | Previous Legal Names: |
| Legal Forename: | Preferred Forename: |
| Legal Middle Names: | National Insurance Number: |
| Title: | Contact Telephone Number: |
| Address: | Driving Information Do you have a current full Driving Licence? <i>(Double click to select)</i> YES <input type="checkbox"/> NO <input type="checkbox"/> Do you have use of a vehicle? <i>(Double click to select)</i> YES <input type="checkbox"/> NO <input type="checkbox"/> Licence Number: _____ Licence Valid end Date: _____ Currently disqualified from driving : (yes) <input type="checkbox"/> |
| Post Code: | |
| Email: | |

| 3. PRESENT EMPLOYMENT | |
|--|---|
| <i>(If you are not currently in employment please leave blank)</i> | |
| Job Title: | Telephone Number: |
| Employer's Name: | May we contact you at your current place of work? YES <input type="checkbox"/> NO <input type="checkbox"/> |
| Address: | Salary: |
| | Other Pay: |
| Postcode: | Date Started: |

| | |
|--|---------------------|
| | Reason for Leaving: |
|--|---------------------|

Outline of key duties and responsibilities:

4. EXPERIENCE (This should include paid and unpaid employment, work experience, placements etc) Please list most recent post first.

| Organisation | Role | Salary (If Applicable) | Date Employed | | Reason for leaving |
|--------------|------|---------------------------|-----------------|---------------|--------------------|
| | | | From MM/YYYY | To MM/YYYY | |
| | | | | | |

4. Please specify all time not accounted for above with dates and reasons

5. SUMMARY OF EXPERIENCE, SKILLS, KNOWLEDGE AND COMPETENCIES

Please tell us about your relevant experience, skills, knowledge and competencies which you feel make you the best person for the job. Always give examples of things you have done in your work/home life to fulfill the Person Specification. Please provide additional information as necessary.

6. EDUCATION**Qualifications gained or pending. (Please be prepared to provide evidence at interview stage)**

| Qualifications gained or pending. Please state subject (Please be prepared to provide evidence at interview) | Grade | Date Achieved (MM/YYYY) | School/College/University |
|--|-------|-------------------------|---------------------------|
| | | | |

7. MEMBERSHIPS OF RELEVANT ORGANISATIONS**(Use the space to provide any further information relevant to the vacancy you are applying for).**

| Professional Body/Association | Qualification/ Membership Level | Dates of Qualification/ Membership (MM/YYYY) |
|-------------------------------|---------------------------------|--|
| | | |

8. DISABILITY/ HEALTH CONDITIONS

Charnwood Borough Council encourages people with disabilities to apply for jobs and is certified as Disability Committed. This means that the Council is committed to interviewing all applicants with a disability who meet the essential criteria for a job vacancy and to consider them on their abilities.

The Equality Act 2010 defines disability as:

'A physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities.'

I consider myself to be: Disabled Non-Disabled

Please indicate below if you require any reasonable adjustments, due to a disability or health condition, to enable you to attend an interview.

- Interview information in large print format
- Interview information on audio tape
- Sign language interpretation or other assistance with communication at interview
- Induction loop in interview room
- Wheelchair-accessible location for interview
- Car parking space for interview (for people with mobility problems only)
- Facility for Personal Carer/Assistant to accompany you at interview

9. VETERANS

Charnwood Borough Council supports the Armed Forces Community Covenant and as such will guarantee an interview if an applicant meets the essential criteria for the role and the criteria outlined in the Veteran Guaranteed Interview Scheme which is the Armed Forces must have been the last substantive employer.

I confirm that I am a veteran and meet the criteria outlined in the Veteran Guaranteed Interview Scheme :

10. REFEREES (please state 2 referees)

One of your references should be your present or most recent employer.

