

04/0585 - DDA and Race Equality compliance in relation to recruitment

Contents

Basic Information
Headline Messages
Overall Opinion
Action Plan
Detailed Analysis

Basic Information:

Report Date: 22 December 2005

Lead Auditor: Lorraine Woollard - Senior Auditor

Supervisor: Derek Whiteway - Internal Audit Manager

Scope: To review the Council's arrangements for ensuring compliance with current Disability Discrimination and Race Relations legislation in relation to recruitment.

Objectives: To provide assurance that significant risks are identified and effectively managed, and control measures in place are appropriate, robust and reliable.

Headline Messages:

- Arrangements for the recruitment and selection of staff are compliant with race and disability legislation
- The Authority demonstrates commitment to preventing discrimination through its range of equality policies and procedures.
- Job descriptions and person specifications are non-discriminatory and recruitment advertising makes a positive statement in welcoming applicants from ethnic minority candidates and those with disabilities.
- Effective performance management arrangements are to be put in place to include regular monitoring, analysis and reporting on the effectiveness of equality policies with results informing future recruitment practice.
- Targets are to be reviewed to ensure that they remain relevant and achievable and will be discussed in appropriate forums to ensure that are open and inclusive.
- The Authority's equality policies are to be reviewed to ensure that they remain up to date and in line with current legislation.

Overall Opinion:

Following a recommendation from the External Affairs Review Board on consulting disabled people it was agreed by Council that a review of the Council's recruitment process for compliance with requirements of the Disability Discrimination Act (DDA)1995 be carried out. As well as covering DDA issues as per Council's resolution, at the request of the Head of Human Resources and Organisation Development, this review has also considered compliance with Race Relations legislation in relation to recruitment.

Good arrangements are in place to ensure that the Authority demonstrates its commitment to providing equality of opportunity and fair treatment in the recruitment of its staff, and to ensure compliance with both the Race Relations Act and the Disability Discrimination Act, in relation to recruitment. The comments below and agreed actions resulting from this review address procedural issues, the communication and clarification of officer and Member responsibilities, the development of performance management arrangements and policy development. Where relevant, and particularly where the agreed actions require significant resources to implement, these are to form part of the Human Resources and Organisation Development Service Business Plan for 2006/07.

Arrangements for the recruitment and selection of staff are compliant with race and disability legislation and are in line with good practice. The Authority has in place a range of equality policies and procedures which is supported by the Recruitment and Selection Code of Practice, demonstrating its commitment to preventing discrimination.

Comprehensive training is made available to those involved in the recruitment and selection process and as a minimum requirement the Chair of the selection panel must have attended the course. Disability awareness training is also made available to staff and recruiting officers are to be reminded of the need to attend this course to ensure that they are up to date in the requirements of DDA legislation.

Job descriptions and person specifications are non-discriminatory and recruitment advertising makes a positive statement in welcoming applications from ethnic minority candidates and those with disabilities. The Authority uses a variety of media to advertise its vacancies, and a review of current arrangements is to be carried out to establish the effectiveness of advertising in reaching people from diverse racial groups and those with disabilities. Consideration is also to be given to how disabled people in particular are informed of the Authority's vacancies as current advertising does not target this audience.

As required by the Race Relations (Amendment) Act 2000, the Authority has in place a Race Equality Scheme supported by the Race Equality Policy. Both these documents, along with the Disability in Employment policy, are to be reviewed to ensure that they remain up to date and in line with current legislation.

Performance management arrangements are to be developed to include regular monitoring, analysis and reporting of the effectiveness of recruitment policies and procedures. In terms of being representative of the community, staff with disabilities and those from an ethnic minority background are currently under-represented in the Authority. Targets in relation to recruitment and composition of the workforce are to be reviewed to ensure that they remain relevant and achievable. If targets are to be achieved it is essential that research, monitoring results and consultation feedback are used to inform decision making and future recruitment practices.

The Authority has achieved level one of the Equality Standard for Local Government and is progressing towards level two. To achieve this a Corporate Equality Plan is to be developed which will form part of the Authority's framework for achieving equality. The Plan will sit alongside existing equality policies and procedures and incorporate individual Service action plans for promoting equality. There is a recognised need to ensure that the Corporate Equality

04/0585 - DDA and Race Equality compliance in relation to recruitment

Plan is appropriately linked to the Authority's existing equality policies and procedures and that action plans are co-ordinated.

Report Agreed By: Principal Human Resources Officer






I would like to thank the members of the Service(s) involved in the audit for their contributions and cooperation in the audit.








