

## EO 03. Recruitment

### 1. Purpose of Policy

- i. The aim of this policy is to select and appoint Staff with appropriate skills and experience through a methodical selection process, free from discriminatory bias and soundly based on the principle of equality of opportunity.
- ii. This policy outlines the processes used during recruitment of Staff and in particular, details the policy on recruitment of offenders and for those Staff that subsequently offend.
- iii. This policy also details how we treat information provided by applicants as part of the recruitment process for both staff and volunteer positions.
- iv. In addition, this document details separately the policy concerning the recruitment of Volunteers (pages 4-5).

### A. Equal Opportunities

### 2. Equal Opportunities

- i. Carers Link actively promotes equality of opportunity for all with the right combination of talent, skills and potential, and welcomes applications from a wide range of candidates, including those with criminal records. The selection of candidates for interview will be based on skills, qualifications and experience. Candidates will not be discriminated against based on their sex, marital or civil partner status, pregnancy or maternity, sexual orientation, gender reassignment, race (which includes colour, nationality and ethnic or national origins), religion or belief, age, disability or responsibility for dependants.
- ii. Equal Opportunities monitoring forms will be detached from Staff Applications and used only for the purposes of monitoring the effectiveness of our equal opportunities policies.
- iii. In accordance with our policies, attempts will be made to accommodate the particular needs of any person suffering from a disability within the meaning of the Equality Act 2010 at all stages of the recruitment process.
- iv. In addition, Carers Link complies fully with the Code of Practice, issued by Scottish Ministers, in connection with the use of information provided by Disclosure Scotland under Part V of the Police Act 1997, for the purposes of assessing applicants' suitability for positions of trust. We undertake to treat all applicants for positions fairly and not to discriminate unfairly against the subject of a Disclosure on the basis of conviction or other information revealed. The specific process with regard to ex-offenders is contained within the relevant sections of this policy.
- v. This **Recruitment Policy** is made available at all times on our website. All individuals who enquire about a vacancy will be informed of the policy location at the outset of the recruitment process. On request, a copy of the policy can also be provided directly to the applicant.

### 3. Carers

- i. Carers Link was the first organisation in Scotland to have achieved Exemplary Status as a Carer Positive Employer.
- ii. We have identified that a clear understanding and real empathy gained through personal experience of caring, is crucial in building supportive relationships with Carers. Over half our volunteers have such experience and we encourage carers to consider using their personal story as a way of helping others and to volunteer with the organisation.
- iii. We also encourage people with caring experience to apply for any job vacancies if they think that their wider skills and experience match with the person specification.
- iv. However we recognise that whilst there needs to be a supportive working environment for all staff and volunteers in the workplace, carers may need additional supports to help manage the sometimes difficult job of balancing work with caring responsibilities. As such we have a dedicated policy (**SE 027 Carers Policy**) that outlines the supports available. If you would like to discuss this policy or

how working with Carers Link would impact your caring (or vice versa, please do not hesitate in contacting us).

#### 4. PVG Membership

- i. In line with the Police Act 1997 (Part V) and dependent on the nature of the position, Carers Link will ask successful job applicants and most volunteers to become a member of the Protecting Vulnerable Groups Scheme (PVG Scheme) at the appropriate level with regards to working with adults and/or children/young people. Details of handling and storage of this information is available in our **Policy on Data Protection (Personal Data & Disclosure Information)** and also outlined in the **GDPR Compliance** section of this policy.
- ii. For paid positions not eligible for PVG Scheme membership, a Basic Disclosure shall be requested.
- iii. Membership of the PVG Scheme will contain details of all convictions on record, whether "spent" or "unspent" under the Rehabilitation of Offenders Act 1974 and details the type of regulated work in respect of which the individual is a PVG Scheme member, if the individual is under consideration for listing, convictions and cautions, if the individual is included on the sex offenders register, relevant non-conviction information and prescribed civil orders.
- iv. An inquiry to the PVG Scheme will also contain the above, but in addition will contain details of non-conviction information held locally by the Police, where this is considered relevant to the post.
- v. The Rehabilitation of Offenders Act was established to create equal access to employment for ex-offenders. Provided they have not been re-convicted for another offence, their conviction is said to become spent and to be treated as though it never existed. However, this only covers sentences up to 2½ years. Nevertheless, the Exceptions Order 1975 (updated to Exclusions and Exceptions Order 2003), allows Carers Link to be exempted from this Act, as we carry out work that brings the person into contact with vulnerable groups, namely children and young people, old and elderly people and people with a disability. This Exceptions Order thus overrules rights in relation to "spent convictions" and these must therefore be disclosed.
- vi. Having a criminal record will not necessarily stop ex-offenders from working with Carers Link. This will depend on the nature of the position, together with the circumstances and background of their offences.

