

**South Ayrshire Council**

**Report by Chief Executive  
to Cabinet  
of 1 November 2022**

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**Subject: Revised Recruitment and Selection Policy**

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**1. Purpose**

1.1 The purpose of this report is to seek approval for:

1.1.1 the revisions applied to the Council 'Recruitment and Selection' Policy ('the Policy'), Handbook and Charter which incorporate:

- new online recruitment resources;
- changes to the Right to Work legislation;
- achievement of Recruit with Convictions Ambassador Status; and
- payment of SSSC fees; and

1.1.2 the implementation of a new guidance document on the Recruitment of Ex-Offenders.

**2. Recommendation**

**2.1 It is recommended that the Cabinet:**

**2.1.1 notes the work that has been undertaken in the development of the revised Policy, Handbook and Charter, working with the Director of Recruit with Conviction and the Ayrshire Criminal Justice Partnership;**

**2.1.2 approves the revisions made to the Policy, Handbook and Charter (attached as Appendices 1 to 3);**

**2.1.3 approves the implementation of the new guidance document on the Recruitment of Ex-Offenders (attached as Appendix 4);**

**2.1.4 agrees that the Council will maintain its current position to discuss criminal convictions at interview;**

**2.1.5 requests that the Chief HR Adviser publicise and promote these procedures;**

**2.1.6 requests that officers from Procurement consider using the Ambassador's principles within commissioning and tendering by**

**the Council and report back to a future meeting of Cabinet with any proposals;**

- 2.1.7 notes that the roll out of 'Recruit with Conviction' awareness and skills development training will be carried out for managers across the Council;**
- 2.1.8 agrees the updating of the Council's terms and conditions of employment to reflect the recommendations in this report;**
- 2.1.9 approves the changes made to the Recruitment and Selection complaints procedure (attached as Appendix 5); and**
- 2.1.10 approves the proposal that references requested by external organisations for current or former employees are solely issued by the HR department and only provide basic employment details (such as the position held and employment dates).**

### **3. Background**

- 3.1 At a special meeting on 10 March 2002, Council approved a [motion](#) proposing that South Ayrshire Council become a Recruit with Conviction Ambassador.
- 3.2 A full review of existing policies and processes has been carried out in conjunction with the Recruit with Conviction Director. Recruit with Conviction Ltd is a not-for-profit company, established to fill the gap that exists for helping businesses to understand the issues and benefits from employing people with criminal records. It provides vast experience of business, criminal justice and employability support to provide a professional service within a tried and tested model which has been operating since 1998. Within the local authorities in Ayrshire, the work has been promoted by the Community Justice Ayrshire Partnership.
- 3.3 In the development of the revised procedures the HR team have undertaken training in the Recruit with Conviction programme and are now able to respond to complex enquiries related to the changes in law, Ambassador programme and fair decision making.
- 3.4 Recruit with Conviction has provided two options for the disclosure of criminal convictions: one at interview stage and the other once the recommended candidate has been identified.
- 3.5 Organisational Development produced a range of online resources to support recruitment activities due to the shift to online interviews during the pandemic and these have now been incorporated within the Policy and Handbook.
- 3.6 During the pandemic the Home Office introduced an adjusted check procedure to check and validate right to work documents for interviewees and new starters. This procedure allowed verification of right to work documents online without the need to see physical copies. The adjusted check procedure is now coming to an end on 30 September, meaning that from 1 October 2022 hiring managers will be required to check the physical copy of the right to work document at interview stage and we can no longer receive copies of these documents via email, unless these have been verified physically at interview.

3.7 Cabinet of 30 August 2022 agreed the payment of SSSC registration fees for employees up to and including those at Level 5. It was noted that if there was a national agreement reached as part of the consultations on the pay award to pay registration fees for all other employees, then appropriate arrangements would be made to implement that agreement.

