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Ombudsman**  
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## **Recruitment and Selection Policy and Procedure**

Mae'r ddogfen hon hefyd ar gael yn y Gymraeg.  
This document is also available in Welsh.

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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 having the right people, in the right place at the right time.
- 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 covers both external and internal recruitment.
- 1.4 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.
- 1.5 This policy and procedure applies to all staff regardless of status or length of service.
- 1.6 For areas where we identify under-represented groups, the Human Resources Business Partner and recruitment panel will ensure that the advertising strategy includes engagement with specialists in the sector and taking positive action.

### 2. Aims and objectives

- 2.1 The aims and objectives of this policy are to:
  - ensure that recruitment processes are fair and consistent

- 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
- meet the operational requirements and the strategic objectives of the PSOW
- maintain a motivated and skilled workforce.

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

3.1 All staff involved in the recruitment process need to understand their responsibilities under the relevant legislation. Appropriate training and updates will be provided in English or Welsh for those involved in recruitment and selection. This training will be provided by the Human Resources Business Partner or nominated representative. 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 are expected to behave in a way that demonstrates 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/HRBP 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 should refer to the HRBP to ensure that it does not include unnecessary requirements which may directly or indirectly discriminate against any individual or group and does not use language that may discourage certain groups from applying.
- 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 and where a need for adjustments is declared on the application form, reasonable adjustments will be made to ensure accessibility for all candidates. We will also consider making adjustments for people who may face barriers on other grounds, if what they need is reasonable and proportionate.

- 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 recruitment 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 to the HRBP and will be viewed by the HRBP only. Should it be necessary, a risk assessment on suitability for employment will be carried out by the Panel Chair and the HRBP. 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 by the COO/DOI, 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 Chair of the Panel along with the HRBP will be responsible for ensuring that the recruitment process is conducted in a fair and open manner.
- 6.2 The Chair will also identify at least 1 other person, ideally 2 others, to form the interview panel.
- 6.3 Every interview panel will, where possible, seek to have a balanced panel taking account of gender, ethnicity and language requirements. Other characteristics may be also considered, as appropriate.
- 6.4 There may be occasions when 1 or more of the interview panel members may be external to PSOW. This may happen in situations where the Ombudsman considers that the seniority or nature of the post would benefit from external input.
- 6.5 Where appropriate, Panel members may include an existing member of staff already performing the role to be advertised.
- 6.6 Team members may also be asked to participate in various elements of the selection process in order to provide valuable feedback on candidates. Any such involvement will be facilitated by the HRBP and agreed with the Chair of the Panel in advance.

#### Duties of the Panel

- 6.7 The Panel must work with the HRBP to:

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- 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. If Welsh language skills are essential, desirable or to be developed, this must be included in the advert.
- Agree provisional dates for advertising, closing dates and interview dates. (There will normally be a 2 week period between the start date and closing date. However, this may be extended as and when necessary.)
- Agree what the selection process will include in terms of tests, exercises, stakeholder interviews and group involvement or presentation. The HRBP will advise on options for selection processes and will oversee the facilitation of the activities chosen.
- Consider how candidates' language preferences can be accommodated, including the use of simultaneous translation if required.
- Consider how any additional needs of candidates should be accommodated (including by making reasonable adjustments).
- Agree whether CVs will be accepted in the first instance and whether there is a need for first stage screening interviews to be conducted by the HRBP. If a panel interview follows initial screening, the applicant will complete the full PSOW application form prior to the interview taking place. The application 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).



### 7. Advertising the Vacancy

- 7.1 The HRBP will finalise dates, finalise documents and arrange translation and advertising.
- 7.2 Advertisements will be placed across a wide range of platforms including social media, according to the needs of the role. This may include proactive targeted advertising specifically aimed at groups considered to be underrepresented in PSOW workforce, identified through annual equality monitoring.

### 8. Management of Applications

- 8.1 Wherever possible completed application forms will be anonymised by the Corporate Services team. Equality data is submitted separately by candidates and will not be submitted to the panel. After this, applications are submitted to the HRBP for processing. Such anonymisation is not possible in circumstances where it has been agreed CVs will be accepted or when candidates choose to submit a CV in place of a full application.
- 8.2 The PSOW may, on occasion, outsource the recruitment process (up to the longlist) to a recruitment consultant or agency. The HRBP will liaise with the external consultant/agency as appropriate and ensure that they work in accordance with this policy and procedure.

### 9. Shortlisting

- 9.1 Each application will be considered in line with the essential criteria for the role. The HRBP will carry out an initial assessment of candidates and will present the results of this initial assessment to the interview panel for consideration. The initial assessment is based on how well the candidate meets the person specification. The interview panel will conduct their

own independent assessment of how well the candidate has met the criteria and agree the candidates to be shortlisted.