## B. Recruitment for Staff Positions

#### 5. Advertising

- i. The aim of any recruitment practice is to ensure no discrimination takes place in this first stage. The extent and method of advertising will be dependent on whether the post is temporary or permanent.
- ii. Posts expected to last no more than 6 months and with no possibility of renewal may be advertised in the first instance only to staff, students, volunteers and previous job applicants (if appropriate).
- iii. Posts expected to last between 6 months and 1 year will also be advertised internally in the first instance. However they will also be made known to the wider public through our website and facebook pages and through voluntary sector networks such as EDVA or the Coalition of Carers. Advertising within the press or website (such as Goodmoves) will only occur if funding permits.
- iv. For points ii and iii above, please also refer also to the **Policy on Temporary Workers**.
- v. Permanent posts will be advertised as per iii above but will also be advertised through the press/website packages offered through Goodmoves. Other national and professional press or websites will only be utilised where funding permits or if appropriate.
- vi. All existing employees, students and volunteers who meet the minimum criteria for a post will be guaranteed an interview. Please refer also to the Policy on **TUPE**.
- vii. Where membership of PVG Scheme is deemed necessary for a post or position, all applications forms, job adverts, website, and any other appropriate literature will contain a statement that PVG Scheme membership will be requested in the event of the individual being offered the position.

## 6. Staff Recruitment Process

- i. Prior to advertising a new post or filling an existing vacancy, a job description and person specification will be drawn up by the CEO and/or delegated manager.
- ii. Application packs will be made available to all prospective candidates by downloading from our own website or that of the advertising agency. They can also be e-mailed directly on request. These packs will include job descriptions, person specification, application form, equal opportunities monitoring form, criminal conviction declaration form, and background information on Carers Link and the relevant project. Where possible, applicants are asked to return the completed criminal declaration form sealed in an envelope or – if returning by e-mail – as a password protected document.
- iii. The CEO and designated members of staff will shortlist from applications received using a scoring system against the Person Specification. Applications from people who do not meet the minimum criteria or who are not included in the shortlist will be responded to with a 'no thank you' letter or e-mail at the earliest opportunity.
- iv. The sealed envelopes of short listed candidates containing their completed criminal conviction declaration form shall be opened at this point. Likewise the passwords will be requested for any password protected conviction declaration forms.
- v. If any short listed candidate has declared previous criminal convictions, the relevancy of these offences and an assessment of potential risk shall be assessed by the CEO and designated members of the Board of Management, and will consider at a minimum the following aspects:
  - o Whether the conviction is relevant to the position being sought
  - o The seriousness of the offence revealed
  - o The length of time since the offence took place
  - o Whether the applicant has a pattern of offending behaviour
  - o Whether the applicants circumstances have changed since offending took place
- vi. We ensure that those involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to employment of ex-offenders.
- vii. Where an offence is considered a risk to the organisation and/or our service users, the short listed candidate shall not be selected for interview. A letter will be sent at the earliest opportunity, acknowledging the positives of disclosing and explaining the decision. The criminal conviction declaration form shall also be returned.
- viii. Where an offence is not considered a risk, the candidate will be invited for interview.

## 7. Interviews for Staff

- i. The interview panel will normally consist of CEO, Operational Manager and relevant staff member. Representative(s) from the Board of Management and other invited parties from funding bodies may also attend as appropriate.
- ii. The panel will meet prior to interview to agree questions and criteria for objective scoring. During interviews each candidate will be scored directly following each interview. The most appropriate applicant will be offered the post.
- iii. Where appropriate, skills tests (such as delivery of a presentation) will form part of the interview. However, psychometric testing will only be used if the test has been validated in relation to the job, is free of sex or racial bias and is administered and validated by a suitably trained employee.
- iv. If any candidate has previously declared criminal convictions, the chair of the interview panel will declare at the beginning of the interview that the criminal convictions shall be discussed. The purpose of this discussion is to clarify information relating to the circumstances and background of the offences, or other matters that might be considered relevant for the position concerned. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of a subsequent offer of employment.

