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## Recruitment and Selection Policy and Procedure

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## 1 Policy Statement

- 1.1 The vision of the Public Services Ombudsman for Wales (PSOW) is to secure public services that actively listen and learn from complaints. The Ombudsman's mission is to uphold justice and improve public services. To achieve this, the Ombudsman needs to be supported by professional and highly motivated staff. It is therefore vital that, when recruiting staff, the best person for the job is selected.
- 1.2 The Ombudsman's policy is to ensure that all vacancies are filled through fair and open competition.
- 1.3 This policy and procedure was designed to support the Ombudsman in fulfilling the general equality duty under the 2010 Equality Act; specific equality duties under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011; and other voluntary equality commitments. The Ombudsman is a Disability Confident Committed Employer.
- 1.4 This policy and procedure has been agreed following consultation with the Staff Representative Council and applies to all staff regardless of status or length of service.
- 1.5 For areas where we identify under-represented groups, the recruitment panel will ensure that the advertising strategy includes engagement with specialists in the sector.

## 2 Aims and objectives

- 2.1 The aims and objectives of this policy are to:
  - ensure that recruitment processes are fit for purpose
  - ensure that appointments are made on merit for each position
  - ensure equality, diversity and inclusion for all applicants
  - ensure compliance with the PSOW's equality duties and relevant employment legislation
  - promote and support the values of the PSOW

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- meet the operational requirements and the strategic objectives of the PSOW
- maintain a well-qualified, experienced and motivated workforce
- assist staff members to develop and use their abilities and skills to best effect.

### 3 Responsibilities of staff involved in Recruitment and Selection

- 3.1 All staff involved in the recruitment process should be aware of their responsibilities under the relevant legislation. (More information is available from the Chief Operating Officer, with advice from PSOW's HR Adviser.) Appropriate training or updates will be provided (in English or Welsh) for those involved in recruitment and selection. The PSOW aims to promote equality of opportunity in all its activities, and in respect of this, all members of staff should be mindful of PSOW's duties under the 2010 Equality Act and PSOW's policy on Equal Opportunities. All staff involved should maintain a positive attitude towards equality in employment.
- 3.2 If a member of staff involved in the recruitment process has a close personal or family relationship with an applicant or otherwise knows an applicant (for example as a friend outside work), they must declare this to the Chair of the Panel as soon as they are aware of the individual's application. A decision will then be made as to whether they can be involved in the process. Such decisions will take account of the need to ensure that the process is impartial and fair, and that it is seen to be so.
- 3.3 All documentation relating to applicants will be treated with the utmost confidentiality and in accordance with data protection legislation. Applicants may request feedback and may ask for access to any documentation held on them in accordance with the Data Protection Act 2018.
- 3.4 Staff developing a job description must ensure that it does not include unnecessary requirements which may directly or indirectly discriminate against any group.

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- 3.5 It is illegal to advertise a job in a way that directly or indirectly discriminates against people with protected characteristics under the Equality Act 2010.

### 4 Selection Process – Principles

- 4.1 The selection process should be:
- transparent
  - timely and cost effective
  - equitable and fair
  - free from conflict of interest.
- 4.2 The selection process will be such that it will not directly or indirectly discriminate against candidates with protected characteristics under the Equality Act 2010. Where applicable, reasonable adjustments will be made to ensure accessibility for all candidates.
- 4.3 All recruitment will be based on agreed job descriptions and person specifications. Recruitment and selection will be conducted as an evidence-based process and candidates will be assessed against agreed selection criteria, based on relevant knowledge, skills, competencies, experience and qualifications to perform the role and their ability to act in accordance with PSOW's values, as outlined in the 'requirements'. The PSOW supports the principles of flexible working through its [Flexible Working Policy](#). All decisions must be recorded.
- 4.4 All applicants are asked to declare any unspent criminal convictions under the Rehabilitation of Offenders Act 1974. This information should be provided in a sealed envelope or via a confidential email and will be viewed by the Panel Chair only. Should it be necessary, a risk assessment on suitability for employment will be carried out by the Panel Chair and a HR Adviser. Following conclusion of the recruitment process the information received will be disposed of in accordance with Section 13 below.

