# People and Talent Policy

## Resourcing & Talent Policy

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| **Version Control** | **Changes Made** | **Author** |
| Version 1  Aug 2024 | Full review. New template and branding. Changes to format. All employees are in scope. Updated language and renaming of policy. Appendices updated. | Orlanda Wright  People and Talent |

### Introduction

* 1. The aims of this policy are:
* to promote safe and fair recruitment, appointment, and induction in Cumbria Fire and Rescue Service,
* to remove barriers and offer opportunities to all eligible applicants,
* and to protect our communities so they feel safe and supported with the employees working in our service.

### Scope

### This policy applies to all permanent and fixed-term employees, casual workers and volunteers, and staff engaged through agencies. Individuals who are engaged via a Secondment Agreement are covered in the Secondment Guidance.

### This overarching policy applies to Operational and Corporate staff recruitment, however detailed procedures for recruitment and appointment processes are to be referred to where necessary.

### Principles

### Cumbria Fire and Rescue Service is dedicated to getting the right person in the right role, to make Cumbria a safer place for all.

### This policy is based on the following principles and will:

* Ensure the fair treatment of all employees and applicants, regardless of equality factors, whilst also recognising diversity and removing identified barriers to opportunities.
* Offer support and engagement across all processes, promoting equal opportunity, and committing to levelling the playing field for all.
* Actively promote diversity through appointing applicants based on skills, experience, and assessment performance.
* Utilise Positive Action where there is an identified need and offer transparency and learning on this decision making.
* Always comply with relevant legislation and be responsive to changes in employment law and procedures as required.
* Ensure appropriate procedures are always followed to uphold the safeguarding of vulnerable people and the communities around us.

* Strive to develop internal talent, providing avenues for growth, training, and upleveling of skills.
* Consistently collect feedback and review all Resourcing and Talent processes, ensuring they are the most modern and supportive for all employees and roles.
* Empower managers and employees to challenge bias.

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| **Our Core Code of Ethics** | **Our commitment** |
|  | CFRS will ensure safe, fair, and ethical recruitment processes are undertaken to ensure the right people are in the right roles, delivering exceptional services to our communities through knowledge, skill, and values.  Also, by working to increase diversity in our workforce, we aim to set the standard within our communities, not only representing the current community, but striving to visibly show the community of our future in Cumbria. |
|  | CFRS will ensure all individuals involved with any recruitment process will be treated with dignity and respect, including applicants, external providers, panel members, key stakeholders, and employees involved.  We will provide confidential and supportive conversations around reasonable adjustments, we will remove bias where possible in our processes, and we are committed to continuing to be a Disability Confident Employer. |
|  | CFRS will carry out our processes without regard to an applicant's sex, gender identity, sexual orientation, marital or civil partnership status, skin colour, race, nationality, ethnic or national origins, religion or belief, age, pregnancy or maternity leave, or trade union membership.  We will utilise Positive Action where we identify underrepresentation in the service, we will work to remove barriers to equal opportunity, and we will listen to applicants from all equality strands with the aim of making change to support all. |
|  | CFRS will meet or exceed the expectations of all participating in processes and will provide, where possible, transparency and support to all applicants.  We will work to build trust with all participating in the process, including the wider workforce, through consistency; informing applicants of key dates and working to adhere to these, removing sections of the application form where we have indicated they will be, and sharing non-confidential outcomes and successes across the service. |
|  | CFRS will work to be a sector leader in our resourcing and talent culture, working openly and collaboratively on a national scale to promote best practice.  We will educate, train, and support management across the service to establish resourcing best practice, and we will actively encourage and collate feedback on recruitment processes, with the commitment of listening and making improvements for all. |

### Management Responsibilities

### As far as is reasonably practicable, management will:

* Ensure the policy is enforced and supported in a manner evident to employees.
* Ensure the policy is communicated effectively and that employees are made aware of the policy and guidelines and adhere to relevant procedures.
* Complete and promote relevant resourcing training available, across all processes.
* Ensure all applicants are treated fairly and offered equal opportunity.
* Where required, maintain accurate assessment records, and store them securely.
* Provide constructive feedback to applicants where requested.
* Ensure pre-employment checks and requirements are followed correctly, seeking support from Resourcing and Talent colleagues if needed.
* Ensure a safe and inclusive environment is provided for all applicants.