## 8. Recruitment & Social Media

- i. Carers Link will not check public social media pages (Facebook, Twitter etc.) about a candidate during the short-listing or interview stage of the recruitment process.
- ii. The panel, may however, check the 'Linked-in' pages of a candidate as this website has been created for the purposes of professional networking and recruitment/job-seeking.
- iii. Nevertheless, applicants should be aware that if successful and they begin employment with Carers Link, then their social media pages and other such pages *may* be monitored. Nevertheless, blogs or websites which do not identify the blogger or participant as a Carers Link staff member or Volunteer, do not discuss Carers Link or our work and are purely about personal matters would normally fall outside the guidance listed within the **ITC Policy**.
- iv. As stated within our **ITC Policy**, you will however be subject to the Discipline Policy for any blog or other website posting that Carers Link determines is rude, offensive, harassing, defamatory or disparaging to Carers, Volunteers, your Colleagues, relationships with other organisations or its day-to-day operations and/or strategic developments.

## C. Appointment of Staff

### 9. Post Interview and Appointment

- i. When a suitable candidate has been identified, an offer of a job - specifying salary - will be made **subject** to two acceptable references, receipt of PVG Scheme membership and – if applicable - sight of qualification documents. The candidate may also be asked to undergo a medical examination prior to confirmation. The letter of offer will contain key terms and conditions and will request a written letter of acceptance from the successful candidate.
- ii. Should satisfactory references or PVG Scheme membership not be received the panel can either appoint the next most suitable candidate or re-advertise.
- iii. We undertake to discuss any matter revealed from a PVG Scheme application with the subject of that Disclosure before withdrawing a conditional offer of employment.
- iv. All unsuccessful candidates will be informed as soon as confirmation of the new appointment is received. Feedback of interview performance will also be made available on request and this should stress where the panel recorded clear evidence of the applicant's strengths and highlight areas of weakness. All candidates' information will be kept for a maximum period of 6 months, subject to the **Policy I 02. Employee & Volunteer Data (see section E below)**.
- v. In the case of internal promotions, the employee who is to be promoted must be made aware of the conditions attached to the promotion, e.g. salary, probationary period, what will happen should they be unsatisfactory in the new role, etc.
- vi. Where a suitable candidate with previous criminal convictions is appointed, they shall be informed of the policy **I 02. Employee & Volunteer Data**. The candidate will be reassured that their criminal conviction declaration and Disclosure Information shall be kept confidential and duly shredded, according to the aforementioned policy.

### 10. Induction and Probation

- i. Carers Link aims to help new employees become integrated into the organisation as quickly as possible. All new employees, or employees assuming a new or different role, will have an Induction designed to meet the needs of the job and the employee. Please refer to the separate **Induction Policy** for details.
- ii. All new employees will be subject to a probationary period. The length of the period will be determined by the levels of skills and responsibility demanded by the job and may be split into separate review periods, not exceeding six months in total.
- iii. New employee's progress will be monitored closely and reviewed throughout the probation period. If an employee has failed to meet the necessary standards the probationary period may be extended or a new period established.

- iv. If the period is extended for reasons of poor performance, misconduct or extended absence the employee will be notified in writing of the deficiencies in performance and the date at which the extended probationary period will end (see again the **Policy on Probation Periods**).

### 11. Subsequent Criminal Convictions

- i. If you are appointed as a member of Staff and then are later convicted of a crime, you *may* be subject to the Disciplinary Procedure, even if that crime is committed outside of the work place or hours.
- ii. A Risk Assessment will be carried out to determine the facts of the case and consider whether the matter is serious enough to warrant starting the **Disciplinary Procedure**.
- iii. The main consideration will be whether the offence, or alleged offence, is one that makes the employee unsuitable for their type of work. Other considerations will include:
  - o Whether the conviction is relevant to the position held
  - o The seriousness of the offence revealed
  - o Whether the staff member has a pattern of offending behaviour
  - o Whether the staff member's circumstances have changed since offending took place
- iv. A criminal conviction will be treated as Gross Misconduct which *may* result in dismissal, if - after the risk assessment – it is considered to be relevant to the nature of your work and/or a potential risk to one or more of the following:
  - o The organisation
  - o Other Staff
  - o Other Volunteers
  - o Carers (of any age) or their families
  - o Partnership Organisations (or their Staff, Volunteers or clients)
  - o Members of the Public or other professionals who use our services
- v. Please refer to the full policy relating to **Disclosures SE 02**.