For all candidates shortlisted for posts which have been designated as requiring a Disclosure and Barring Service (DBS) check, it will be necessary to approach both referees at the provisional offer stage.

| | |
|----------------------------|----------------------------|
| Name: | Name: |
| Address: | Address: |
| Postcode: | Postcode: |
| Email Address: | Email Address: |
| Telephone Number: | Telephone Number: |
| Title/ Position: | Title/ Position: |
| Relationship to applicant: | Relationship to applicant: |

11. RELATIONSHIPS

Are you related to any Elected Member or employee of Charnwood Borough Council?

YES NO If YES, please give details

12. CRIMINAL CONVICTIONS AND CAUTIONS

Do you have any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013) by SI 2013 1198' available at <http://www.justice.gov.uk/downloads/offenders/rehabilitation/rehabilitation-offenders.pdf>?

YES NO

If YES, please provide the details, including date, court and nature of offence. Please post to Human Resources, Southfield Road, Loughborough, Leicestershire, LE11 2TT by the closing date.

If the post you are applying for is defined under Safeguarding Vulnerable Groups Act 2006 (including amendments made under section 64 of the Protection of Freedoms Act 2012) as requiring a Disclosure and Barring Service (DBS) check, the successful candidate will be required to undertake a DBS check as required by the Council.

13. DATA PROTECTION ACT

The information you supply will be held for monitoring and evaluation purposes and in connection with any future contact. This information will be kept for a maximum of 18 months from the last contact.

When you sign and return this form you are giving permission to process and hold the information you

have supplied on it, including any information you consider to be personal and sensitive. The information may be used by Charnwood Borough Council for the purposes of equality monitoring, compiling statistics and maintaining other employment records. If you are a Jobcentre Plus or Connexions client we will disclose information to them for performance and monitoring purposes.

14. DECLARATION

- I declare that the information I have given on this form is, to the best of my knowledge, correct, true and accurate and that I have not omitted any facts which may have any bearing on my application. I understand that falsification of qualification or any other information may lead to the withdrawal of any offer of employment, or dismissal where employment has already commenced. By signing this form I agree to Charnwood Borough Council using this information to consult any third parties or external organisations for the purposes of confirming and/or clarifying such information.
- I also confirm that I have not directly or indirectly approached a councillor, senior officer or employee of the Council to support me in making this application as this would disqualify me as a candidate.
- I understand that if I don't tell you about any relationships with any councillor, senior officer or employees of the Council, or I neglect to tell you about any criminal convictions / cautions / reprimand / final warnings detailed in the guidance notes, and this is discovered after appointment, I could be dismissed without notice.
- I also understand that satisfactory references, medical clearance, evidence of the right to work in the UK and, if appropriate a satisfactory Disclosure and Barring Service (DBS) Certificate are required before any final offer of employment can be made.

Signature:

Date:

**15. Internal Information**

Are you currently in employment with Charnwood?

YES **NO**

Have you been employed by Charnwood previously?

YES **NO**

Redeployment within the Council

Do you have Redeployment status with the council?

YES **NO**

Category of Redeployment

At Risk **Other**

Current grade of job?



16. MONITORING SECTION

It would be really helpful if you could complete this section for us. The Council is committed to equality of opportunity in employment and service delivery and the information you provide will help us to ensure fair and equal treatment of applicants and employees alike. The details you supply will be stored separately to the information on the rest of the application form and will not be used as a basis for decision-making within the selection process.

1) How would you describe your ethnicity?

- | | |
|---|---|
| <input type="checkbox"/> White British | <input type="checkbox"/> Bangladeshi |
| <input type="checkbox"/> White Irish | <input type="checkbox"/> Caribbean |
| <input type="checkbox"/> White and Asian | <input type="checkbox"/> Chinese |
| <input type="checkbox"/> White and Black Africa | <input type="checkbox"/> Bangladeshi |
| <input type="checkbox"/> White and Black Caribbean | <input type="checkbox"/> Indian |
| <input type="checkbox"/> White – Other European | <input type="checkbox"/> Pakistani |
| <input type="checkbox"/> Any other Mixed background | <input type="checkbox"/> Any other White background |
| <input type="checkbox"/> Any other Asian background | <input type="checkbox"/> Any other ethnic group |
| <input type="checkbox"/> Prefer not to say | |

