

Selection & Appointments Policy

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SELECTION AND APPOINTMENTS POLICY

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1 INTRODUCTION

- 1.1 Western Health and Social Care Trust is committed to providing equality of opportunity in all our employment practices. This policy informs staff on one aspect of these practices; the selection and interview process.
- 1.2 The aim of this policy is to promote good practice among all staff involved in making selection decisions and who, therefore, carry the responsibility for implementing equality of opportunity. This policy should be read and understood in conjunction with the following documents:
 - The Equal Opportunities Policy.
 - · Code Of Practice for The Employment Of Persons with a Disability
 - · Fair Employment In Northern Ireland Code Of Practice.
 - Equal Opportunities Commission Code Of Practice Removing Sex Bias From Recruitment And Selection.
 - Disability Discrimination Act 1995 Code of Practice
 - The Health and Social Services Appointment of Consultants (NI) Regulations 1996 Good Practice Guidance

All of the above documents are available from the Personnel Department.

- 1.3 The purpose of our Equal Opportunities Policy is to eliminate unfair and illegal discrimination in access to employment or promotion within the Trust. Such discrimination means less favourable treatment on grounds of sex, marital status, perceived religious affiliation, political opinion, race, ethnic origin, disability, age or sexual orientation.
- 1.4 This in turn, means that the criteria for selection and promotion are determined solely by the requirements of the post and that people are appointed on the basis of their merit in relation to relevant experience, abilities, aptitude and qualifications.
- 1.5 All correspondence and information arising out of the selection process must be treated by all

concerned in the strictest confidence.

2 LEGAL FRAMEWORK

2.1	It is illegal to discriminate against people at work because of their			
	Gender (female or male) or Marital Status)	Sex Discrimination (NI) Order 1976 and 1988 amended)	
	or			
	Religious Affiliation or Political Opinion)))	Fair Employment (NI) Acts 1976 and 1989	
	Disability)	Disability Discrimination Act 1995	
	Race or Ethnic Origin)))	Race Relations (NI) Order 1997	

3 PRACTICAL APPLICATION OF THE LEGISLATION

- 3.1 None of the legislation referred to in Section 13 refers specifically to appointment on the merit principle. However, interpretation of the legislation by the courts means that if you appoint a lesser qualified and lesser experienced candidate to a post then you are required to give a clear and specific explanation why the better qualified/experienced person was not appointed.
- 3.2 This does not mean that in every case the candidate with longer experience and/or higher qualifications is automatically appointed. It may be that neither qualifications nor experience are required for a particular post or it may be that other criteria, for example, aptitudes, skills, etc., are considered to be more important.
- 3.3 What it does mean is that good employment practices are adopted to ensure:-
 - That recruitment and selection is based on the ability of the individual to do the job - this makes good business sense and effective human resourcing.
 - Objective and systematic adherence to procedures.
 - That documents and records are retained which will provide evidence that you have objective justification for any appointment.

THE SELECTION AND APPOINTMENTS PROCESS

4 **OVERVIEW**

4.1 The overall aim of the selection and appointment process should be to obtain, at the minimum cost, the number and quality of employees required to satisfy the human resource needs of the Trust. Effective recruitment and selection can create a more effective and efficient workforce and reduce labour turnover.

- 4.2 If the right people are recruited they are more likely to stay with the Trust. On the other hand if the wrong people are recruited then they will leave voluntarily when they find more suitable employment or leave involuntarily when we decide we can no longer afford to continue to employ them.
- 4.3 The time and money spent in recruiting, training, supervising and ultimately replacing leavers can be very costly but not as costly as low morale and high labour turnover.
- 4.4 The recruitment process consists of various stages from vacancy to appointment.
 - Panel composition
 - Defining the job
 - Defining the best candidate in terms of experience, qualifications, skills, qualities and competences
 - Shortlisting potential candidates.
 - Planning and organising the interview.
 - Conducting the interview.
 - Making a decision to appoint.

The following sections outline the process in detail and should be read thoroughly. A checklist for the selection process is included as **Appendix 1**.

5 PANEL ARRANGEMENTS

5.1 Panels should be constituted according to the category of post (See **Appendix 2**). For Consultant appointments refer to The Health and Social Services Appointment of Consultants (NI) Regulations 1996 Good Practice Guidance.

- 5.2 The following general points should be noted:
 - Wherever practicable, the panel should be mixed as to gender, religion, and discipline.
 - A chairperson should be appointed from the voting panel members.
 - All panel members should have attended the Trust's training on Recruitment and Selection. In extreme circumstances if this has not been possible, panel members <u>must</u> read the documents outlined in paragraph 1.2 of this policy.
 - Chairpersons of panels <u>must</u> have attended the Trust's Recruitment and Selection Training.
 - Wherever reasonably practicable, a panel member should not participate in the selection process where he/she is aware that a complaint is pending against him/her by one of the applicants. In such circumstances, advice should be sought from a Personnel Manager
 - A panel member should not participate if one of the candidates is a relative. This will always mean spouse, partner, sibling, uncle/aunt, cousin, parent, son/daughter. However, panel members should also give consideration to wider relationships eg in-laws, more distant relatives, other relationships, etc and they should avoid participation on panels where their impartiality could be considered to be compromised. Advice should be sought from Personnel in making any decision of this nature.
 - In certain circumstances one additional non-voting member may be present at the discretion of the Chairperson.
 - For appointments of staff who work in GP Practices a General Practitioner may be one of the voting members.
 - Canvassing by applicants will mean automatic disqualification.
 - Panel members are not prevented from providing an applicant with a reference.

6 ROLE OF THE ASSESSOR

- 6.1 The Assessor's role is to advise the panel which applicants are considered competent to perform the duties of the post.
- 6.2 The Assessor will participate fully in the interviews but will have no voting rights.
- 6.3 Assessors will only be selected if:
 - (a) They have appropriate professional qualifications where necessary and knowledge of the type of post under consideration.
 - (b) They hold a position for which the grading and status is senior to that of the post to be filled. In exceptional circumstances the assessor appointed may hold a grade equal to that of the post to be filled.
 - (c) They have been trained in selection techniques and are conversant with the requirements of the legislation relating to equality of opportunity. They must also familiarise themselves with Western H&SC Trust Selection and Appointments Policy.
- 6.4 Assessors may not act where they are a relative of or a referee for any of the applicants.
- 6.5 Assessors should be from another Health and Personal Social Services employing authority.
- 6.6 In areas of specialist expertise the Trust may have a non-voting member from an external organisation to act as assessor .
- 6.7 Canvassing by applicants will mean automatic disqualification.