## D. Recruitment of Volunteers

### 12. Recruitment of Volunteers

- i. Carers Link encourages the involvement of Volunteers at all levels in the organisation and within all appropriate programmes and activities. We recruit Volunteers in a variety of methods with the aim of ensuring no discrimination takes place. These methods include but are not limited to:
  - o Local Volunteer/Voluntary Action Centres
  - o Article, letters or advertisements in local, trade and national papers.
  - o Posters within health centres, community centres, places of worship, libraries etc.
  - o Websites
  - o Targeted recruitment in response to requests
- ii. We will request membership of the PVG Scheme only where this is considered proportionate and relevant to the particular position. This will be based on a risk assessment of that position. Where membership is deemed necessary for a position, all application forms and information packs shall contain a statement to this effect.
- iii. Applicant's packs in the appropriate format shall be provided to all potential enquirers following an informal meeting. These include Information Booklet, Application Form, Criminal Conviction Declaration Form and Freepost Envelope. Applicants are asked to return the Application and Declaration Forms in the Freepost Envelope addressed to the Volunteers Co-ordinator.
- iv. If any applicant has declared previous criminal convictions, the relevancy of these offences shall be considered, taking into account the nature of the position and the circumstances and background of

the offences. The relevancy of these offences and an assessment of potential work shall be assessed by the Volunteers Co-ordinator and CEO.

- v. Where an offence is considered a risk to the organisation and /or Carers or those being Cared-for, the Volunteer applicant shall not be processed further. A letter or e-mail will be sent at the earliest opportunity, acknowledging the positives of disclosing and explaining our decision. The criminal conviction declaration form shall also be returned. Details of other appropriate voluntary organisations who may be able to provide assistance shall also be provided.
- vi. All applicants must have satisfactory receipt of PVG Scheme membership. If a Scheme Record contains details of criminal convictions not previously declared by the Volunteer, they shall not be accepted as a Volunteer.
- vii. If a Scheme Record contains non-conviction information, the relevancy of this information and an assessment of potential risk shall again be assessed by the Volunteers Co-ordinator and CEO and the Volunteer application turned down if necessary.
- viii. All applicants must have two full and satisfactory references received on their behalf. Should a referee feel that they are unable to complete a reference form, the applicant shall have the opportunity to submit a further name.
- ix. If accepted as a Volunteer with Carers Link, a letter of confirmation and a copy of the Volunteer Handbook shall be sent.
- x. Where a Volunteer with previous criminal convictions is appointed, they shall be informed of the policy **I 02. Employee & Volunteer Data** and this Policy shall be duly followed.
- xi. No volunteer shall be accepted without completing an application form, providing satisfactory references, becoming a PVG Scheme member (if appropriate), completing all required training and attending an informal interview.

## E. Data Protection and GDPR

- i. Carers Link recognises the need to ensure, protect and preserve the confidentiality of information collected from - and the privacy of – Staff, Carers, Students and Volunteers. There are therefore policies available on our website (<https://carerslink.org.uk/key-policies/>) that explain in detail what information we collect, how we use it, store it and our compliance with the EU General Data Protection Regulations. There are separate policies available for staff/students/volunteers and for carers.
- ii. The protection of staff/volunteer information includes those members of the public that are prospective staff or volunteers.
- iii. Appendix 1 includes a breakdown of the information processed at Recruitment stage.

## F. Policy Review

### 13. Policy Review

- i. This Policy will be reviewed annually or as appropriate and in accordance with legislation.

Date	Activity	Date	Activity
April 2004	Policy Created		Choose an item.
May 2006	Reviewed & Updated		Choose an item.
January 2009	Reviewed & Updated		Choose an item.
January 2011	Reviewed & Updated		Choose an item.
March 2011	Reviewed & Updated		Choose an item.
February 2013	Reviewed & Updated		Choose an item.
March 2014	Reviewed & Updated		Choose an item.
January 2015	Reviewed & Updated		Choose an item.
June 2015	Reviewed & Updated		Choose an item.
June 2018	Reviewed & Updated		Choose an item.