2) Gender: Male Female Prefer not to state

3) Date of birth: (DD/MM/YY) Age:

4) Religion:

- | | |
|---|---|
| <input type="checkbox"/> Agnostic | <input type="checkbox"/> Atheist |
| <input type="checkbox"/> Buddhist - Hinayana | <input type="checkbox"/> Buddhist - Mahayana |
| <input type="checkbox"/> Christian - Orthodox | <input type="checkbox"/> Christian - Protestant |
| <input type="checkbox"/> Christian – Roman Catholic | <input type="checkbox"/> Confucianism |
| <input type="checkbox"/> Hinduism | <input type="checkbox"/> Islam - Shiite |
| <input type="checkbox"/> Islam - Sunni | <input type="checkbox"/> Judaism - Hassidic |
| <input type="checkbox"/> Judaism - Orthodox | <input type="checkbox"/> Judaism - Reformed |
| <input type="checkbox"/> Other | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> Shintoism | <input type="checkbox"/> Sikhism |
| <input type="checkbox"/> Taoism | |

5) Sexual Orientation:

- | | | |
|---------------------------------------|--|----------------------------------|
| <input type="checkbox"/> Bi-sexual | <input type="checkbox"/> Gay | <input type="checkbox"/> Lesbian |
| <input type="checkbox"/> Heterosexual | <input type="checkbox"/> Prefer not to state | |

6) Marital Status:

- | | | |
|-----------------------------------|------------------------------------|--|
| <input type="checkbox"/> Divorced | <input type="checkbox"/> Married | <input type="checkbox"/> Not Specified |
| <input type="checkbox"/> Partner | <input type="checkbox"/> Separated | <input type="checkbox"/> Singled |
| <input type="checkbox"/> Widowed | | |

7) Where did you see this vacancy advertised? (Please be specific e.g. Leicester Mercury/ Connexions/ Jobcentre Plus/ Charnwood Borough Website/ Word of mouth)



Strictly Private & Confidential

Southfield Road, Loughborough,
Leicestershire. LE11 2TT

HR Services Direct Line: 01509 634606

Email: hr@charnwood.gov.uk

(INSERT DATE HERE)

Dear

PROVISIONAL OFFER OF EMPLOYMENT : JOB TITLE (POST NUMBER)

Department/Section:

With reference to your recent interview, I now have pleasure in confirming the provisional offer to you for the post of XXXX based at XXXX.

The commencing salary offered is in accordance with Charnwood Borough Council's grade structure at Grade XX Spinal Column Point XX at £XXXX per annum.

The post is for XX hours per week and your salary will be £XXXX [pro rata for part time].

This provisional offer is subject to the following pre-employment checks being conducted.

References

Your appointment is subject to satisfactory references being received from the referees as stated on your application form.

Medical clearance

A medical questionnaire will be sent to your email address as stated on your application form, please complete and return as soon as possible. If you experience any problems please do not hesitate to contact the above number.

The medical questionnaire will be seen only by HR staff or staff at the Occupational Health Unit. The medical questionnaire will not be seen by your prospective line manager. It will be stored securely and will remain strictly confidential at all times.

.....*continued*



Telephone: 01509 263151

Email: information@charnwood.gov.uk

Visit us at www.charnwood.gov.uk

For information about how & why we may process your personal data, your data protection rights or how to contact our data protection officer, please view our Privacy Notice www.charnwood.gov.uk/privacynotice

You are encouraged to give full information regarding any health issue or disability, if applicable, in order to safeguard your welfare at work. If you wish to discuss this beforehand, in confidence, please telephone the above number.

The definition of 'disability' under the Equality Act 2010 is that a person has a disability if:

- They have a physical or mental impairment;
- The impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities.

