HUMAN RESOURCES & COUNCIL TAX COMMITTEE

21 October 2025

REPORT OF ASSISTANT DIRECTOR - PEOPLE

A.2 RECRUITMENT AND SELECTION POLICY AND PROCEDURE

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

This report presents the revised Recruitment and Selection Policy and Procedure for Tendring District Council. The updated policy reflects procedural enhancements following the implementation of the Council's HR and Payroll System (iTrent), incorporates current best practice, and reinforces the Council's commitment to fair and inclusive recruitment. It ensures that all candidates, internal and external, have equitable access to employment opportunities, enabling the Council to attract and retain a diverse and skilled workforce.

The policy also clarifies the roles and responsibilities of recruiting managers and the HR team and provides comprehensive guidance on legal obligations associated with recruitment activity.

The Human Resources and Council Tax Committee is asked to note the updates made to the policy in accordance with the delegated authority of the Assistant Director – People, acting in consultation with the Head of Paid Service.

EXECUTIVE SUMMARY

Tendring District Council recognises that its workforce is its most valuable asset, and that attracting and retaining the right talent is essential to delivering high-quality public services. The revised Recruitment and Selection Policy and Procedure establishes a clear, fair, and transparent framework for recruitment, from role definition through to final offer, ensuring that every candidate has a positive experience and that all appointments are made solely on merit.

The Council's ambition to be an employer of choice is reflected in its commitment to:

- Providing a positive and inclusive recruitment journey for all applicants
- Acting with responsiveness, respect, and equity throughout the process
- Leaving unsuccessful candidates with a constructive impression of the Council
- Treating recruitment as the initial phase of a new employee's induction

By embedding these principles, the Council will:

- Strengthen its employer brand and showcase organisational values
- Engage a diverse and skilled talent pool
- Apply robust and objective assessment methods
- Offer clear communication and reasonable adjustments to candidates
- Integrate recruitment into a seamless onboarding experience

The updated policy consolidates procedural changes following the implementation of the iTrent Recruitment and Onboarding modules, which enhance automation, data accuracy, and process efficiency. To further strengthen governance, a mandatory Pre-Recruitment Proforma has been introduced to clarify responsibilities, documentation requirements, and timelines prior to initiating recruitment activity.

The policy reinforces the Council's legal obligations, particularly under the Equality Act 2010, by ensuring reasonable adjustments are made for candidates and new recruits with disabilities or medical conditions. It also reflects current best practice in public sector recruitment by introducing a structured mechanism for analysing recruitment performance data, such as application rates, vacancy fill times,

and retention trends. This approach supports continuous improvement, strengthens workforce planning, and promotes long-term value for money, demonstrating that the Council's recruitment practices are both compliant and progressive.

The policy applies to all employment recruitment, including apprenticeships, but excludes volunteers and agency workers, who are covered by separate policies.

The Human Resources and Council Tax Committee is asked to note the implementation of the revised Recruitment and Selection Policy and Procedure, which has been updated in accordance with the delegated authority of the Assistant Director – People, and reflects the Council's ongoing commitment to fair, inclusive, and legally compliant recruitment practices.

RECOMMENDATION(S)

It is recommended that the Human Resources and Council Tax Committee:

a) **Notes the updates to the Council's Recruitment and Selection Policy and Procedure.**
b) **Acknowledges the existing delegation to the Assistant Director – People, in consultation with the Head of Paid Service, to make any necessary amendments to this policy and associated people policies and procedures, including those required to ensure compliance with employment legislation and to reflect best practice.**

REASON(S) FOR THE RECOMMENDATION(S)

Updating the Recruitment and Selection Policy and Procedure is essential to ensure it remains legally compliant, inclusive, and responsive to the evolving needs of both candidates and the organisation. The revised policy reflects procedural improvements following the implementation of the Council's HR and Payroll System (iTrent) and aligns with current best practice in recruitment.

The updated policy enhances the Council's compliance with the Equality Act 2010, by clarifying guidance on reasonable adjustments for candidates and new recruits with disabilities or medical conditions. This proactive approach mitigates legal and reputational risks and reinforces the Council's position as a fair and forward-thinking employer.

A new Pre-Recruitment Proforma has been introduced to improve governance and consistency. This mandatory step ensures Recruiting Managers are fully informed of their responsibilities, required documentation, and key timelines, supporting a transparent and accountable recruitment process.