7 Stage 1: DEFINING REQUIREMENTS

- 7.1 Whenever a vacancy is about to occur or a new post is created, certain questions should be asked:-
 - Do we need to fill the job?
 - What is the vacancy to be filled? Will any changes impact on current grade?
 - Is it the same job?
 - Have changing work patterns, organisation or technology produced a different job?
 - Are any changes anticipated which will require additional or different skills?
- 7.2 Questions such as these emphasise the importance of planning properly at the initial stage of recruitment. Whether or not the job is to be changed to meet future requirements, those responsible should take time to look at it and see how it fits into the rest of the department. The actual tasks performed could well have changed or developed over the years in line with the particular skills and experience of the present job-holder.

7.3 Reasons For Job Analysis

- 7.3.1 In order to select people for jobs without using irrelevant and possibly discriminatory factors, it is necessary to identify the abilities, knowledge and other characteristics that are required to do the job.
- 7.3.2 If this is not done, it is likely that:-
 - Selection standards will be vague, ill-defined and over-inflated.
 - Selection criteria will be incomplete, and critical abilities may be completely ignored.
 - Recruiters will be influenced by irrelevant factors because they do not have a specification of what to look for.
 - Interviewers will become subjective and unsystematic because they do not have a framework for seeking evidence about candidates and assessing them.
 - Efficiency, effectiveness and fairness in selection will be put at risk.
- 7.3.3 Job analysis is the process of examining the job systematically and in detail. The amount of detail required is a matter of judgement. Analysing the job to be filled can be improved by writing a good job description.

7.4 Job Description

7.4.1 A job description as the term implies, describes the purpose, scope, main duties and responsibilities of the job. A good job description is vital to the success of a selection procedure because it is the foundation upon which all the other processes are based. The personnel specification, advertisement, interview, testing, and assessment procedures are normally derived from it. Generally the format will be:

- Western Health & Social Care Trust
- Title/Grade
- Reports to/Responsible to
- Initial location
- Core purpose
- Key tasks (Result areas IPR)
- General management responsibilities
- General statement that job description may be modified to meet changing needs and any other duties that may be required.
- 7.4.2 Care should be taken to use neutral terminology in job titles, e.g. storekeeper, driver (male/female).

7.5 Personnel Specification

7.5.1 The purpose of a Personnel Specification is to identify the personal attributes, qualifications skills and knowledge which are necessary for effective performance of the job.

The aim must be to be objective and as precise as possible about the criteria that are needed. It is used together with the job description, to facilitate shortlisting, interviewing and the selection of the final candidate.

- 7.5.2 The information on qualifications, experience and qualities should be derived from the analysis of the knowledge and skills needed to carry out the job. These should therefore be specified e.g. the skills an operator requires to operate a machine or group of machines; the technical ability needed by a technician in whatever speciality; the extent of the computer skills required to operate a computer.
- 7.5.3 The list of criteria for the job should be as exact as possible so that at the interviewing stage the interviewer can ask direct questions about what the applicant knows or can do.
- 7.5.4 Criteria should be set which are clear and measurable e.g. "recent relevant experience in a senior managerial position" <u>should</u> be further defined as to what is considered to be "recent", what is "relevant experience" and what is "a senior managerial position", ie length and type of experience.

7.5.5 All criteria must be recorded on The Personnel Specification (Appendix 3) and only criteria relevant to the job will be considered. These can then be analysed under suitable headings and the Personnel Specification form is left blank so that the individual factors appropriate to this job can be noted. Examples of headings that may guide your analysis are:

Qualifications and Experience

- Education
- · Qualification/Further Qualifications
- · Length of Experience
- · Level of Experience
- Specialisms

Knowledge

- · Specialist Knowledge
- · Computers
- · Technical aspects
- · Financial aspects
- Legislation
- · Human Resource
- Professional
- Clinical
- Technical
- Theoretical
- Financial

Competences

- · Manual Skills
- Numeracy
- Creativity
- · Analytical Skills
- Mechanical
- · Ability to work with others
- Approachability
- · Ability to communicate and listen
- Confidence
- · Self motivation/drive
- Enthusiasm
- Assertiveness
- · Leadership skills
- Initiative
- Interpersonal skills
- · Computer skills
- Presentation skills
- Budget management
- Confidentiality

Special Circumstances

- · Access to car
- · Driving Licence

- Call-out
- Proximity
- Shift work
- · Corporate responsibility
- Unsocial hours

Interests

- Voluntary Work
- Hobbies
- Research

Organisational Knowledge

- · Overview of services
- Statutory requirements
- · Reporting arrangements
- Structure

It must be noted that these headings are for guidance only and you should only use the criteria demanded by the job, these will vary from post to post. *Appendix 3* is the Trust's Personnel Specification.

- 7.5.6 This leads on naturally to a specification of the personal attributes required and to a definition of other requirements such as location of work, travelling, night or shift work. This information will be recorded on the personnel specification form.
- 7.5.7 Care must be taken when setting criteria to avoid unnecessary conditions which may discriminate on grounds of sex, marital status, perceived religious affiliation, political opinion, race, ethnic origin, disability, age or sexual orientation. This is especially relevant when considering qualifications, length of experience, age, and physical characteristics. The use of words such as "appropriate" or "relevant" must be avoided. These are ambiguous. Measurable statements must be made.
- 7.5.8 Developing this list of criteria will help you decide between the candidates when they come for interview, since you will be assessing them against a common set of desirable features, and not against each other.
- 7.5.9 It is the head of department/line manager who is sitting on the panel who is responsible for completion of the Personnel Specification, however, this process should be carried out in consultation with the other panel members before advertising.

7.6 Developing Your Scoring System

- 7.6.1 When all the criteria have been selected, consideration must be given to the relative importance of each factor i.e. the weighting.
- 7.6.2 Particular attention must be given to the weighting allocated to Qualifications/Experience and what proportion they comprise of the whole job. Candidates should not be judged on their interview performance in isolation.

You should work out what score will be allocated to additional/further qualifications and/or experience. For example, 5 years' experience may be the initial requirement. How many points will then be given to someone with 10 years service? Will candidates with more than 10 years be necessarily better? The essential qualification could be 5 GCSEs or equivalent. You should work out what score will be given for higher level or additional qualifications.