For the purposes of the Act, these words have the following meanings:

- 'substantial' means more than minor or trivial;
- 'long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions);
- 'normal day-to-day activities' include everyday things like eating, washing, walking and going shopping.

When determining whether medical clearance should be granted, the decision of the Senior HR Adviser will be final.

IMPORTANT - To minimise any delays in the recruitment process it is important that you complete and submit the online Occupational Health questionnaire as soon as possible.

DELETE IF NOT APPLICABLE

Obtaining a report from the Disclosure and Barring Service (DBS) (NOTE: Please delete this section if not required or delete one of the two highlighted wording, regulated activity check includes a barred list check whereas enhanced DBS check does not – a list of posts and the type of check required is on the intranet at [List of DBS Posts](#)

Your post requires an **Enhanced check for regulated activity** or an **Enhanced DBS check** and for this purpose your manager will arrange for you to complete an online DBS disclosure application. Your appointment is subject to a satisfactory DBS check being received. When determining whether the report from the Disclosure and Barring Service is satisfactory, the decision of the Head of Human Resources will be final.

If you anticipate or have difficulty providing appropriate documentation required as part of the DBS clearance application process you should seek further guidance from the DBS website; www.dbs.homeoffice.gov.uk

Prevention of illegal working

As it is a criminal offence to employ someone who does not have the right to work in the UK your employment cannot commence until satisfactory documentary evidence has been provided and photocopies taken.

All documents supplied must be the original documents.

Other pre-employment checks

You will be required to provide two original documents as proof of identity. These documents need to confirm your full name, date of birth, address and photographic I.D. Photocopies of identification documents (including passports, photo driving licences, ID cards, visas and qualifications etc.) will be taken. Please also bring proof of address eg: utility bill/bank statement.

Your appointment is also dependant on the provision of the following information, if a requirement of the post,

- a) a current and valid driving licence showing any endorsements
- b) education and training qualification certificates

General information

You are advised not to resign from your present post until you are notified that a satisfactory medical, two acceptable references and DBS clearance has been received. As soon as the appropriate reports have been received, the manager will contact you to agree your actual start date and a full contract of employment will be issued to you.

Employment Information forms

Please complete and return the following forms to the HR Office, Charnwood Borough Council, Southfield Road, Loughborough, Leicestershire, LE11 2TT.

- a. Bank Details (**NB Payment of salary can only be made if we have received your bank details.**)
- b. Emergency Details
- c. [HMRC Starter Checklist](#) printable version(for use if you have no P45), available on the link above. This should be printed, completed, signed and dated then returned to Human Resources.

We also enclose a Pension scheme application form which you should complete and send to the Leicestershire County Council address as detailed on the form.

Additionally, a [Standard/Enhanced Disclosure Applicants Privacy Policy](#) is enclosed. The privacy policy explains how your personal data will be used and outlines your rights under the General Data Protection Regulations. You should read this document prior to completing the online DBS disclosure application.

DELETE IF NOT APPLICABLE **Veterans and Reservists**

The Council has established a buddy scheme that applies to all veterans, spouses of serving personnel, reservists, adult cadet force leavers and those bereaved in these circumstances. Should you want to receive further information on this please confirm your authorisation, along with your consent to share your data with relevant officers of the Council, on the tear off slip below.

If you have any queries regarding this letter please do not hesitate to contact me.

Yours sincerely

HR Administrator
Encs

DELETE IF NOT APPLICABLE
Veterans and Reservists

I confirm that the section on veterans and reservists as outlined in this letter is applicable to me and I give my consent to share my declaration with relevant officers of the Council.

I understand that this data will be used for monitoring purposes and I will be contacted in relation to relevant information and schemes provided by the Council.

