

Recruitment and Selection - Managers Guidance

Trade Union Observers

As a recruiting manager, a Trade Union representative or employee may approach you asking for a TU Observer to be present during a recruitment and selection process. A TU Observer is an appropriately trained TU representative who observes the short listing and interview/selection process. The HR Division have a list of trained Observers. As a manager you should support the TU Observer in carrying out their role, which is subject to TU time off agreements.

Allowing TU Observers to be present during recruitment and selection demonstrates the Council's commitment to a fair and transparent selection process and increases employee confidence in the process. It also supports consistency, and compliance with legislation and the council's agreed policies and procedures.

The overriding aim of the recruitment and selection process is to provide an environment which enables applicants to demonstrate their suitability for a job, and to appoint the best person.

The TU Observer's role

The TU Observer can observe:

- Short listing meetings/panels
- The interviews and any other selection processes e.g. presentations
- Any meetings to discuss the outcome of the selection process and agree the successful candidate (for example if the panel meets the day after the interviews to make their decision).

The TU Observer should not:

- Participate in any way in the interview question setting.
- Be part of the decision making process, whether during short listing or selection.
- Assess candidates' performance.
- Ask candidates questions or interject during the selection process.

Confidentiality

TU Observers must treat all information and documents in the strictest of confidence. Any breaches of confidence may result in the TU Observer role being withdrawn or disciplinary procedures being invoked. The Chair of the shortlisting or interview panel should ensure that TU Observers do not take application forms or related documentation away from the meeting. Paper copies should be provided to them by the Chair at the start of each meeting, and should be handed back to the Chair at the end.

Requesting a TU Observer

The standard interview invitation letter issued by the HR SSC advises candidates that a TU Observer may be present at the interview.

A TU Observer can be requested by a Trade Union or employee. If several Trade Unions wish to attend, they must agree between them on one TU Observer.

Making arrangements to include a TU Observer

As soon as you are aware that a TU Observer will be attending, it is helpful to have an early conversation with him/her to ensure a shared understanding of the planned selection process and expected timescales. This will help avoid any misunderstandings which could disrupt the recruitment and selection process later on.

TU Observers are asked to provide reasonable notice to attend short listing and interview panels. Within an organisation review the Trade Unions have been encouraged to request TU Observers as early as possible, to maximise the chances of them being able to attend.

Short listing and interview dates will not usually be delayed to accommodate TU Observers' availability. Setting provisional interview dates at the start of the recruitment process will assist with this.

Ideally, the same TU Observer would attend both short listing and interview panels to ensure consistency. Where this is not possible a trained substitute may attend.

Conflicts of Interest

A TU Observer should not be involved where there is a potential conflict of interest, for example in the selection process for posts within an organisational restructure, where they are directly or closely affected.

Candidate objections

If a candidate objects to a TU Observer being present, you should discuss the reasons for this with the candidate and aim to reassure them about the role and presence of TU Observers. Ultimately however, the candidate's wishes should be respected. The TU Observer will be able to attend all other interviews/processes where there has been no objection and can hear the subsequent discussion about all candidates even if there was no Observer present at a particular interview.

Any issue or concern raised by a candidate about a specific TU Observer should be shared with your HR team, to enable them to raise the matter with the relevant TU where appropriate.

Shortlisting

The TU Observer is invited to attend the meeting where the panel agrees who to invite to interview. Panel members may do some short listing preparation individually before the short listing meeting which the TU Observer would not be present for.

The TU Observer should meet the panel on the day of the short listing process and be given paper copies of application forms and other relevant documentation. These should be handed back to the Chair at the end. Observers should not take application forms or other documentation away from the meeting with them.

At the start of the meeting the Chair should outline the short listing process and talk through the criteria to be used. The attendance of a TU Observer should be recorded on the short listing records.

Ensure that:

- The short listing decisions are based on the criteria in the job and person profile, and information provided by the candidate in their application.
- The criteria are applied consistently to all applicants.
- Candidates with higher qualifications than required are not given priority.
- Any prior knowledge of a candidate is not taken into account.
- Those 'individually at risk' of redundancy who have priority status are seen prior to other candidates, and consideration is be given to provision of reasonable training/support where a priority candidate does not meet the essential criteria.
- Disabled candidates and those 'group at risk' of redundancy who meet the essential criteria of the job, receive a guaranteed interview (after any priority status candidates have been seen) alongside any other candidates.

The Interview/Selection Process

The overriding aim is to give every candidate the opportunity to demonstrate that they are the best person for the job, and put them at ease as much as possible.

The TU Observer will meet the panel on the day of the interview/selection process. Paper copies of application forms and other documentation relating to the process should be provided to the TU Observer on the day. All documentation should be

handed back to the Chair at the end. Observers should not take application forms or other documents away with them.

Before the interviews/selection process starts the Panel Chair should meet the TU Observer to :

- outline the selection process and talk through the approach to be adopted
- talk through the interview questions/practical test(s)/presentation and agreed scoring mechanism/model answers, as appropriate.

The Chair should note the attendance of a TU Observer on their selection records.

The TU Observer will be present throughout the interviews and selection process and during the panel's decision making discussion.

Panel members should evaluate each candidate individually before conferring and agreeing on the successful candidate.

Trade Union Comments

The TU Observer may comment on policy or procedure either at the beginning or end of the selection process and not in the presence of the candidate.

The TU Observer may not comment on a candidate's performance, or suggest who the successful candidate should be.

The Chair should record any comments made by the TU Observer.

The panel will discuss any issues the TU Observer raises and decide whether the issue affects the outcome of the process. The Chair of the panel will make the final decision.

If it is agreed that the issue has affected the outcome of the appointment process the panel will agree how this should be remedied. Only in extreme cases would this involve rerunning the interview (s) or starting the process again.