Such relative differences must be thought out and recorded at this stage and by defining the minimum qualifications and/or experience, you can use them as a basis for shortlisting.

7.6.3 The weighting should then be agreed for each of the other relevant factors for the job as noted on the Personnel Specification. This will enable a maximum score for each factor to be allocated. They can then be awarded marks based on their responses.

This will provide a clear marking frame for each panel member during the interview and these details can be transferred to the Interview Assessment form to be used by all interviewers. This scoring process must be carried out before the shortlisting.

As much of the evidence in support of the Qualifications and/or Experience can be gained from the application form, this part of the scoring could take place before interviews. This could also be the case for any scores gained from any pre-interview tests.

7.6.4 IT IS IMPERATIVE THAT, TO ENSURE FAIRNESS, THE METHOD FOR SCORING OF EACH CANDIDATE SHOULD BE AGREED AND THEN USED CONSISTENTLY BY EACH PANEL MEMBER FOR ALL CANDIDATES.

8 Stage 2: ADVERTISING

8.1 When any vacancy is to be filled the head of department or appropriate line manager must complete and sign an Intention to Recruit Form available from Personnel. This form is contained in the Recruitment Pack available from Personnel together with other documentation necessary for the recruitment process i.e. Personnel Specification, PF1 Form (for new posts) and a Pre-Placement Health Questionnaire. These forms should be accompanied by a Job Description and sent to the Recruitment Office in Personnel who will commence the selection process by advertising the vacancy in the appropriate manner.

8.2 The advertisement is the first point of contact the Trust normally has with potential applicants. It is vitally important that at this stage the proper messages are being conveyed.

The content of the advertisement should encourage suitable people to apply and discourage unsuitable ones.

The advertisement should contain:

- Western Health & Social Care Trust
- Job title/Grade
- Where the job is located
- A brief description of the job
- Essential criteria (as outlined in the personnel specification)
- Salary range (if appropriate)
- Closing date and time
- Address for receipt of applications
- A reference number which identifies the job
- Equal opportunities statement
- A statement that a curriculum vitae is not acceptable in place of a completed application form.

8.3 Waiting Lists

- 8.3.1 The Trust may maintain waiting lists of applicants who have been interviewed for a particular post and are considered suitable for appointment. These waiting lists may be used when vacancies arise, however, it must be clear from the advertisement that a waiting list will be compiled and the type of future vacancies to which it will apply.
- 8.3.2 The Trust may also compile a register of suitable applicants for future vacancies. Applicants on the register may be called for interview for vacancies as they arise.
- 8.3.3 Waiting lists and registers must have a finite life of no longer than 12 months.

8.4 Application Forms

8.4.1 Standard application forms are normally the only acceptable method of application to the Trust. A Curriculum Vitae will only be accepted in support of a <u>completed</u> application form.

- 8.4.2 An application form received after the closing time and date will not be brought forward to the shortlisting stage unless it is clear that the delay was caused by an abnormal delay in delivery by the Post Office. This would be where the postmark indicated more than two days for first class mail and more than four days for second class mail. This decision will be made by the nominated officer in the Recruitment Section, not by the selection panel. Where recruitment difficulties are experienced the nominated officer may take this factor into account in reaching a decision.
- 8.4.3 An otherwise incomplete application form will be brought forward to the shortlisting stage of the selection procedure and a decision about its acceptability will be made there.

(See paragraph 9.7)

8.4.4 Applicants are requested to attach details of planned holiday arrangements. The Panel is not required to take account of the holiday arrangements, but will endeavour to do so.

9 Stage 3: SHORTLISTING

- 9.1 The shortlisting process is an essential component of the selection procedure. The purpose is to decide on which applicants meet the minimum criteria which has been set out in the personnel specification and the job advertisement. It is imperative that only those applicants who meet the criteria are shortlisted.
- 9.2 It is desirable that all voting panel members are present at the shortlisting meeting. However, in exceptional circumstances the shortlisting may proceed with two of the three voting members providing that the agreement of the third member has been secured and the chairperson is present, (eg a panel member is on sick leave on the day of the shortlisting).
- 9.3 The criteria used for shortlisting <u>must</u> be taken from the Personnel Specification (see paragraph 7.5) and will only be those criteria which can be gauged from the application form.
- 9.4 It is not unusual to receive a large number of applications for certain types of vacancy. In such cases the minimum criteria may be raised at the shortlisting stage. It is essential that if it is likely that the criteria are to be raised that these reserve criteria are identified before the job file is opened. These should be criteria which have been identified as "desirable".
- 9.5 If there has been an insufficient response to the advertisement then a decision to readvertise should be taken at the shortlisting stage before the job file is opened. Care must be taken when deciding what is an insufficient response and the reasons noted on the shortlisting form.
- 9.6 Special provisions are made for the shortlisting of applicants with a disability. These criteria should be clear from the job advertisement.
- 9.7 Incomplete application forms should only be rejected if the information contained therein is such that it is not clear if the applicant meets the minimum criteria for shortlisting without assumptions being made e.g. a nursing qualification is required and the PIN number or date of expiry is missing or again if academic qualifications are required and the result is not given.
 - In both these cases assumptions would have to be made and therefore these applications are incomplete and not acceptable. Otherwise if there is sufficient information on the application form for the applicant to be shortlisted any other missing information can be obtained prior to an appointment decision being made.
- 9.8 Any qualifications and/or experience required should be held at the closing date for the post. However, where there are exceptions the precise requirements must be stated in the advertisement ie students awaiting results or registration.
- 9.9 A record of the shortlisting proceedings must be kept. A copy of the required form is contained in **Appendix 4**.

9.10	Candidates not shortlisted should be advised Details of criteria used for shortlisting should be on request.	of this fact as soon as possible. e disclosed to an individual applicant	

10 Stage 4: THE INTERVIEW

10.1.1 The purpose of the interview is to obtain and assess information about a candidate which will enable a valid prediction to be made of his/her future performance in the job. Interviewing therefore involves processing and evaluating evidence about the capabilities of a candidate in relation to the personnel specification.