- 9.2 Where it has been decided that CVs will be accepted in the first instance, the HRBP may carry out initial screening interviews online. These will be recorded, and the recording submitted to the panel to decide whether to invite that candidate to a follow up panel interview. Such screening interviews are used to explore the capabilities of a candidate and provide a further opportunity for candidates to evidence their suitability for the role.
- 9.3 Screening interviews can also be used when full application forms have been completed, but where an insufficient pool of candidates has been identified. Screening provides an opportunity for further exploration where the applicant has potential but has provided insufficient evidence in their application.
- 9.4 In accordance with PSOW's commitments as a Disability Confident Committed Employer, all candidates who meet the essential criteria and who have declared they are applying under the disability scheme will be shortlisted.
- 9.5 Once a shortlist has been agreed, the HRBP will finalise the timetable for each element of the selection process and liaise with Corporate Services to make the appropriate arrangements.
- When invitations for interview are completed by either the HRBP or Corporate Services, 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.
- The HRBP will liaise with Corporate Services to agree the arrangements 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. Panel Interview arrangements

- 10.1 The HRBP or Corporate Services will discuss and agree with shortlisted candidates who have declared they are applying under the disability scheme, the reasonable adjustments needed to allow full participation in the interview and selection process. Any other adjustments requested by candidates should be considered at the time and facilitated if reasonable and proportionate.
- 10.2 Panel 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 interview panel should, where possible, include male and female staff. Any selection tests 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).
- 10.3 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 HRBP and 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 HRBP and interview panel will also agree the content of any selection tests and exercises 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.
- 11.3 The HRBP, as the custodian of the procedure will be part of all recruitment panels for the recruitment of staff unless otherwise agreed by the COO/DOI.
- 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 Any member of the panel may 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 ask questions and seek any necessary clarification.
- 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. Discussion will then take place and an agreed score for each question recorded by the HRBP.

- 11.8 Once a panel mark has been agreed for each candidate, candidates will be ranked in merit order. The successful candidate will be the candidate with the highest score.
- 11.9 Where there is a tie between candidates, the interview panel will, as at the shortlisting stage, assess 1 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.
- 11.10 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.
- 11.11 The offer will be made by the HRBP in the first instance either by telephone or by email. If the successful applicant stated Welsh as their preferred language, the offer will be made in Welsh. 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.
- 11.12 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.
- 11.13 If there are more candidates whom the Panel would have been happy to appoint than there are vacancies, permission will be sought for their

details to 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.

- 11.14 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 they accept the conditional offer), the HRBP will arrange for that conditional offer to be confirmed in writing. 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) has 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 HRBP/Corporate Services 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 checked by the HRBP in the first instance and shared with the Panel Chair if necessary.
- 12.3 It is vital that those working for the Ombudsman are impartial and that they are seen to be impartial. Staff working for the Ombudsman are therefore not permitted to take part in political activity and they are required to avoid public political comment, for example, on social media. Successful candidates will be asked, as part of the pre-employment checks, to disclose details of their social media accounts which will be checked by a third-party provider.

- 12.4 The HR Officer will issue a new starter pack on the first day of employment 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 HRBP or Corporate Services team. All candidates interviewed will be given feedback if they request it. The HRBP will usually provide the feedback on behalf of the panel unless an alternative has been agreed.
- 12.6 Due to the general volume of applications received, candidates who were not shortlisted will not be given feedback. If they request details of their shortlisting, this will be treated as a data subject request and limited information will be provided following consultation with the Information Governance Manager.
- 12.7 Candidates applying, who have undertaken selection testing and scored below average within the last 24 months at least, will be rejected automatically.

### **13. Internal Recruitment**

- 13.1 The Ombudsman recognises the importance of providing opportunity for existing staff to develop and expand their level of skill, ability and contribution through provision of promotion, transfers, secondments, opportunities and encouragement to apply for different or higher-level roles on a temporary or permanent basis.
- 13.2 The principles for any internal recruitment are consistent with those outlined in this policy and procedure.
- 13.3 Where there is a role that becomes available at a particular level e.g.

management level, the Ombudsman may choose to offer this to internal candidates prior to any external advertisement being placed.

Alternatively, the role may be advertised both internally and externally at the same time.

- 13.4 Where a resource need exists within the Organisation and the skills required are available through an existing member of staff, an internal transfer may take place with or without internal advert. However, if a transfer will result in securing a permanent higher-level salary, it will be advertised. If it is decided that it will be internal, it may be opened up to staff for whom the transfer would provide an opportunity for progression.
- 13.5 Where staff are asked to undertake additional duties at a higher level for a fixed period of time, an honorarium payment may or may not be made. Opportunities for taking on additional duties will not generally be advertised and will be at the discretion of line management. This allows for the smooth operational running of the service. Being paid an honorarium for a particular role or for additional duties, will not result in the automatic securing of a higher-level role should it become available. A fair and transparent process will be followed, and the vacancy advertised internally.
- 13.6 Where a temporary member of staff has been appointed and the same role becomes available on a permanent basis, the Ombudsman has the discretion to automatically offer the temporary member of staff the permanent role without advertising the post, or to advertise the permanent post and it will be open to the temporary member of staff to apply.
- 13.7 Any vacancies advertised internally could require “expressions of interest” to be submitted in the first instance which involves providing a letter detailing why the staff member is applying and the competencies



they can evidence. The principles of fair recruitment detailed in this policy and procedure apply and a panel interview will generally be held for all recruitment. In addition, selection tests may also be used to test the suitability of internal candidates.

- 13.8 Written or verbal feedback will be offered to internal candidates who have either not been shortlisted or who have been unsuccessful.
- 13.9 Internal candidates who have applied for an internal role and who have undertaken testing and scored below average, may not have a further application accepted, for a new vacancy, at the same level, for a period of at least 12 months.

## 14. Record Keeping

- 14.1 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 have agreed to remain on a reserve list will be kept for 12 months unless they are offered employment before then.
- 14.2 The Panel's decision notice and master matrix will be kept for 12 months.

## 15. Monitoring, review and publication

- 15.1 This policy will be reviewed every 2 years and published internally and externally.
- 15.2 Any queries about this policy can be directed to [policycontrol@ombudsman.wales](mailto:policycontrol@ombudsman.wales)