### 5 Assessment of need to recruit and approval

- 5.1 The recruitment procedure may not commence until:
- In accordance with PSOW Financial Procedures, it has been established that there is a need for a post or posts to be created or filled, and that adequate budgetary provision exists.
  - The need for Welsh language skills has been assessed and recorded.
  - An Approval for Recruitment form has been completed and signed off, together with a draft or outline job description and person specification.
  - A Recruitment Panel Chair has been agreed.

### 6 Recruitment Panel

#### Composition of the Panel

- 6.1 The Ombudsman may elect to chair a recruitment panel or may identify a Director or Manager to act as Chair.
- 6.2 The Chair will be responsible for ensuring that the recruitment process is conducted in a fair and open manner.
- 6.3 The Chair will also identify at least one other person, ideally two others, to form the interview panel.
- 6.4 Every interview panel will, where possible, seek to have a balanced panel taking account of gender, ethnicity and language requirements.
- 6.5 One or more of the interview panel members may be external to PSOW where the Ombudsman judges that the seniority or the nature of the post being recruited to makes this appropriate.
- 6.6 Where appropriate, Panel members may include an existing member of staff already performing the role to be advertised.

### Duties of the Panel

#### 6.7 The Panel must:

- Prepare, or review and revise as necessary, a job description and person specification.
- Undertake and record an assessment of the need for Welsh language skills, including whether to require the successful candidate to undertake Welsh language training to an agreed level.
- Agree the content of the job advert, where the vacancy is to be advertised and for how long. If Welsh language skills are essential, desirable or to be learnt, this must be included in the advert.
- Agree provisional dates for advertising, closing dates and interview dates. (There will normally be a 3-week period between the start date and closing date.)
- Agree what the selection process will involve (e.g. if a skills test (relevant to the post) and/or a presentation are to be included.)
- Consider how candidates' language preferences can be accommodated, including the use of simultaneous translation if required.
- Develop and agree the Recruitment Pack, which includes information about the organisation, post, recruitment process, proposed assessment (where necessary) and interview dates together with links to the Application Form, Equality Monitoring Form and Privacy Notice for applicants.
- Use the PSOW Application Form unless otherwise agreed. This Form includes important questions about disability, any need for reasonable adjustments, language preference and Welsh language skills, (including willingness to learn/improve Welsh language skills if applicable).
- Ensure the Recruitment Pack makes clear that applications may be submitted in Welsh or English.
- Pass the agreed Recruitment Pack, Job Description and Requirements, Advert and details of publications to be used, to the Recruitment Lead.

### 7 Advertising the vacancy

- 7.1 The Recruitment Lead with the HR Officer will finalise dates, finalise documents and arrange translation and advertising.
- 7.2 Advertisements will be placed in previously agreed publications appropriate for the role and will be planned to proactively target groups considered to be underrepresented in PSOW workforce, in line with the priorities identified in annual equality monitoring.

### 8 Management of applications

- 8.1 The PSOW application process is usually managed internally with the Recruitment Team, anonymising all application forms and removing equality data. Once the deadline for applications has passed, the Recruitment Team will pass all the (anonymised) applications received to the Interview Panel.
- 8.2 The PSOW may, on occasion, outsource the recruitment process (up to the longlist) to a recruitment agency. The Recruitment Team will be responsible for briefing the recruitment agency and they will be expected to follow the PSOW's Recruitment and Selection Policy and Procedure. The agency will be responsible for receiving enquiries and dispatching application packs, answering queries (where necessary after checking information with the Recruitment Team) from potential applicants, receiving completed applications, anonymising all application forms and removing equality data before preparing a longlist of candidates, in priority order, who meet the requirements of the person specification. The agency will deliver the longlist, which will be clearly scored against the criteria, to the Recruitment Team by an agreed date.

### 9 Shortlisting

- 9.1 Shortlisting must be undertaken by at least 2 individuals who are to be involved in the interviewing process.
- 9.2 The shortlisting Panel will consider the longlist as provided by the agency, or all the applications if an agency was not used. Applications will be assessed using a matrix of the criteria drawn from the requirements

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(essential criteria first). The Panel will agree in advance what weighting should be given to each element in the matrix in arriving at an overall score. Any candidate who has scored “not suitable” in relation to an essential criterion will automatically be assigned an overall score of “not suitable” irrespective of their marks in relation to other essential criteria. The strength of each skill identified from the application form will be scored against the scoring matrix (see Appendix A).