- 10.1.2 Some of the evidence will be on the application form but this must be supplemented by the more detailed or specific information that can be obtained in a face to face meeting. Although further evidence may be obtained from selection tests, for example, the interview remains the main method by which recruitment decisions are made in the Trust.
- 10.1.3 An interview has been described as a conversation with a purpose. But the conversation has to be planned, directed and controlled to achieve its main purpose which is to make an accurate prediction of the applicant's performance in the job for which he/she is being considered.
- 10.1.4 The interview also has the purpose of helping the applicant to make his/her own assessment of both the job and our organisation, so it is important to be aware of the impression we are creating of the Trust. This should encourage the good applicant to join and should leave the unsuccessful applicants without any ill feelings.
- 10.1.5 A good interviewer knows what he/she is looking for and then knows how to set about finding it. He/she has a method for recording the analysis of the applicants against a set of assessment criteria.

10.2 What To Look For And How To Find It

- 10.2.1 This is a matter of knowing the job description and the personnel specification, and then whether or not the applicant meets the specification under each of the factors: qualifications, experience, knowledge, skills etc.
- 10.2.2 Knowing how to find the information required is a matter first of planning the interview and then of conducting it in a way which will obtain all the data needed to make a balanced decision.
- 10.2.3 The importance of planning cannot be over emphasised. To be able to find and make best use of interview information, panels must build sufficient planning time into their process. This could be done immediately after shortlisting.
- 10.2.4 The panel should meet well in advance of the interview to discuss the following:
 - How the interview will be conducted so as to elicit sufficient information to assess each of the applicants.
 - The order of importance of this information.
 - How questions should be framed.
 - How questions will be allocated among panel members.

- In what order questions will be asked.
- How responses to questions should be followed up.
- A list of areas to be tested through interview questions should be developed followed by a set of core questions all of which should be objective and job related.
- How responses will be assessed.
- How evidence will be gathered if questioning would be insufficient i.e. should tests or special exercises be used.
- How panel members will evaluate interview performance.
- How missing information will be gathered.
- 10.2.5 It must only relate to factors laid down in the Personnel Specification (paragraph 7.5). Core questions should be worked out in advance which reflect the relevant factors for the job.
- 10.2.6 The purpose of each question is to elicit evidence in support of each of the pre-determined factors recorded on the Personnel Specification. Interviewers may find it useful to note in advance what the main points of an acceptable answer will be particularly in the knowledge areas.

10.2.7 Role of Chairperson:

- Ensure there has been adequate preparation
- Ensure plans for interviews are negotiated with agreement of all panel members
- Reach agreement on specific areas and sequence of questioning
- · Ensure questions are free from bias
- May refrain from taking a detailed question area to concentrate on chairing the panel

10.3 Managing The Interview

10.3.1 The interview falls into three main phases.

THE OPENING where the applicant is introduced to the panel. The procedure of the interview is explained and the candidate is put at ease.

THE MIDDLE or main body of the interview, where you collect the information you need, clarify inconsistencies, and probe motivation.

THE CLOSE where the applicant can ask any questions, be given details of terms and conditions, and some indication of when they are likely to be notified of the outcome.

10.3.2 Role of chairperson during the interview

- Introduce the panel
- Put candidates at ease
- Explain structure of interview and explain note-taking procedures.
- Keep panel to planned sequence
- Manage the interview time/schedule
- Pick up on missing points
- Make links between different parts of interview
- Close interview and explain what happens next.

10.4 The Interview Questions

- 10.4.1 Having already established the areas of questioning so that each candidate will be treated similarly and that the information sought relates only to the relevant criteria for the post, consideration must be given as to how best to ask these questions. Some types of questions are better than others at obtaining this information, especially when it is necessary to depart from prepared questions for the purposes of probing into a relevant issue or responding to the candidate's enquiries.
- 10.4.2 **Open questions** encourage candidates to express their views and should be used to elicit attitudes as well as facts. General questions such as "*Tell me about your year in the . . . department*" should then be followed up with more specific probes, for example "What exactly did that entail?", "What innovations did you yourself make?". This technique allows the interviewer to move from general to more precise information.

- 10.4.3 **Closed questions** on the other hand, usually invite a 'yes' or 'no' answer, which does not help the interviewer very much. Closed questions should be used as little as possible. The only time they are helpful is at the end of a series of probing questions, when the circumstances have been established, so that the interviewer can assess the significance to the yes/no answer.
- 10.4.4 **Leading questions** such as 'Did you get on well with your colleagues?' or 'Do you work well under pressure?' should be avoided because it will be clear from the way you express the question what an acceptable answer is.
- 10.4.5 **Double-headed** questions such as 'What makes a good General Manager and do you think it's a good idea to have experience in the private sector before working for a Health and Social Care Trust?' or 'What skills do you think are necessary for this job and why do you think they are needed?' should be avoided because most interviewees will answer one question only, usually the one they find easiest.
- 10.4.6 **Multiple-choice questions** such as 'Did you like that part of the job because it gave you more responsibility or because you like meeting people?' should be avoided because you give a restricted list of reasons for the candidate to choose from and elaborate on, when the real reason might be something quite different.
- 10.4.7 **DO NOT** ask irrelevant or subjective questions. You must avoid asking either implicit or explicit questions related to domestic circumstances, family background, religious or political opinion. The avoidance of these types of questions applies equally to sex discrimination and religious/political discrimination as a person may be discriminated against not only because of their own beliefs/opinions but also those of people with whom they are associated or to whom they are related.
- 10.4.8 **DO NOT** give opinions, express surprise or disagreement with an applicant's responses; it implies prejudgement and subjectivity on your part. Also be aware of your own body language and responses and how these may be interpreted.
- 10.4.9 When not asking questions, panel members should avoid distractions such as shuffling papers or talking to each other. Staring fixedly at the candidate can be just as unsettling as appearing to take no interest at all. The non-questioning members should be listening for cues to follow up and making notes of evidence that is emerging.

10.5 Candidate Assessment

10.5.1 Become a better listener:

- Concentrate on your candidate. Make sure there are no distractions which can lure your mind away, even for a moment.
- Judge WHAT is being said, not just HOW it is being said. Your candidate
 may be well spoken but the content of what they are saying may not be good.
- Listen for ideas and concepts, not just facts.

- Avoid jumping to conclusions, and assuming you know what the candidate is about to say. Do not be tempted to interrupt or to finish a candidate's answer for them.
- Keep your mind open and your emotions in check. The candidate may inadvertently use words or touch on ideas that trigger your emotions. You must stay cool and in control of yourself and the interview.
- You can think about four times faster than the candidate can speak, so you have spare 'thinking time'.