I (Name) give my consent for my data to be used as outlined above:

Signature:



Leave Arrangements - Reserve Forces

Scope

This document applies to all employees of Charnwood Borough Council employed under the Joint Negotiating Committee for Local Government Services (JNC), National Joint Council for Local Government Services (NJC) and Joint Negotiating Committee for Local Authority Craft and Associated Employees (Craft).

Purpose

The Council recognises that some employees will wish to volunteer to serve in Britain's Reserve Forces, and appreciates the contribution that the Reserve Forces and Reservists make in supporting the UK's regular Armed Forces.

The purpose of this guidance is to provide managers with a summary of the main issues and implications for the Council and any employees who are or become members of the Reserve Forces during their service with the Council.

What is a Reservist?

Reservists serve alongside 'regulars' on operations and provide a vital role in supporting and expanding the regular Armed Forces. A Reservist undertakes the same role as their equivalent within the regular Forces, and is trained to the same standard.

Each of the Armed Services has its own Reserve Force: Royal Naval Reserve (RNR), Royal Marines Reserve (RMR), Army Reserve (AR), Royal Air Force Reserves (RAuxAF).

Members of Reserve Forces fall into two main categories:

- **Regular Reserves**
Comprising people who have formerly served in the regular forces and have an ongoing commitment to serve i.e. they can be mobilised to serve where a Call Out Order has been issued.

- **Volunteer Reserves**
Normally those who have joined the volunteer services directly from the civilian community, e.g. Army Reserve.

There are other categories of Reservist. However, there is a further significant category where employment with the Council may be interrupted by mobilisation:

- **High**
These are Reservists who are likely to have specific

Readiness Reserves (HRRs) skills and/or who agree to be mobilised at short notice. HRRs are usually required to report for duty within 12-24 hours. HRRs are normally mobilised for up to one month, but may be required to serve for up to 12 months.

HRRs must obtain written consent from their employer if they are employed for more than two days per week. This consent must be renewed annually. Without consent, a Reservist cannot be an HRR but may continue to serve as a Regular or Volunteer Reservist.

Activities associated with the Regular and Volunteer Reserve Forces should be undertaken in the employee's own time.

However, up to two weeks' paid leave may be granted for attendance at the annual training camp.

Employer Notification

When Reservists first enlist, or re-engage, they are required to allow the Ministry of Defence permission to contact their employer. The employee is responsible for ensuring that information provided to the Ministry of Defence for this purpose is kept up to date.

The Ministry of Defence automatically notifies employers if one of their employees becomes a Reservist. This is known as 'Employer Notification'. The Employer Notification system is intended to provide information about the benefits of employing a Reservist, their rights and obligations, and Reservists' training commitments. The Employer Notification system is used to inform employers if their employees have been called up to serve (mobilisation).

The Council encourages employees who are Reservists to discuss their commitments with their manager on a regular basis, to ensure open communication and to allow both parties to plan effectively.

What is Mobilisation (or Call Out)?

Mobilisation is the process of calling Reservists into full-time service to support military operations. The Secretary of State has the power to authorise the use of Reservists for any purpose which the regular Armed Forces are used, which can include peacekeeping or humanitarian work. Reservists may be required to serve in the UK or abroad. Members of the Army Reserve (formerly the Territorial Army) and the Royal Auxiliary Air Force have been called up compulsorily to serve in Britain in the war on terrorism.

All members of the Volunteer Reserve Forces (except the Cadet Forces) can be mobilised to full-time service under the Reserve Forces Act 1996.

Legally, mobilisation is compulsory. However, most Armed Forces endeavour to identify willing and available individuals for specific appointments. This is known as 'intelligent selection' and relies upon effective communication between the Reservist, their employer and the military unit.

However, where there are short operational deadlines which cannot be met using intelligent selection the Ministry of Defence can mobilise Reservists without taking account of the individual's personal, welfare and/or employment situation.