The policy also introduces a mechanism for analysing recruitment performance data, including application rates, vacancy fill times, and retention trends. This data-driven approach enables continuous improvement, supports effective workforce planning, and promotes long-term value for money.

The scope of the policy has been widened to include apprenticeships, ensuring consistent and positive recruitment practices across all employment types.

Failure to update the policy in line with legislative requirements and operational developments may expose the Council to legal challenge, particularly in areas relating to equality, data protection, and employment rights. A consolidated and current policy reduces the risk of misinterpretation and differing practices across departments and demonstrates the Council's ongoing commitment to being a progressive, inclusive, and supportive employer.

ALTERNATIVE OPTIONS CONSIDERED

There is no viable alternative to updating the Recruitment and Selection Policy and Procedure. Failure to review and revise the policy in line with current legislation, best practice, and system developments may result in significant operational and reputational risks for the Council.

An outdated policy may lead to inconsistent decision-making, as recruiting managers could rely on incomplete or inaccurate guidance that does not reflect the Council's current recruitment systems and governance requirements. This increases the likelihood of procedural errors, undermines fairness and transparency, and may expose the Council to legal challenge.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

A revised Corporate Plan and Vision were approved by Full Council at its meeting on 28 November 2023. One of the six included themes is Financial Sustainability and Openness, with a commitment to continue to deliver effective services and get things done whilst looking after the public purse; that means carefully planning what we do, managing capacity and prioritising what we focus our time, money and assets on.

The development and implementation of the updated Recruitment and Selection Policy and Procedure also aligns with Tendring District Council's Corporate Plan 2024–2028 themes of "working with partners to improve quality of life" and "raising aspirations and creating opportunities." By supporting our employees—many of whom are also residents—we contribute positively to both workforce wellbeing and the wider community.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

The Council must comply with a range of statutory rights and legal obligations designed to ensure recruitment is fair, transparent, and legally compliant. These include:

Equality Act 2010 - Prohibits discrimination based on protected characteristics—including age, race, sex, disability, religion, sexual orientation, gender reassignment, pregnancy/maternity, and marital status. Employers must ensure job adverts, interview questions, and selection criteria are fair and inclusive. Discrimination—direct or indirect—is unlawful unless objectively justified.

Employment Rights Act 1996 - Sets out employees' rights, including the right to a written statement of employment terms.

Rehabilitation of Offenders Act 1974 (as amended) - Allows certain criminal convictions to become "spent" after a rehabilitation period, meaning they don't need to be disclosed. Employers cannot reject candidates solely for spent convictions unless the role is exempt (e.g. working with vulnerable groups).

Data Protection Act 2018 & UK GDPR - Regulates how personal data is collected, stored, and processed. Employers must obtain consent to collect candidate data, use it only for recruitment purposes, and store it securely. Candidates have the right to access and correct their data.

Trade Union and Labour Relations (Consolidation) Act 1992 - Protects individuals from being treated unfairly due to trade union membership or activities. It's unlawful to reject or penalise a candidate based on union affiliation.

Police, Crime, Sentencing and Courts Act 2022 - Amended the Rehabilitation of Offenders Act to shorten rehabilitation periods for certain convictions. Employers must stay updated on what convictions are considered "spent" and avoid unlawful discrimination.

Failure to comply with employment-related legislation may expose the Council to significant risks.

Employees may pursue claims through an Employment Tribunal, particularly in cases involving discrimination, where compensation awards are uncapped.

Furthermore, a breach of the Equality Act 2010, could potentially amount to direct or indirect discrimination. Discrimination claims can attract media attention and pose a significant reputational risk to the Council as an inclusive and fair employer.

The Human Resources & Council Tax Committee has responsibility for the discharge of Part II – miscellaneous functions as set out in Schedule 1 to the Local Authorities (*Functions and Responsibilities)* (*England*) Regulations 2000 (*as amended*) and as detailed in Appendix 1 to Part 3 of the Constitution; including the 'decision-making on key Human Resource and Personnel issues not reserved by the Council or delegated to officers'. This extends to the agreement on key personnel policies.

In accordance with Tendring District Council's Constitution, the Assistant Director – People holds delegated authority, in consultation with the Head of Paid Service, to make amendments to people-related policies and procedures. This includes updates required to ensure compliance with employment legislation, alignment with best practice, and operational effectiveness. The revisions to the Recruitment and Selection Policy and Procedure presented in this report have been made under this delegation.