10.5.2 Evaluating the Information

Panels should agree on how candidate responses are recorded i.e. who will take notes at any particular point. Notes should be factual and objective and panels should note what candidates have said or note particular behaviour. Notes such as "very good answer" etc., must be avoided. All notes will be taken on an Interview Assessment Form (Appendix 5).

While one panel member is asking questions the others must make detailed notes on responses being given. It is difficult to take all of the notes when you are doing the questioning so this task must be shared.

The following provide suggestions which may aid your decision-making:

- Look for specific evidence that the candidate will perform in the job. How has he/she performed in similar situations in the past?
- Look for trends and patterns has your candidate been consistent?
- Look at what people have actually done, not what they say they will do.
- See how the candidate has handled difficult or stressful situations in his/her life or career.
- What does the candidate enjoy doing most? It may be what he/she is best at.
- What does the candidate enjoy doing least? It may be what he/she finds most difficult.
- Does the candidate understand why he/she takes a particular course of action.

It should be noted that this Interview Assessment Form (**Appendix 5**) is for guidance and may be expanded to suit jobs where other issues affect decision making eg a formal presentation to panel.

10.5.3 Making Your Decision

During the interview there may have been occasions when you were unable
to take full notes, eg when you were questioning the candidate. You should
now take the opportunity to complete your notes and check your
understanding from other panel members, for example, of professional or
technical issues. This must be done in an objective manner and only for the
purposes of clarity and in the context of your original personnel specification.

- Refresh your memory about key aspects of the job by revisiting the job description.
- Look at the qualities and skills you decided were important for the job, and the essential and desirable criteria you also devised.
- Now consider each candidate separately against these criteria, using all the information you have gathered. Each candidate will be awarded points within the maximum scores decided by the panel (see paragraph 7.6).
- Consider each candidate from at least two perspectives. Look for strengths
 that each candidate has, but do not neglect to look at weaknesses as well. A
 candidate who is well qualified in many ways may have just one weakness
 that makes him/her unsuitable for the post.
- 10.5.4 At the end of the selection process, each panel member will have scores that he/she has allocated to each factor in relation to every candidate.

These scores should be totalled, giving each panel member their own individual total score for each candidate. A candidate's score should <u>not</u> be the grand total of his/her marks from all panel members.

Each panel member will then rank the candidates according to scores given and this will identify their highest scoring candidate. Where a panel have a difference of opinion regarding the highest scoring candidate this should be discussed with a view to reaching a unanimous decision. Any changes to scores resulting from these discussions should be noted and must be based on evidence available to the panel.

Whether unanimous or majority, the post should be offered to the top candidate within the following provisions:

- Candidates who have not participated in all parts of the process (e.g. a series
 of pre-interview tests) cannot be considered for appointment
- The post should only be given to a candidate who demonstrates an acceptable level of suitability i.e. if the highest scoring candidate does not reach the standard demanded. In such circumstances, no appointment will be made.
- Candidates who have failed to demonstrate evidence of an essential area cannot be considered for appointment.

- 10.5.5 Panels may select a reserve candidate(s) who would be offered the post in the event that the successful candidate declines the offer of appointment. Reserve candidates must be suitable for appointment. Reserve status remains in place until the successful candidate takes up the post or for 3 months, whichever is the later.
- 10.5.6 Reasons for rejection or appointment must be recorded so that information is available if a complaint or claim of unlawful discrimination is lodged. The Interview Assessment Form meets this requirement.

10.5.7 Role of Chairperson:

- Ensure each candidate is rated against the Personnel Specification and Job Description.
- Ensure judgements are based on evidence available to panel.
- Control decision-making, making sure differences of opinion are dealt with.
- Ensure that decisions are clearly recorded.
- Where the Personnel representative is present, they will collect all documentation, including questions and interview assessment forms for storage with the job file. If Personnel are not in attendance it is the responsibility of the Chairperson to collect all documentation and return it with the job file to Recruitment.

10.6 References

- 10.6.1 Applicants are required to submit the names of two referees, at least one of whom should have knowledge of their recent work as their line manager/employer whether or not he/she is a panel member.
- 10.6.2 The Trust may at its discretion seek a reference from the last HPSS/NHS/Social Services employer even if there have been other employers in between.
- 10.6.3 It is the responsibility of the Personnel Department to seek references which are in standard questionnaire form and to have them available at interview. On occasions where large numbers are being called to interviews the sending for references may be postponed until appointment decisions have been made.
- 10.6.4 The references should only be considered after the interview and assessment procedures have been completed and the panel has come to a decision as to the successful applicant/s. The appropriate references for that applicant and for any reserve candidates should then be checked to verify factors such as position held, sickness record etc. The appointment should not be confirmed until BOTH references have been checked. The second reference may be verbal at this stage but a written report must be obtained.

- 10.6.5 References should not be used by an interviewing panel as a means of deciding between two or more candidates who are equally matched. To do so is to rely on the purely subjective opinion of an individual outside the selection process, e.g. their current manager, rather than to decide on the evidence presented by the candidate.
- 10.6.6 A line manager who provides a reference in respect of an employee owes a duty of care to him/her, therefore references must be factual and contain the honest belief of the manager. It must not be negligent or misleading by any omittance. In the event of a formal complaint the reference may be made available during any legal proceedings.

11 CONFIRMATION OF APPOINTMENTS

11.1 Vetting

Because of the nature of some appointments it will be necessary to vet a candidate. This will usually be done by Personnel. No appointment should be offered until the vetting procedure has been concluded. Where this is not practical, the successful candidate should be informed that the appointment will be subject to satisfactory vetting, prior to commencing employment. This should also apply to candidates placed on the waiting list who will only be vetted immediately prior to being offered employment.

11.2 Pre-Placement Health Assessment

Candidates may be required to complete the pre-placement health questionnaire or be required to undergo a pre-placement health assessment prior to confirmation of employment.

11.3 Offers of Appointment

All candidates should be informed in writing of the outcome of the interview by the Personnel Department. This will be done as quickly as possible following the interviews. For successful candidates this will include any conditions attached to the offer, eg. vetting, references or pre-placement health assessment.

However, candidates already working in the service may be informed verbally of the outcome of the interview. When the panel decide to do this <u>all</u> the internal candidates interviewed for the post should be informed of the outcome of their interview. This should include conditions where relevant.