In all cases of mobilisation, the employer has the right to seek an exemption, deferral, or revocation if the employee's absence will cause serious harm to the business/organisation. The Reservist may also apply for an exemption, deferral or revocation subject to their personal circumstances. Applications must be made within 7 days of the mobilisation notice being served and will be considered for acceptance by a Service Adjudication Officer. .

Before being sent to their postings, Reservists must undergo a period of induction where they are issued with equipment, given a medical examination and receive any specialist relevant training.

The maximum duration of full-time service when called out is normally no more than 12 months, although the exact duration will depend on the nature of the deployment.

How Much Notice of Mobilisation is Given?

The Reserve Forces Act 1996, which provides the mechanism for calling out Reservists for active service, does not specify a minimum period of notice to be given.

However, the Ministry of Defence endeavours, where possible, to give employers at least 28 days for contingency (short notice) operations, and 90 days for pre-planned operations. However, this cannot be guaranteed.

The Council requires employees who are called out to present to their manager upon receipt their mobilisation papers and any information intended to be referred to the employer.

Who Pays the Employee During the Period of Mobilisation?

If an employee is mobilised their employer does not have to continue paying salary, or any other benefits, normally paid to the employee.

The employee receives a salary from the Ministry of Defence during the period of mobilisation appropriate to their rank in the Service. If the employee's civilian pay is higher than their Service pay, they can claim the difference from the Ministry of Defence. **The Ministry of Defence policy ensures that the employee suffers no loss of earnings during the period of mobilisation.**

Financial Assistance for Employers for Additional Costs Incurred

Any additional costs incurred by the employer in temporarily replacing the absent employee or, for example, paying others overtime to make up the shortfall of work can be claimed from the Ministry of Defence.

The Ministry of Defence will pay for each day of absence due to mobilisation. Payment to the employer is in arrears.

Certain 'one off' costs can also be claimed but these must be supported by an invoice or bills, e.g. recruitment agency fees to find a temporary replacement, advertising costs.

It is also possible to claim for the cost of (necessary) training for an employee returning to work after mobilisation in order that they are able to discharge their employment duties properly. The Ministry of Defence will require evidence of the cost involved in the training and justification that the training could not be provided by other means, e.g. workplace experience.

How to Claim

The Reservist employee will be given a letter from the Ministry of Defence to hand to their employer giving details of how to apply for financial assistance. The employer may also be sent a claim form at the same time.

The completed claim form and supporting evidence (see below) will be examined by an Adjudication Officer. The Adjudication Officer may ask for additional evidence which, if not supplied, could result in payment of the claim being delayed, not paid in full, or not paid at all.

The information required by the Adjudication Officer is:

- Charnwood Borough Council (as the employer) – full name and address, including telephone number, fax and email address
- Full name of the employee, their national insurance number and payroll reference number
- Written confirmation of the employee's earnings
- Written evidence of the costs of hiring a replacement (if applicable)
- Written evidence of 'one off' costs, e.g. recruitment advertising for a replacement or agency fees.

The claim must be made within 4 weeks of the date of the employee's last date of full time service as a Reservist, other than for training upon return to work. This is because it may not be possible for training to take place and/or be completed within 4 weeks of demobilisation. Claims for costs related to training must be claimed within 8 weeks of the Reservist completing the relevant training and within 6 months of the employee's last day of full time service as a Reservist.

Annual Leave

Reservists should be encouraged to take any accrued annual leave before mobilisation, subject to the needs of the service. The Company is not obliged to accrue annual leave for a Reservist employee during the period of mobilisation. Reservists accrue annual leave with the MoD whilst they are in full time service. When they demobilise, Reservists are entitled to a period of

post-operational leave (POL). During this period they will continue to be paid by the MoD.

Employees may carry forward up to a maximum of 5 working days* of their contracted weekly working hours from the leave year prior to mobilisation into the leave year that they return to work following demobilisation.

In exceptional circumstances, the Head of Service may at their discretion approve a further 5 working days* paid leave to be carried over. *(Pro-rata for part time employees).