FINANCE AND OTHER RESOURCE IMPLICATIONS

Failure to comply with statutory rights and legal obligations, as outlined in the previous section, may result in legal proceedings through an Employment Tribunal and may include substantial financial penalties or compensation.

Enforcement action or legal proceedings present both financial and reputational risks to the Council. This is especially pertinent in cases involving discrimination, where compensation is not subject to a statutory cap, unlike other employment claims. As a result, discrimination claims may lead to substantial financial settlements and heightened public scrutiny.

By adopting and implementing the revised Recruitment and Selection Policy and Procedure, the Council reinforces its commitment to legal compliance, mitigates risk, and demonstrates a proactive approach to the recruitment and selection of staff.

USE OF RESOURCES AND VALUE FOR MONEY

The Best Value Duty relates to the statutory requirement for local authorities and other public bodies defined as best value authorities in Part 1 of the Local Government Act 1999 ("the 1999 Act") to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". In practice, this covers issues such as how authorities exercise their functions to deliver a balanced budget (Part 1 of the Local Government Finance Act 1992), provide statutory services and secure value for money in all spending decisions.

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	To support financial sustainability, the Council manages its resources efficiently to ensure the safe and effective delivery of services. The Recruitment and Selection Policy and Procedure plays a critical role in this by helping to minimise service disruption through the attraction and appointment of skilled and capable individuals. This approach safeguards workforce wellbeing, enhances retention and motivation, and ensures continuity in service provision. Furthermore, the policy supports financial resilience by mitigating risks and avoiding potential costs associated with non-compliance, such as legal claims, fines, and reputational damage.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including and	The Council ensures strong governance through informed decision-making, effective risk management, and alignment with legal requirements. The Recruitment and Selection Policy

	and Procedure reinforces this by providing a clear, consolidated, and updated framework that promotes clarity and consistency in application, reducing the risk of misinterpretation or uneven practices across service areas.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	The Council actively uses data and performance insights to inform decision-making and enhance the management and delivery of its services. The Recruitment and Selection Policy and Procedure contributes to this by streamlining recruitment processes, reducing costs associated with advertising, and improving time-to-hire metrics. By analysing recruitment performance data, such as application rates, vacancy fill times, and retention trends, the Council can continuously refine its approach, ensuring resources are used efficiently and services are staffed effectively. This data-driven strategy supports better workforce planning, minimises disruption, and promotes long-term value for money.

MILESTONES AND DELIVERY

The adoption and implementation of the Recruitment and Selection Policy and Procedure will follow the timeline below:

- Management Team – 30 September 2025
- Human Resources and Council Tax Committee – 21 October 2025
- Officer Decision – 28 October 2025
- Publication to TDC Intranet – 17 November 2025
- Circulation to Relevant Services – 17 November 2025

Following formal approval, the policy and procedure, and supporting training will be shared with managers across the organisation to promote a consistent and robust approach to recruiting and selecting staff.

ASSOCIATED RISKS AND MITIGATION

This report proposes the introduction of the reviewed Recruitment and Selection Policy and Procedure which will play a critical role in managing and mitigating a wide range of organisational risks, and supports the Council's legal compliance, employee recruitment and retention, and operational resilience.

OUTCOME OF CONSULTATION AND ENGAGEMENT

Full consultation has taken place with the local UNISON Branch Executive, who are fully supportive and welcome the updated policy.

Furthermore, input was sought from service areas involved in facilitating this policy to ensure it is practical, relevant, and aligned with operational needs.

EQUALITIES

Section 149 of the Equality Act 2010 establishes the Public Sector Equality Duty (PSED), which requires public authorities, including the Council, to have due regard to the need to:

(a) Eliminate unlawful discrimination, harassment, victimisation, and other conduct prohibited by the Act.
(b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
(c) Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Marriage and civil partnership is also a protected characteristic, but it is only relevant to the duty to eliminate unlawful discrimination.

The Council is committed to being an inclusive and supportive employer in all its people policies and practices.

The implementation of a clear policy to promote a consistent, Council-wide approach to recruitment and selection will help ensure non-discriminatory and consistent practices are adopted, in accordance with the Council's Equality and Diversity Policy.

An Equality Impact Assessment has been completed and indicates that the proposals in this report will not have a disproportionately adverse impact on individuals with any protected characteristic.