12 VARIATIONS

This policy is intended to cover all recruitment and selection situations, however, where it is not possible to adhere strictly to the policy it may be varied providing that the variation is not directly or indirectly discriminatory.

The variation must be endorsed by the Director of Human Resources or nominated deputies. A written record should be made of the reasons for the variation and the details of the alternative approach adopted.

13 THE LEGAL REQUIREMENTS

13.1 FAIR EMPLOYMENT ACTS (NI) 1976 AND 1989

The law on religious and political discrimination is contained in the above Acts and accompanying Orders and Regulations. In addition there is a Code of Practice on Fair Employment which, although it does not have the status of law, will be taken into account by the Fair Employment Tribunal where considered relevant.

The majority of complaints received by statutory bodies are related to the areas of recruitment, selection and promotion and the key provisions as far as religious/political discrimination is concerned, are contained in Sections 16-23 of the 1976 Act.

13.1.2 Direct Discrimination

- This consists of treating a person on religious or political grounds less favourably than others are or would be treated in similar circumstances. You should also be aware that:-
- Discrimination on the grounds of religious belief or political opinion includes not only the complainant's religious belief/political opinion but that of a third party eg an individual may be discriminated against because of the belief or opinion of a relative or person with whom he/she associates;
- An individual may also be discriminated against because of his/her supposed religious belief or political opinion or the absence or supposed absence of such belief or opinion;
- An intention or motivation to discriminate is not a necessary condition or liability.

13.1.3 Indirect Discrimination

This consists of applying a requirement or condition which, even when without intent, adversely affects considerably more of one religious/political group than another and which cannot be justified on non-religious/non-political grounds.

13.1.4 Victimisation

This consists of treating a person less favourably than others are or would be treated in the same circumstances because that person has made a complaint or allegation of discrimination or has acted as a witness or informant in connection with proceedings under the Act or has been involved in any other way or intends to do any of those things.

13.1.5 *Exceptions*

There are exceptions to the above for clergymen, ministers of religion, teachers or those employed in a private household. In addition, the Acts do not apply to any employment where the essential nature of the job requires it to be done by a person holding a particular religious belief/political opinion.

13.1.6 **Remedies**

The Fair Employment Tribunal can:-

- (i) Award compensation to a complainant who has suffered unlawful discrimination;
- (ii) Make an order declaring the rights of the complainant and the respondent in relation to the act of discrimination;
- (iii) Make a recommendation that the respondent take action within a specified period, which is practicable for reducing any adverse effect which the complainant has suffered as a result of the unlawful discrimination.

13.2 THE SEX DISCRIMINATION (NI) ORDERS 1976 AND 1988

The Sex Discrimination (NI) Orders 1976 and 1988 are the pieces of legislation designed to eliminate discrimination and to promote equal treatment between men and women, therefore, in the examples which follow, men and women should be read interchangeably.

The following are the areas which are most likely to affect recruitment and selection procedures.

13.2.1 Direct Sex Discrimination

Treating a woman, on the grounds of her sex, less favourably than a man is or would be treated in similar circumstances

Women and men must therefore be treated as individuals and general assumptions about the characteristics of the sexes must be avoided.

13.2.2 Indirect Discrimination

Applying a condition or requirement which, although it is applied equally to both sexes, is such that a considerably smaller proportion of women than men can comply with it and which the person applying it cannot show to be justifiable.

Indirect sex discrimination in employment might arise, for example, if an employer required candidates for a job to hold particular technical qualification which was not often acquired by women and which was not relevant to the job in question.

13.2.3 Direct Marriage Discrimination

Treating a married person on the grounds that he or she is married, less favourably than a single person of the same sex is or would be treated.

13.2.4 Indirect Marriage Discrimination

Applying a condition or requirement which has the effect of discriminating against married people because considerably fewer married/single people of the same sex can comply with it, and which the person applying it cannot show to be justifiable.

13.2.5 Victimisation

Treating one person less favourably than another because that person had, for example:-

(a) asserted rights under the sex discrimination or equal pay legislation;

or

(b) helped another person to assert such rights;

or

(c) given information to the Equal Opportunities Commission for Northern Ireland;

or

(d) because it is suspected that the person might do any of these things.

13.2.6 Genuine Occupational Qualifications

There are a few situations in which it is lawful to recruit women only, or men only, on the grounds that this discrimination is to satisfy a genuine occupational qualification. The legislation in relation to Genuine Occupational Qualifications is complex and the Equal Opportunities Commission for Northern Ireland has given guidelines in this area as follows:

An employer may confine a job to a man (or woman) only where being a man (or woman) is a genuine occupational qualification (GOQ) for that job. This may be, for example, for reasons of physiology, decency, location of the post etc. A person's sex is a GOQ in a job where only some of the duties qualify for the exemption BUT NOT if there are already enough employees of the appropriate sex who could reasonably be allocated to those duties without undue inconvenience.

It should be noted that physical strength or stamina are not GOQs nor is it legitimate to claim that "this has always been a man's (or woman's) job and therefore we will recruit only men (or women)".

13.2.7 Penalties

When a complaint made under the sex discrimination legislation is upheld by an Industrial Tribunal, it may award:

- A declaration of the rights of both parties;
- Compensation which may include both special damages (for losses which can be fairly accurately calculated, such as loss of earnings) and general damages (for those which can be less easily quantified, such as injury to feelings).
- A recommendation that the employer should take a particular course of action within a specified time. If a recommendation is not complied with, the tribunal may increase the amount of compensation awarded.

13.3 DISABILITY DISCRIMINATION ACT 1995

13.3.1 The employment provisions of the Disability Discrimination Act 1995 protect disabled people, and people who have been disabled, from discrimination. The employment provisions have been effective from 2 December 1996.

In addition there is a Code of Practice which does not itself impose legal obligation but is admissible in proceedings under the Act before an Industrial Tribunal or Court.

13.3.2 **Definition of Disability**

According to the Act, a person has a disability if he has a physical or mental impairment which has a substantial and long term adverse effect on his ability to carry out normal day to day activities.

A long term effect of an impairment is one:

- which has lasted 12 months,
- for which it lasts is likely to be at least 12 months
- which is likely to last for the rest of the life of the person affected.