### Resourcing and Talent Responsibilities

### As far as is reasonably practicable, the Resourcing and Talent team will:

* Ensure the policy is accessible and followed with honesty and integrity.
* Ensure the policy is communicated effectively and that the service is aware of the policy and guidelines, enabling adherence to relevant procedures.
* Where required, offer bespoke campaigns for processes that are consistent and robust, but provide flexibility for Service need.
* Identify underrepresentation and utilise Positive Action where required.
* Create, deliver, and promote resourcing training.
* Ensure all applicants are treated fairly and offered equal opportunity.
* Comply with GDPR legislation around all resourcing data and information.
* Enable managers to provide constructive feedback to applicants where requested.
* Process accurate and safe pre-employment checks, ensuring legislation is followed.
* Be responsive to changes in employment law and recruitment best practice.
* Seek feedback from all involved with processes, committing to making change where possible.
* Securely collect and analyse EDI data, and work with staff network groups where available.
* Ensure a safe and inclusive environment is provided for all participating in any process.

### The Equality Act and Recruitment

### The Equality Act 2010 is legislation that sets out the protected characteristics and prohibits discriminatory behaviour based on these. Discrimination means treating someone less favourably than someone else because of a certain characteristic, causing harm and distress to that individual and not complying with legislation.

### The Equality Act 2010 isn’t just for new applicants going through a process, as is often assumed with recruitment. It protects employees and workers, contractors and self-employed people, applicants, and former employees.

### The protected characteristics in the Equality Act 2010 currently are:

* age
* disability
* gender reassignment
* marriage or civil partnership
* pregnancy and maternity
* race
* religion or belief
* sex
* sexual orientation

### Cumbria Fire and Rescue Service are aware that other protected characteristics are being identified and the legislation hasn’t been updated to reflect these, so if there is any query around an applicant and a manager is unsure about discrimination or removing barriers, please get in touch with the Resourcing and Talent team as soon as possible for a confidential and supportive conversation.

### Managers must ensure that no applicant is discriminated against directly or indirectly during the recruitment process. This includes the wording of adverts and Job Descriptions, for example phrases such as ‘recent graduates’ or ‘highly qualified’ should only be used where they are actual requirements of the job. If these are not requirements of the job, it could be regarded as discriminating against younger or older people who have not had the opportunity to get certain qualifications.

### Applicants must not be asked questions, either in the application form or at interview, about the ‘protected characteristics’ or about:

* their health
* if they’re married, single or in a civil partnership.
* if they have children or plan to have children

You can ask about health or [disability](https://www.gov.uk/recruitment-disabled-people) if:

* there are necessary requirements of the job that can’t be met with [reasonable adjustments](https://www.gov.uk/reasonable-adjustments-for-disabled-workers)
* you’re finding out if someone needs help to take part in a selection test or interview.
* you’re using ‘[positive action](https://www.gov.uk/recruitment-disabled-people/encouraging-applications)’ to recruit a disabled person.

### The Resourcing and Talent team aim to remove any opportunities for bias to arise in recruitment processes and will support managers with any queries.

### Inclusive Recruitment

### Everyone has unconscious bias, so we must ensure our recruitment processes reduce the influence of bias and discrimination wherever possible. CFRS is committed to getting the right person in the right role, however within any process there can be conflicting ideas around suitability for a role, as well as pressure to ensure a ‘good hire’, and this allows the potential for bias to emerge. Clear, objective, structured and transparent processes are fairer for applicants, support equal outcomes, and enable employers to attract a more diverse talent pool.

### Below are some of the ways to create inclusive recruitment across the service:

* Remove biased and gender-coded language from adverts.
* Offer flexible working where possible.
* Focus engagement and outreach with marginalised groups identified in our workforce.
* Advertise vacancies in places more likely to be accessed by marginalised groups.
* Provide applicants with clear expectations, timelines, and communications.
* Be proactive, educated, and supportive around reasonable adjustments.
* ‘Anonymise’ application forms where possible and be transparent about which information is shared with shortlisting panels.
* Use skill-based assessments where possible.
* Share and collate feedback from and to all applicants.
* Encourage applicants to reapply.
* Analyse recruitment data to prioritise inclusion efforts.