SOCIAL VALUE CONSIDERATIONS

Under the Public Services (Social Value) Act 2012, public sector organisations are required to consider how the services they commission and deliver can improve the economic, social, and environmental wellbeing of their communities.

The revised Recruitment and Selection Policy and Procedure contributes to this duty by fostering a fair, consistent, and supportive working environment across Tendring District Council. By clearly defining expectations, responsibilities, and entitlements, the policy empowers employees to manage their health and wellbeing effectively, while equipping managers to respond with confidence and sensitivity.

This proactive and inclusive approach not only enhances individual wellbeing but also reflects the Council's commitment to delivering services in a socially responsible and sustainable manner, aligned with its broader corporate values and community-focused objectives.

IMPLICATIONS RELATED TO DEVOLUTION AND/OR LOCAL GOVERNMENT REORGANISATION

While the adoption of the revised Recruitment and Selection Policy and Procedure does not have a direct impact on the Council's current devolution agenda or the ongoing local government reorganisation in Greater Essex, it contributes positively to the Council's preparedness for future structural changes. By aligning recruitment practices with legislative requirements and recognised best practice, the Council strengthens its operational resilience and legal assurance. This proactive approach ensures that, in the event of transition to a Unitary Authority or other restructured governance model, the Council is well-positioned to maintain continuity, compliance, and consistency in its employment practices.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050

Consideration has been given to the Council's aim to be net zero by 2050; there is no direct implication related to the content of this report.

OTHER RELEVANT IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	Not applicable
Health Inequalities	Not applicable.
Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)	This proposal does not involve the provision of financial assistance or confer any economic advantage to external organisations; therefore, subsidy control considerations are not applicable in this instance.
Area or Ward affected	Not Applicable.

ANY OTHER RELEVANT INFORMATION
None.

PART 3 – SUPPORTING INFORMATION

BACKGROUND
Tendring District Council recognises that its workforce is central to delivering high-quality public services, and that attracting the right talent is critical to achieving organisational success. The revised Recruitment and Selection Policy and Procedure sets out a clear, fair, and transparent framework for recruitment, ensuring that every candidate, internal or external, has a positive experience and that all appointments are made solely on merit. This reflects the Council's ambition to be an employer of choice in a competitive labour market. The updated policy consolidates procedural improvements introduced through the implementation of the Council's Recruitment and Onboarding modules within the HR and Payroll System (iTrent). These modules enhance automation, improve data accuracy, and streamline recruitment workflows, supporting a more efficient and consistent approach. To further strengthen governance, a mandatory Pre-Recruitment Proforma has been introduced. This document must be completed prior to initiating any recruitment activity and provides Recruiting Managers with a clear overview of their responsibilities, required documentation, and key timelines. This measure supports a structured, transparent, and accountable recruitment process. The Council is required to comply with a range of statutory obligations designed to protect candidates and new recruits, including the Employment Rights Act 1996, Equality Act 2010, Rehabilitation of Offenders Act 1974 (as amended), and the Data Protection Act 2018 & UK GDPR. The revised policy reinforces these legal responsibilities, particularly under the Equality Act 2010, by ensuring reasonable adjustments are made for candidates and new employees with disabilities or medical conditions. This commitment is aligned with the Council's status as a Disability Confident Leader and reflects best practice in inclusive recruitment. By embedding these principles, the Council promotes equitable access, enhances candidate experience, and mitigates legal and reputational risks. In addition, the policy introduces a commitment to monitor and analyse recruitment performance data, such as application rates, vacancy fill times, and retention trends. This data-driven strategy enables continuous improvement, supports effective workforce planning, and promotes long-term value for money. The scope of the policy has been expanded to include the recruitment of apprentices ensuring consistent and inclusive practices across all employment types. Volunteers remain governed by the Council's Volunteer Policy 2023. By consolidating and updating the policy, the Council ensures clarity, consistency, and compliance across its recruitment activities, while reaffirming its commitment to being a progressive, inclusive, and supportive employer.
PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.
None.
BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL
There are no background papers or published reference material associated with this report.

APPENDICES
Appendix A – Recruitment and Selection Policy and Procedure

REPORT CONTACT OFFICER(S)	
Name	**Karen Hardes**
Job Title	**HR Advisor**
Email/Telephone	**khardes@tendringdc.gov.uk**