Normal day-to-day activities are activities which are carried out by most people on a fairly regular and frequent basis. Those listed in the Act are:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift, carry or otherwise move everyday objects
- Speech
- Hearing or eyesight
- Memory or ability to concentrate, learn or understand or the perception of the risk of physical danger.

13.3.3 Reasonable Adjustments

As part of the protection for disabled people, employers may have to make reasonable adjustments if their employment arrangements or premises place disabled people at a substantial disadvantage compared with non-disabled people. The examples of steps employers may have to take are:

- Making adjustments to premises
- Allocating some of the disabled person's duties to another person
- Transferring the person to fill an existing vacancy
- Altering the person's working hours
- Assigning the person to a different place of work

- Allowing the person to be absent during working hours for rehabilitation, assessment or treatment
- Giving the person or arranging for him to be given training
- Acquiring or modifying equipment
- Modifying instruction or reference manuals
- Modifying procedures for testing or assessment
- Providing a reader or interpreter
- Providing supervision

13.3.4 Direct Discrimination

Discrimination may occur in two ways:

- For a reason which relates to a disabled person's disability, the employer treats that person less favourably than the employers treats or would treat others and the employer cannot show that this is justified.
- An employer fails to comply with a duty of reasonable adjustment and he cannot show that this failure is justified.

13.3.5 Victimisation

The Act makes it unlawful for one person to treat another (the victim) less favourably than he would treat other people in the same circumstances because the victim has brought or given evidence or information under the Act or has been involved in any other way or intends to do any of those things.

13.3.6 **Remedies**

A person who believes that an employer has unlawfully discriminated or failed to make a reasonable adjustment or that a person has aided an employer to do such an act may present a complaint to an Industrial Tribunal.

An Industrial Tribunal may:

- Declare the rights of the disabled person
- Award compensation
- Recommend that within a specified time, reasonable action be taken to prevent or reduce the adverse effect in question.

13.4 RACE RELATIONS (NI) ORDER 1997

13.4.1 The Race Relations (NI) Order 1997 is effective from 4 August 1997. Although Race Relations Legislation has been in Great Britain since 1976, it is not until 1997 that this has been applied to Northern Ireland. In due course a Code of Practice will be introduced in Northern Ireland and although it will not impose legal obligations it will be admissible in proceedings under the Act before an industrial tribunal or court.

13.4.2 Direct Discrimination

An employer discriminates against another person if, on racial grounds, he treats that person less favourably than he treats or would treat other persons.

13.4.3 Indirect Discrimination

An employer could indirectly discriminate if he applies a requirement or condition which is applied equally to all persons not of the same racial group, but the proportion of persons of the same racial group who could comply with it is considerably smaller than the proportion of persons not of that racial group who could comply with it, and the employer cannot show it to be justifiable and which is to the detriment of that other person because he cannot comply with it.

13.4.4 Definition of Racial Grounds and Racial Groups

Racial grounds means colour, race, nationality or ethnic or national origins.

It is important to note that racial grounds includes the grounds of belonging to the Irish traveller community.

It does not include the grounds of religious belief or political opinion.

13.4.5 Victimisation

An employer discriminates against another person if he treats the person less favourably than he treats or would treat other persons because he has brought proceedings, given evidence or information in connection with such proceedings, or otherwise done anything else under this Order in relation to the employer.

13.4.6 Genuine Occupational Qualifications

Being of a particular racial group is a genuine occupational qualification for a job only where:

- The job involves participation in a dramatic performance or other entertainment in a capacity for which a person of that racial group is required for reasons of authenticity.
- The job involves participation as an artist or photographic model.
- The job involves working in a place where food or drink is provided to and consumed by, members of the public when a person of that racial group is required for reasons of authenticity.
- The holder of the job provided persons of that same racial group with a personal service promoting their welfare and those services can most effectively be provided by a person of that racial group.

13.4.7 *Remedies*

A complaint by any person that an employer has committed an act of discrimination against the complainant may present a claim to an industrial tribunal. Where an industrial tribunal finds that the complaint presented to it is well founded, the tribunal may make:

- An Order declaring the rights of the complainant and the respondent
- An Order requiring the respondent to pay the complainant compensation
- A recommendation that the respondent take within the specified period action which is practical for the purposes of obviating or reducing the adverse effect on the complainant.

13.5 AGE AND EMPLOYMENT

- 13.5.1 No legislation currently exists to protect individuals against age discrimination in employment. However, effective human resourcing means taking into account the changing labour market, the increasing numbers of older applicants with a corresponding decrease in younger labour availability and an increasing number of women returners. Specifically, in relation to recruitment, selection and promotion, it should be noted that:
 - Age is not a reliable indicator of job performance. Therefore, it is not advisable to use age or age-related criteria unless it can be shown that it is a genuine occupational requirement;
 - Suitably qualified candidates must not be excluded on the basis of age.

You should also be aware that the factors are equally relevant in fair employment and sex discrimination as the imposition of age-related criteria may have an indirectly discriminatory effect, particularly in relation to women returners. In addition, specifying age limits may disadvantage the disabled as unemployed people with disabilities may tend to be older.

13.6 COMMISSIONER FOR COMPLAINTS ACT (NI) 1969

13.6.1 The Commissioner for Complaints (The Ombudsman) is entitled to examine a decision of a public body or Government Department if the decision appears to have been affected by maladministration, was perverse, was made without consideration of all the relevant facts, or was such a bad decision that no reasonable person could have made it.

Examples of areas of complaint have been given by the Commissioner's Office as follows:-

Where a Government Department or public body, has:-

- Been neglectful or caused unjustified delay;
- Failed to follow agreed policies, rules and procedures;
- Been rude, biased, inconsistent or incompetent;
- Allowed discrimination to occur (other than religion/politics and sex which is dealt with in the former case by the Fair Employment Commission, and in the latter by the Equal Opportunities Commission);
- Failed to have proper procedures;
- Failed to deal with a complaint which has been brought to their attention.

13.6.2 **Remedies**

The Commissioner investigates the complaint and issues a report. If the Commissioner believes the applicant has been unfairly treated, then the Commissioner can try to obtain a settlement which may involve:-

- The Trust taking action to remedy the injustice;
- Compensation.

The Commissioner does not have power to compel the Trust to make a settlement, however, where injustice is found by the Commissioner, the applicant may apply to the County Court for a remedy to enforce the Commissioner's decision.