### It is key to note that often there is discussion around underrepresented groups being disadvantaged in recruitment processes, however in some workforces there can be groups that are overrepresented but still face discrimination. The term ‘marginalised groups’ is a more accurate way of considering these groups when identifying barriers and discrimination.

7.4 Where possible, CFRS will undertake a fair and thorough process for all vacancies and opportunities in the service. Expressions of interest are used where applicants can make the Resourcing and Talent team aware they interested in general careers at CFRS. The Resourcing and Talent team will capture these and review in line with all campaigns and recruitment processes. Expressions of Interest can increase the risk of discrimination and biases, whether unintentional or not, and should not be used to fill internal recruitment needs, unless in exceptional circumstances. Where a manager seeks to use an Expression of Interest, they must complete a RT1 - Vacancy Approval Form and get written approval before moving forward with this.

### Employment Rights

### The main employment rights of “employees” and “workers” are outlined below:

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| **Employees AND Workers** |  | **Employees ONLY**  (i.e. not Casual Workers) |
| National Minimum Wage |  | Written statement of particulars (contract of employment)  Minimum notice period |
| Paid Annual Leave (inc. Bank Holidays) |  | Redundancy pay / collective redundancy consultation |
| Rest Breaks |  | Unfair dismissal rights |
| Maximum Working Week  (over 17 week reference period) |  | Continuous service |
| Maximum nightshift hours & health assessment |  | Written statement of reasons for dismissal |
| Protection in the event of Whistleblowing |  | Sick pay / leave |
| Right to be accompanied in the event of discipline / grievance |  | Maternity / paternity / adoption pay / leave |
| Part time working protection  Night working protection |  | Time off for antenatal care  Time off for dependants care |
| Protection for unlawful deductions from wages |  | Right to request to work flexibly  Right to request time off to train |
| Protection against discrimination |  | Parental Leave |
| The right to exercise any of the above rights |  | Fixed term working protection |
|  |  | Protection under TUPE |

### Working Time Directive and Secondary Employment

### It is a legal requirement that any employees working more than 48-hours a week (averaged over a 17-week period) must opt out of the Working Time Regulations. If an employee wishes to work/will be working more than 48 hours a week when their employment with CFRS begins, they must opt out of the Working Time Regulations via the relevant form.

### We also require all existing and future employees to complete a Secondary Employment Form.

### Data Protection and Privacy

### All personal data collected during the recruitment process is processed in accordance with our Data protection policy.

### We do not collect unnecessary personal data from applicants during the recruitment process. For example, we will only request bank account details and next-of-kin contact details from successful applicants. Data collected as part of the recruitment process is held securely and accessed by, and disclosed to, individuals only for the purposes of managing the recruitment exercise effectively to decide to whom to offer the job.

### All candidates are required to consent to their data being processed to facilitate the recruitment process. This fulfils the requirement of Article 6 of the GDPR that any processing have a legal basis (in this case, basis 6.a).

### In the event of an offer of employment being made in light of the changed contractual relationship between an applicant and a successful candidate, successful candidates are invited to consent to their data being collected in order to facilitate DBS checks and employment referencing, reaffirming the 6.a basis.

### Should Candidates wish to access recruitment data, they are able to request this under the Subject Access Request procedure. This is managed by the CFRS Information Governance Team.

### Employees should report immediately any inappropriate access or disclosure of job applicant data in accordance with our organisation's data protection policy. It may also constitute a disciplinary offence, which will be dealt with under our organisation's [Disciplinary procedure](https://hrcentre.uk.brightmine.com/policies-and-procedures/disciplinary-procedure/16170/).

### Complaints

### If an internal employee has a complaint about any part of a recruitment process, they can raise this informally with the Resourcing and Talent team. If an internal employee prefers to raise a formal complaint, they can do so via the Workplace Complaints procedure.

### If an external applicant has a complaint about any part of a recruitment process, they can raise this informally with the Resourcing and Talent team. If they prefer to raise a formal complaint, they can do so via our Complaints process. This can be found on our external webpages.

### If a manager, employee, stakeholder, or external provider is concerned about practice they witness in a recruitment process, they can raise this informally with either the Resourcing and Talent team or the HR team (in cases where the issue is with the Resourcing and Talent team). If they would prefer to raise a formal complaint, they can do so via our Complaints process. This can be found on our external webpages.