#### **4. Proposals**

4.1 It is proposed that the Council maintains its current position to discuss criminal convictions at interview. Whilst this option places a requirement on the panel to be prepared for any disclosure and be able to discuss appropriately, disclosing at interview allows for the panel to enter into discussions with the applicant at an early stage. Both applicant and panel will have time saved as decisions are made sooner, thus expediting the recruitment process. Moreover, managers are already familiar with this process.

4.2 Instead, if convictions are not disclosed until the candidate is recommended and said convictions do not allow us to progress with the appointment, the panel will have to consider an alternative candidate or re-advertise. Therefore, this option could be time-consuming, and it would require a change to our existing processes.

4.3 It is therefore proposed to adopt the recommended changes applied to the Policy, Handbook and Charter which are summarised in Appendix 6 and highlighted in bold in the documents.

4.4 A guidance document on the Recruitment of Ex-Offenders is contained in Appendix 4. This will be used by managers in conjunction with the Policy and Handbook.

4.5 It is proposed that HR will work with Organisational Development to update the COAST module to include the Recruit with Conviction awareness training and the changes in Right to Work legislation.

4.6 The Policy has been updated to reference the payment of SSSC registration fees to employees up to and including Level 5. It is proposed that a further amendment may be required if agreement is reached for any additional employees.

4.7 It is proposed that the Council's terms and conditions of employment are updated to reflect the recommendations in this report.

4.8 It is proposed that the Recruitment complaint procedures are updated to remove reference to the appeal process. Complaining about a recruitment decision is in itself an appeal against the decision made by the panel chairperson and therefore there should be no further right of appeal.

4.9 It is proposed that references requested by external organisations for current or former employees are solely issued by the HR department and only provide basic employment details (such as the position held and employment dates). As external organisations can request detailed references and in different format, with HR providing basic employment details we can ensure that the information provided is consistent and appropriate without the risk of disclosing sensitive matters, such as absence details.

#### **5. Legal and Procurement Implications**

5.1 There are no legal implications arising from this report.

5.2 There are no procurement implications arising from this report.

## **6. Financial Implications**

6.1 Not applicable.

## **7. Human Resources Implications**

7.1 HR officers will work with colleagues from Organisational Development to update COAST and to facilitate the awareness training for managers.

## **8. Risk**

### ***Risk Implications of Adopting the Recommendations***

8.1.1 There are no risks associated with adopting the recommendations.

### ***Risk Implications of Rejecting the Recommendations***

8.2.1 Rejecting the recommendations may impact on the reputation of the Council.

## **9. Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equality Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as Appendix 7.

## **10. Sustainable Development Implications**

10.1 ***Considering Strategic Environmental Assessment (SEA)*** – This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## **11. Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## **12. Link to Council Plan**

12.1 The matters referred to in this report contribute to Commitments 1 and 2 of the Council Plan: Fair and Effective Leadership/ Leadership that promotes fairness; and the Closing the Gap/ Reduce poverty and disadvantage.

## **13. Results of Consultation**

13.1 There has been no public consultation on the contents of this report.

13.2 Consultation has taken place with Councillor Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, and the contents of this report reflect any feedback provided.

13.3 Consultation has taken place with the Trade Unions who agree to the proposals set out in paragraph 4 above.

#### **14. Next Steps for Decision Tracking Purposes**

14.1 If the recommendations above are approved by Members, the Chief Executive will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<b>Implementation</b>	<b>Due date</b>	<b>Managed by</b>
Upload the updated Recruitment and Selection Policy, Handbook, Charter and Guidance to The Core	30 November 2022	Chief HR Adviser
Arrange awareness training for managers	31 December 2022	Chief HR Adviser
Communicate with the wider organisation and partners to promote Ambassador status	30 November 2022	Chief HR Adviser
Update Terms and Conditions	30 November 2022	Chief HR Adviser

**Background Papers** [South Ayrshire Council \(Special\) – 10 March 2022 – Notice of Motion \(item 7\)](#)

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