13.7 REHABILITATION OF OFFENDERS ORDER (NI) 1978

13.7.1 This legislation protects the rights of rehabilitated ex-offenders. The Health and Personal Social Services, however, is exempt from the provision of this legislation. All applicants therefore cannot regard any conviction as spent and these must be declared on the application form for employment. It should be noted that convictions do not necessarily debar an applicant from obtaining employment with the Trust.

This policy is supported by a training process which will provide more in-depth analysis of selection criteria, interviewing skills, questioning techniques and legislative awareness. It is

intended for the use of all those involved in the recruitment and selection process and in particular all panel members Chairpersons and Personnel staff.

If you have any queries about this policy or the recruitment and selection process, please contact Personnel at any of the addresses below:

Personnel Department (Recruitment)	Personnel Department
Westcare Business Services	Foyle HSS Trust
12c Gransha Park	Riverview House
Clooney Road	Abercorn Road
Londonderry	Londonderry
BT47 1WJ	BT48 6SB
Tel: (01504) 860616	Tel: (01504) 266111
Personnel Department	Personnel Department
MDEC	Tyrone & Fermanagh Hospital
Altnagelvin Hospital	Omagh
Glenshane Road	
Waterside	
Tel: 028 71345171	Tel:028 82245211

SELECTION AND APPOINTMENTS CHECKLIST

Are you familiar with and do you understand the contents of the documents outlined in the Introduction (para 1.2) of this handbook?	
Has a Job Description been prepared for the post? (7.4)	
Has a Personnel Specification been developed? (7.5)	
Has an Intention to Recruit Form been sent to Personnel?	
Has the post been advertised clearly? (8)	
Has a scoring system been worked out? (7.6)	
Has shortlisting been carried out with regard to the Personnel Specification?	
(9)	
Have interview questions been devised and interview format agreed?	
(10.1 - 10.4)	
Has evidence presented by candidates been analysed against the scoring system and the Personnel Specification? (10.5)	
Have references been checked? (10.6)	
Is vetting necessary? (11.1)	
Are the following documents complete and signed where appropriate?	
Personnel SpecificationPre-Placement Health Questionnaire	
PF1Shortlisting Form	
Report of Interview Form Interview Assessment Form	
Have all records of decisions been handed over to Personnel	
Department?(10.5.7)	

Figures in brackets refer to the relevant paragraphs in this policy.



CONSTITUTION OF TRUST APPOINTMENTS PANELS

(a) Category 1 Post - Chief Executive

Voting Members Chairman of the Trust

Two Non-Executive Members of the Trust

Non-Voting Members Up to two assessors

(b) Category 2 Posts - Director /Senior Manager 1 (& equivalent)

Voting Members Chief Executive of The Trust

Chairman of The Trust

One Non-Executive Member of The Trust

Non-Voting Member One Assessor

(c) <u>Category 3 Posts - Senior Manager 2 Level Posts (& equivalent)</u>

Voting Members Three Officers of the Trust (at Category 2

Level or above), one of whom should be the person to whom the appointee shall be

directly responsible.

Non-Voting Member One Assessor (if considered

necessary by the Trust)

(d) Category 4 Posts - (all others)

Three Officers of the Trust, one of whom should be the person to whom the appointee will be directly responsible. Assessors may be used if considered necessary by the Trust. (See Section 6 of this policy)

(e) Consultant Appointments

Panels must be constructed in accordance with the Health and Social Services Appointments of Consultants (NI) Regulations 1996.

APPENDIX 3

PERSONNEL SPECIFICATION

POST:	
DEPARTMENT:	
LOCATION:	
DATE:	

Each statement contained in the Personnel Specification must be justifiable by evidence obtainable from an analysis of the job. The specification should describe the person who is capable of doing the job adequately. Factors shown below are examples and may not be relevant for all posts. If so they should be marked "Not Applicable". Blank boxes are available to note additional factors. Please note, however, that the completion of the qualifications and/or experience section is <u>compulsory</u>. See paragraph 7.5.5 for examples.

FACTORS	ESSENTIAL	%	DESIRABLE	%
QUALIFICATION S				
AND/OR				
EXPERIENCE (Length and Type)				
TOTAL				

ORGANISATION AL KNOWLEDGE		
TOTAL		

FACTORS	ESSENTIAL	%	DESIRABLE	%
PROFESSIONAL OR CLINICAL/ DEPARTMENTAL KNOWLEDGE				
TOTAL				
COMPETENCES				
TOTAL				
SPECIAL CIRCUMSTANCE S				

TOTAL			
INTERESTS			
TOTAL			
TOTAL			
Signature:	 _	_ Dat	e:

REPORT OF PROCEEDINGS AT A MEETING OF A SHORTLISTING PANEL

Post:			Ref No:
Location/Facility			
 Date:		Time:	Venue:
Members	of	Shortlisting	Panel:
Assessor:			
Criteria for Shortl	isting:		
Disabled and Sens be waived in respe	sory Impaired Persor	with the Trust's Code of Pract ns, the educational shortlisting ANDIDATES who have a disab 95.	criteria should
	DETAILS OF CAN	NDIDATES OVERLEAF	
	the best of my kr nave made applica	nowledge, I am not related tion for this post.	to any of the
Signed: — Date:		Pa Pa Personnel Rep	nairperson anel Member anel Member resentative ssessor

INTERVIEW DATE:

TIME: AT: MINUTE

INTERVALS

VENUE:

(CHECK SUITABILITY OF VENUE FOR CANDIDATES WITH DISABILITIES)

APPENDIX 6

In Confidence

REPORT OF INTERVIEW

Vacant Post Number of Posts		
Date	Time	Venue
Members of Interviewin	g and Selection Panel:-	
Assessor(s)	(if	any)
Person(s) in	attendance	(if any)
Decision of meeting (ur	nanimously or by	votes to)
(1) That the	appointment will	be offered to
(2) That in the ever by the above-named, it		being taken for any reason
offered		to
	ost be not filled as	above, it be offered to
(4) That the post badvertised.	e not offered to any of	f the candidates but be re-
Comments		

Signed:		
J	Chairman	
	Panel Member	
_	Panel Member	
_	Panel Member/	
	Personnel Representative	
	Assessor	

ALL DOCUMENTS, INCLUDING QUESTIONS AND INTERVIEW ASSESSMENT FORMS SHOULD BE FORWARDED TO PERSONNEL WITH THE JOB FILE

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