- 9.3 Through the process of shortlisting the Panel will identify the candidates to go through to the next stage. Shortlisted applicants will be selected in descending order from those applications which obtained the highest score in the shortlisting process. In the event of a tie, the Panel would favour the candidate who best met the level of detail, approach and competency across the interview questions. In the event of a further tie, the interview Panel will give priority to the candidate or candidates appearing to have the greater depth of relevant experience, especially in the essential skill areas.
- 9.4 In accordance with PSOW’s commitments as a Disability Confident Committed Employer, all candidates who meet the essential criteria and are disabled will be shortlisted.
- 9.5 In order to make effective use of the Panel’s time where there are a large number of candidates to be considered, the Panel Chair may ask panel members to mark applications as described above in advance of the meeting and to rank candidates accordingly. (Full scoring and ranking is not required for candidates who have scored “not suitable” in one or more of the essential criteria.)
- 9.6 Once a shortlist has been agreed and the interview dates confirmed, the Panel will finalise the assessment and interview format and timings. The Recruitment Team will then finalise the interview and assessment timetable and agree with the Panel Chair. The Recruitment Team will then:
- Arrange for shortlisted candidates to be invited for interview in accordance with the schedule, initially by telephone and subsequently to be confirmed in writing. Candidates must be notified of any tests and assessments when they are invited for interview.

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- The language preferences of individual candidates, notified on the application form, should be confirmed, together with details of the language(s) to be used during the interview and assessment/testing process.
- Where candidates have requested any special assistance for interview and/or assessment they should be contacted for clarification to ensure appropriate equipment/assistance is available.
- Arrange for those candidates not shortlisted to be informed in writing that they have been unsuccessful.
- Ensure that arrangements are made for administration of the interview and assessment/testing process, including the room(s) required, any technical requirements, any simultaneous translation requirements and the provision of refreshments for the Interview Panel.

### 10 Interview arrangements

- 10.1 The PSOW will discuss and agree with shortlisted candidates the reasonable adjustments needed to allow full participation in the interview and selection process.
- 10.2 Interview questions and assessments/tests must relate to the job description, person specification and the candidate's suitability for the position.
- 10.3 Interviews should be conducted by at least 2 people. All the interviews for the post must be conducted by the same people (except in exceptional circumstances such as unplanned absence). The make-up of the interviewing Panel should, where possible, include male and female staff. Any skills tests (e.g. presentations, in-tray exercises) must be directly related to the role and measured against objective criteria. All presentations for the post must be assessed by the same people (except in exceptional circumstances such as unplanned absence).
- 10.4 Arrangements must be made to meet candidates' Welsh language requirements. Note, however, that it is also appropriate to test/assess English language skills in some part of the interview and/or assessment process.

### 11 The interview process

- 11.1 The interview Panel will prepare a list of competency and values based questions which will be asked of each candidate. These will reflect the experience, competency and values requirements set out in the job description and person specification.
- 11.2 The Panel will also agree the content of any competency-based test(s) which are to be used and the scoring mechanism for those tests. Questions and tests will be used to assess the extent to which candidates meet the requirements and suitability for the duties as set out in the job description. A scoring matrix will be used to assess applicants' suitability for the role.
- 11.3 Unless otherwise agreed before the first interview commences, all interview questions will be given equal weighting. The weighting to be applied to any tests and assessments and to the overall interview score will be agreed in advance. The same approach to tie-breaking will be used as at the shortlisting stage. A minimum overall score to be a successful candidate will also be agreed. The Panel Chair is responsible for ensuring that the questions and any test(s) are non-discriminatory and can be objectively justified.
- 11.4 All candidates will be asked the same agreed questions. Supplementary questions may be asked to probe the initial answer and to draw out further detail.
- 11.5 The Panel Chair may also ask questions to clarify anything unclear or uncertain from the application form.
- 11.6 At the conclusion of each interview, the candidate will be given the opportunity to clarify anything s/he said or to ask questions of the Panel.
- 11.7 When the candidate leaves, panel members will each make a provisional assessment of the candidate's performance, taking into account both their performance at interview and their written application. Panel members

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will record their provisional scores on the matrix. If an assessment and/or competency test has been used that will also be scored using the agreed method.