Derek Whiteway CPFA, Internal Audit Manager

Distribution: Head of Human Resources and Organisation Development
Principal Human Resources Officer
Chief Executive
Head of Financial Services
Members of Audit Committee
Audit Manager (District Audit)







Job: 04/0585 - DDA and Race Equality compliance in relation to recruitment

<i>Risk</i>	<i>Agreed Action</i>	<i>Responsibility</i>	<i>Implementation Target Date</i>	<i>Ref</i>
Risk Group: A) Strategic				
If appropriate policies and procedures are not in place the Authority may fail to demonstrate its commitment to providing equality of opportunity and fair treatment in the recruitment of its staff.	1. To further enhance employees understanding and awareness of the Council's approach and commitment to race equality the Race Equality Scheme will be published on the Authority's intranet	Head of HR & Organisation Development	31 March 2006	008459 
	2. Services will be encouraged to take advantage of the recruitment and selection training so that all recruiting staff have received appropriate training in applying the Authority's equality policies.	Head of HR & Organisation Development	31 March 2006	008460 
	3. Monitoring of equality policies will be exercised through the revised performance management framework with reports initially going to the Performance Review Team for Human Resources, or the Diversity Performance Review Team, and the Budget and Performance Panel. Issues requiring correction action will be referred to the Personnel Committee under its terms of reference for developing and implementing personnel policies and procedures.	Head of HR & Organisation Development	31 March 2006	008462 
	4. The Disability in Employment Policy will be reviewed to ensure that it complies with the latest legislation	Head of HR & Organisation Development	30 September 2006	008463 
	5. Recruitment literature will be amended to include details of how applicants can use the complaints procedure if they feel they have been discriminated against in the recruitment process.	Head of HR & Organisation Development	31 March 2006	008464 






Job: 04/0585 - DDA and Race Equality compliance in relation to recruitment

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Risk Group: A) Strategic				
If appropriate policies and procedures are not in place the Authority may fail to demonstrate its commitment to providing equality of opportunity and fair treatment in the recruitment of its staff.	6. Equality policies will be updated with the correct bodies receiving reports.	Head of HR & Organisation Development	31 March 2006	008466 
	7. Targets in relation to recruitment and composition of the workforce will be reviewed to ensure that they remain relevant and achievable. To ensure that targets are open and inclusive consultation with the appropriate equality forums, including the Cabinet Member with Responsibility for Diversity, will also take place.	Head of HR & Organisation Development	30 April 2006	008467 
	8. Effective performance management arrangements will be put in place to include regular monitoring, analysis and reporting of the effectiveness of equality policies in relation to recruitment.	Head of HR & Organisation Development	31 March 2007	008469 
	9. Results of the consultation with groups representing minority ethnic groups and those with disabilities will be used to inform future positive action schemes and recruitment practices with a view to attracting and recruiting these groups of the community.	Head of HR & Organisation Development	31 March 2007	009259 
	10. Work will be carried out to establish why candidates from an ethnic minority background and those with disabilities are less successful in the recruitment process.	Head of HR & Organisation Development	31 March 2007	009292 

Job: 04/0585 - DDA and Race Equality compliance in relation to recruitment

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Risk Group: B) Regulatory					
If the Authority does not comply with the Disability Discrimination Act in relation to its recruitment practices it may be subject to legal action and subsequent loss of reputation.	11. To encourage applications from people with disabilities consideration will be given to vacancy advertising including the fact that the Authority operates flexible working arrangements.	Head of HR & Organisation Development	31 March 2006	008423	
	12. Recruiting officers will be encouraged to attend the training on disability awareness to ensure that they are aware of the requirements of DDA legislation in relation to recruitment.	Head of HR & Organisation Development	31 March 2006	008424	
	13. In order to avoid the risk of indirect discrimination the Human Resources and Organisation Development section will ensure that person specifications do not overstate requirements and only include those related to the duties of the job.	Head of HR & Organisation Development	31 December 2005	008427	
	14. Managers will be asked to provide copies of interview questions to be kept on vacancy files and periodically examined by Human Resources staff.	Head of HR & Organisation Development	31 December 2005	008430	
	15. The availability of vacancy information, and ability to accept applications in different formats will be more widely publicised to further encourage applications from those with disabilities.	Head of HR & Organisation Development	31 March 2006	008435	
	16. Recruiting officers will be reminded of the requirement to complete the documentation giving reasons why a disabled applicant was not shortlisted or successful at interview. Verification of this documentation will also be appropriately evidenced by Human Resources staff.	Head of HR & Organisation Development	31 December 2005	008438	

Job: 04/0585 - DDA and Race Equality compliance in relation to recruitment

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Risk Group: B) Regulatory					
If the Authority does not comply with the Race Relations Act in relation to its recruitment practices it may be subject to legal action and subsequent loss of reputation.	17. Recruiting Managers will be reminded of the need to avoid the use of subjective statements in preparing Person Specifications. For example 'good communications skills' should be avoided instead stating the skill required, for example, 'ability to prepare short reports'.	Head of HR & Organisation Development	31 December 2005	008479	
	18. A review will be carried out to establish the effectiveness of current advertising arrangements in reaching people from diverse racial groups and those with disabilities. Special consideration will be given to how disabled people in particular are informed of the Authority's vacancies as current advertising does not target this audience.	Head of HR & Organisation Development	31 March 2007	008492	
	19. Assurance will be sought through compliance testing of the recruitment and selection process that managers recruit only on an applicant's ability to meet job requirements and the person specification.	Head of HR & Organisation Development	31 March 2007	008496	
	20. To avoid any potential claim of discrimination the Authority procedures in relation to obtaining references will be clarified and applicants will be advised that referees will only be contacted should they be offered the post.	Head of HR & Organisation Development	31 March 2006	008501	
	21. Managers will be advised that wherever possible person specification should be discussed with another manager or Senior Officer to ensure objectivity.	Head of HR & Organisation Development	31 December 2005	009066	

Action Plan Agreed By: Principal Human Resources Officer

Report Issued On: 22 December 2005