## Appendix 1 – Data Tables for Recruitment

Stage in Relationship	Personal Data Held	Sensitive Data?	Purpose of Processing	Who Shared With?	Lawful Basis for Processing	Retention Period
<b>Pre-Employment STAFF Applications</b>	Digital versions of: <ul style="list-style-type: none"> <li>• Application forms inc. employment &amp; training history, qualifications</li> <li>• Equal Opportunity Forms</li> <li>• Cover letter/e-mail</li> <li>• Criminal Conviction Declarations</li> <li>• Handwritten notes from interviews</li> </ul>	Yes	<ul style="list-style-type: none"> <li>• Administering the Application</li> <li>• Equal opportunities monitoring</li> <li>• Making decisions about recruitment</li> </ul>	CEO, Office Manager and members of the short-listing panel	9(2)(a) – Explicit consent of the data subject 9(2)(b) –Obligations under employment law 6(1)(f) Legitimate interests	If rejected before interview stage, then all applications are deleted or shredded on appointment of new staff member i.e. within 12 weeks of closing date. Shortlisting details are maintained for 6 months in case of challenge to process. Successful candidate details are held for length of employment and 6 years post-employment
<b>Appointed Staff</b>	<ul style="list-style-type: none"> <li>• References received and formal offer of job</li> <li>• Contract of employment</li> </ul>	Potentially	<ul style="list-style-type: none"> <li>• Administering the Application</li> <li>• Making decisions about recruitment</li> <li>• To minimise any potential disputes</li> </ul>	CEO, Office Manager and Operational Manager	6(1)(f) Legitimate interests 6(1)(b) Performance of contract	For length of employment. On leaving (for whatever reason), details shall be kept for 6 years unless there is an ongoing need and additional consent provided
<b>Appointed Staff</b>	Right to work documents	Yes	<ul style="list-style-type: none"> <li>• Checking right to work in the UK</li> </ul>	CEO, Office Manager	6(1)(c) Legal obligation 6(1)(b) Performance of contract 6(1)(f) Legitimate interests	For length of employment and 2 years post-employment
<b>Appointed Staff</b>	PVG membership and Criminal Convictions	Yes	<ul style="list-style-type: none"> <li>• Making decisions about recruitment</li> <li>• To enable renewal of PVG membership</li> <li>• Making decisions about continued employment</li> </ul>	CEO and Office Manager. If there is a concern then also with Management Team and potentially with Law at Work	9(2)(b) Obligations under employment law 6(1)(c) Legal obligation 6(1)(f) Legitimate interests	PVG Number retained for length of employment and 6 years post-employment. Actual Disclosure sent immediately for shredding once decisions made.

For further information about data stored once you start employment, please see the Employee & Volunteer Data Policy on <https://carerslink.org.uk/key-policies/>

**Policies Relating to Equal Opportunities**

**Carers Link East Dunbartonshire**

Stage	Personal Data Held	Sensitive Data?	Purpose of Processing	Who Shared With?	Lawful Basis for Processing	Retention Period
<b>Volunteer First Contact</b>	Name, address and phone number/e-mail address is stored	No	<ul style="list-style-type: none"> <li>Administering the Volunteer Enquiry</li> </ul>	Information is only shared beyond the Volunteers Co-ordinator if there are any concerns about an applicant. It is then shared with the CEO and Management Team	6(1)(a) – Consent of the data subject	If an application is not received within 12 months, then database record will be stripped of personal details (anonymised) leaving only statistical details.
<b>Volunteer Application</b>	Digital versions of application forms detailing contact details, experience, interests. Scanned copies of handwritten applications. Digital versions of Criminal Conviction Declarations	Potentially	<ul style="list-style-type: none"> <li>Administering the Application</li> <li>Equal opportunities monitoring</li> <li>Making decisions about recruitment</li> </ul>	Beyond the Volunteers Co-ordinator, information is only shared with the CEO and Management Team if a criminal conviction is declared or if there are any concerns about an applicant.	9(2)(a) – Explicit consent of the data subject  9 (2)(b) Obligations under law	For length of involvement as a volunteer and for up-to 2 years beyond by which time inactive or resigned volunteer database records will be stripped of personal details (anonymised) unless they have requested ongoing contact for reference purposes.
<b>Volunteer Screening</b>	References received	No	<ul style="list-style-type: none"> <li>Administering the Application</li> <li>Making decisions about recruitment</li> <li>To minimise potential disputes</li> </ul>	Beyond the Volunteers Co-ordinator, information is only shared with the CEO and Management Team if there are any concerns about an applicant.	6(1)(a) – Consent of the data subject	Paper copies of references are securely shredded once scanned. Digital versions are deleted as part of above archiving process.
<b>Volunteer Screening</b>	PVG membership	Potentially read but not held	<ul style="list-style-type: none"> <li>Making decisions about recruitment</li> <li>To enable renewal of PVG membership</li> </ul>	Beyond the Volunteers Co-ordinator, information is only shared with the CEO and Management Team if a criminal conviction is shown.	9(2)(b) Obligations under law	The PVG number is stored on a password protected database as per above retention period. The paper Disclosure is not stored unless the acceptance of a volunteer is in dispute, whereby it will be kept by the CEO in a locked filing cabinet within a private office until a decision is made.

For further information about data stored once you start volunteering, please see the Employee & Volunteer Data Policy on <https://carerslink.org.uk/key-policies/>