- 11.8 At the conclusion of the interviews the Panel Chair will lead a discussion on the candidates and the Panel will agree marks for each question and test. The Panel Chair will ensure that the members only discuss matters which are relevant to the post and can be evidenced from the candidate's application form, interview and any competency-based test. The objective of the discussion is to achieve unanimous agreement on the appropriate scores. If this is not possible, a majority score will be used. The Panel Chair will formally record the Panel decision and record the agreed candidate's score on a master matrix.
- 11.9 Once a panel mark has been agreed for each candidate, candidates will be ranked in merit order. The successful candidate(s) will be determined by the scoring matrix.
- 11.10 Where there is a tie between candidates, the interview Panel will, as at the shortlisting stage, assess one or more of any skills which have been listed as desirable in the person specification. These should be marked in the same manner as the essential skills. In the event of a further tie, the interview Panel will give priority to the candidate(s) appearing to have the greater depth of relevant experience. The Panel will record the definitive ranking and its reasons for prioritising between any candidates who were tied with respect to essential skills.
- 11.11 An offer of employment will be made to the highest ranked candidate(s) according to the number of posts available, providing that candidate has achieved the appointable standard previously agreed.
- 11.12 The offer will be made in the first instance by telephone by the Panel Chair who will include details of the proposed starting salary. If the offer is declined, the next ranked candidate will be offered the post. This process will continue until an offer is accepted or until no candidate of appointable standard remains.

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- 11.13 If no candidate meets the appointable standard, then no offer of employment will be made. PSOW would prefer not to make an appointment than to appoint a candidate who does not meet the high standards required.
- 11.14 If there are more candidates whom the Panel would have been happy to appoint than there are vacancies, their names may be kept on a reserve list for up to 12 months in case further vacancies at the grade advertised arise within that period. Those candidates so identified will be recorded in merit order on the Panel's decision notice.
- 11.15 Candidates will be informed of the result of the interview within 10 working days.

## 12 Post interview process

- 12.1 Having made the conditional offer to a candidate (assuming that candidate indicates that s/he accepts the conditional offer), the Panel Chair will arrange for that conditional offer to be confirmed in writing within 2 working days. The candidate will be asked to confirm acceptance and to indicate a proposed start date (subject to pre-employment checks). Unsuccessful candidates will not be told of the outcome until the successful candidate(s) have confirmed (orally or in writing) acceptance of the **conditional** offer of employment.
- 12.2 PSOW will carry out a range of pre-employment checks, managed by the Recruitment Team. These will always include checking eligibility to work in the UK, completion of a health questionnaire and taking up references. References received will be shared with the Panel Chair to consider.
- 12.3 Following the successful completion of pre-employment checks and acceptance of References by the Panel Chair, a formal unconditional offer will be sent together with a start date.

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- 12.4 The successful candidate(s) will normally commence employment at 10.00am on the agreed starting date. The HR Officer will issue a new starters pack on arrival and the line manager will outline the induction programme which has been prepared, based on the PSOW agreed induction process.
- 12.5 Candidates unsuccessful at interview will be notified and this will usually be in writing from the Recruitment Team. All candidates interviewed will be made aware that they may request feedback from the Panel Chair or a panel member.
- 12.6 Candidates who were not shortlisted will not be offered feedback. If they request details of their shortlisting assessment scores this will be treated as a data subject request, and that limited information will be provided following consultation with the Information Governance Manager.

### 13 Record keeping

- 13.1 The applications of successful candidates will form part of the personnel file for that individual. Application forms for those applicants not shortlisted will be kept for 12 months. Application forms for those candidates who feature on a reserve list will be kept for 12 months unless they are offered employment before then.
- 13.2 The Panel's decision notice and master matrix will be kept for 12 months.

### 14. Review and publication

- 14.1. This policy will be reviewed every two years and will be published internally and externally. However, Appendix A will be published internally only.

All queries about this document can be directed to [policycontrol@ombudsman.wales](mailto:policycontrol@ombudsman.wales).