Continuous Service

Under The Reserve Forces Act (Safeguarding of Employment) Act 1985, an employee's service is terminated on mobilisation, but provided the employee follows the correct notification procedure under the Act, they can return to employment. During this period the Reservist will continue to accrue any contractual service related rights with their continuity of service being restored upon return to Charnwood Borough Council.

Employees – Pension Contributions

Reservists who are mobilised are asked to sign a Declaration of Intent. This allows them to opt for the period of mobilisation to count for pension purposes either by remaining within their existing occupational or personal pension scheme, counting towards the Reserve Forces Pension Scheme (RFPS), or may elect to join the State Second Pension (S2P).

Only one pension option is permitted for the period of Service, and cannot be changed once the Reservist is mobilised.

Employees may wish to seek independent financial advice before making their decision.

Reservists who elect to remain members of the Local Government Pension Scheme (LGPS) must pay their employee contributions to the scheme and the Ministry of Defence will pay the employer contributions during the period of mobilisation.

Employers are legally bound to accept Ministry of Defence payments to the employee's occupational pension scheme. The payments are made as part of an award to the Reservist so does not have to be claimed by the employer.

Return to work

Both the Reservist and their employer have obligations under The Reserve Forces (Safeguarding of Employment Act) 1985 regarding the return to work process

Reservist:

The Reservist must write to their employer by the third Monday after their last day of military service making their request to return to work and suggesting a

date which should fall within 6 weeks of their last day of full-time service .This letter formally starts the return to work process.

They are also encouraged to informally contact the employer to discuss their return to work at the earliest opportunity, whether via a letter, a meeting or a telephone call. The formal application must be made in writing for it to be valid under the Act.

If a Reservist is not happy with the offer of alternative employment they must write to the employer stating why there is reasonable cause for them not to accept it. If a Reservist believes that an employer's response to their application denies their rights under the Safeguard of Employment Act 1985, an application can be made to a Reinstatement Committee for assessment. This committee will consider the Reservist's application and can make an order for reinstatement and/or compensation.

Employer:

The Employer has an obligation under Reserve Forces (Safeguarding of Employment) Act 1985 to reinstate the Reservist, where possible to their former role, and if not, to a mutually acceptable role on the same terms and conditions prior to mobilisation.

The Reservist should be reinstated within 6 weeks of the last day of their full-time service.

Sometimes Reservists may need refresher training when they return to work, or be given time to familiarise themselves with processes and procedures in the workplace. Financial assistance may be available for retraining if it is required as a direct result of their mobilisation, although applications cannot be made for training courses that would have taken place anyway. Evidence of costs will be required in addition to evidence that the Reservist could not reach the required standard by any other means, such as workplace experience.

Unfair Dismissal

Employees who are Reservists have the right not to be dismissed in connection with membership of the Reserve Forces.

In most cases, employees require at least two years' continuous employment in order to make a claim for unfair dismissal. The Defence Reform Act 2014, implemented on 1st October 2014, removed this requirement for dismissals in connection with membership of the Reserve Forces, which means that employees dismissed in these circumstances may make an unfair dismissal claim from the first day of their employment.

It is a criminal offence to dismiss a Reservist because they have been, or are likely to be, called up or mobilised for active service.

Further Information

More detailed information about the Reserve Forces can be found on the following websites:

SABRE – Supporting Britain’s Reservists and Employers

www.reserves@cadetsni.org.uk

Ministry of Defence – <https://www.gov.uk/government/organisations/ministry-of-defence> •

Defence Relationship Management

<https://www.gov.uk/government/groups/defence-relationship-management>

Helpline: – 0800 389 5459. This is a free telephone helpline open during office hours where advice and guidance can be obtained on training, mobilisation and employment issues.

Royal Navy website www.royalnavy.mod.uk/the-fleet/maritime-reserves

Army website: www.army.mod.uk/join/20233.aspx

Royal Air Force website www.raf.mod.uk/rafreserves