

Recruitment Policy

TBC April 2025

Document governance and management

Document owner/author/lead	Acting Director of Workforce, Education and Standards Responsibility for the policy from 1 April 2025 will move to the Director of Strategy and Performance.
Version number	1
Current version referred for approval to	
Date of next review	DD MMM YYYY
Date of equality impact assessment (mandatory)	DD MMM YYYY
Date of privacy impact assessment (if required)	Not required
Date of environmental impact assessment (if required)	Not required

Change log – for minor changes to spellings, sentences etc. Use when policy is not being put forward for approval.

Officer name	Date of change	Description of change	Confirm upload of revised document

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1. Introduction

Purpose

This policy provides for the arrangements we have regarding the recruitment, selection, referencing, appointment and redeployment of employees and work placements. This policy defines the steps we will take to make sure such practices are fair, transparent and complies with our statutory obligations.

Scope

This policy applies to all current but not former temporary and permanent Scottish Social Services Council employees, including the Chief Executive and Executive Management Team (EMT) members. This policy does not apply to current or former Conveners, Council Members, agency workers, legally qualified chairs, panel members or assessors.

Legislation, codes of practice, guidance

- Agency Workers Regulations 2010
- Data Protection Act 2018
- Disclosure (Scotland) Act 2020
- Employment Rights Act 1996
- Employment Relations Act 1999
- Equality Act 2010
- Rehabilitation of Offenders Act 1974
- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (SI 1975/1023)
- UK General Data Protection Regulation (2016/679 EU)

Data protection

We will process any personal data collected in relation to this policy keeping to our [Data Protection Policy](#) and will record only the personal information required and keep the information only for as long as necessary.

Monitor and review

Human Resources and the Partnership Forum are responsible for monitoring this policy to make sure that we are fairly and consistently applying it and that we meet the stated principles and values. We review this policy every three years (or earlier if legislation changes) and make appropriate amendments in consultation with the Partnership Forum. We outline minor amendments in the change log and update the version control. Where there are major changes, we will consult more widely and follow the consultation cycle.

2. Principles

In operating this policy the following principles are followed:

- recruitment practices promote the SSSC as an employer of choice
- there is equal access to jobs, ensuring equality of opportunity
- best practice is considered in all resourcing decisions
- recruitment decisions are communicated openly and transparently
- secondment opportunities are advertised in the same way as other vacancies and follow a fair, open, and transparent process in line with our Recruitment Policy
- all recruitment practices are compatible with other SSSC policies and procedures eg, [Equality and Diversity](#) and [Dignity at Work Policy](#)
- we maximise flexibility to balance supply and demand effectively across the organisation
- we fill vacancies as quickly as possible, efficiently and with best use of resources
- the Recruitment Policy supports our People Strategy
- the candidate's experience is positive throughout all resourcing processes

Our values guide everything we do. We listen, learn and do the right thing. When applying this policy we require our staff and our managers to treat each other with dignity and respect by acting in accordance with our values.

Recognition and respect for others

- We treat each other with kindness and respect and value the contribution every member of staff makes.
- We value the social service workforce and the life changing work they do. Our work increases recognition of that role and further develops that role. All our stakeholders contribute to our success, and we recognise and respect their views.
- All employees will be treated fairly and consistently under this process and in particular if any employee requires specific support and assistance due to them having a protected characteristic under the Equality Act 2010, they will be accommodated appropriately.

Working together

- We recognise the value of positive and constructive involvement and participation from the trade unions. The commitment to partnership working is confirmed in the Partnership Agreement and is integral to the development and maintenance of harmonious employee relations.
- We work together to make sure that a fair and robust recruitment process is followed for each vacancy.
- Our recruitment and selection process supports recruiting managers, Human Resources and Communications to work together throughout the recruitment and selection process.

Accept responsibility and accountability

- Respecting confidentiality and only sharing information, as appropriate, with relevant people.
- Deal with issues kindly, sensitively and showing compassion.
- We recognise the trust placed in us to ensure the safety and wellbeing of people who use our social services and that is our guiding mission

3. Roles and responsibilities

3.1 Council and committee

People management policies which include any of the following are reserved for the Council:

- associated additional costs that are not contained within the current budget
- any proposed fundamental change to terms and conditions of employment
- where the Council has a clearly defined role to play.

Council is responsible for:

- making sure that the application of this policy does not breach any statutory requirement placed upon the SSSC
- making sure that the Chief Executive and Executive Management Team (EMT) have in place appropriate and up to date policies and procedures for the effective management of employees
- making sure policies and procedures are applied fairly and in accordance with the law
- Approving these policies:
 - [Agile Working Policy](#)
 - [Code of Conduct \(Employees\)](#)
 - [Dignity at Work Policy](#)
 - [Disciplinary Policy](#)
 - [Family Friendly Policy](#)
 - [Grievance Policy](#)
 - [Retirement and Severance Policy](#)
 - [Whistleblowing Policy](#)
 - [Work Performance Policy](#)
 - [Workforce Change Policy](#)

3.2 Executive Management Team

The EMT are responsible for:

- approving this policy and its overall implementation
- creating a culture in which staff can flourish through interesting and rewarding work
- delegating responsibilities related to the policy to Operational Management Team (OMT) and line managers
- making sure that managers and staff receive appropriate development, support and training to implement the policy appropriately
- making sure that the implementation of this policy does not breach any statutory requirement placed upon the SSSC
- making sure that changes to people management policies not reserved for the specific approval of the Council are reported to the Council on a quarterly basis for endorsement.

3.3 Operational Management Team

The heads of department are responsible for:

- making sure their managers and staff are aware of the processes to be followed within this policy
- making sure that employees are treated consistently and fairly, being mindful of the needs of the organisation as well as that of the individual.

3.4 Line manager

The line manager is responsible for:

- setting clear standards of behaviour
- acting in a fair and consistent way, being open and honest
- always acting promptly to deal with issues that arise
- dealing with issues kindly, sensitively and showing compassion
- respecting confidentiality and only sharing information, as appropriate, with relevant postholders
- considering our responsibilities under the Equality Act 2010 and, where appropriate, make reasonable adjustments for any individual who may have a disability or other protected characteristic
- considering any health impact and considering supports such as occupational health.

3.5 Employees

We expect the highest standards of integrity and conduct from all employees. Employees must comply with the SSSC Code of Conduct for Employees.

Employees must:

- promptly raise any concerns they have to the relevant person
- review and understand the Recruitment Policy
- report any actual or potential conflicts of interest
- co-operate fully and promptly with actions under this policy.

3.6 Human resources (HR)

HR are responsible for:

- updating this policy in line with the agreed schedule, or as changes occur, to comply with employment and other pertinent legislation, best practice and the people strategy
- developing this process and procedure collaboratively to meet legal and business requirements
- developing template letters, forms and guidance
- offering advice on how to apply this policy
- making sure the process is followed in line with the policy
- reminding employees and managers of their responsibilities under the policy, if required
- monitoring use of the policy and reporting any non-compliance to the relevant member of OMT or EMT.

The recruitment team are responsible for:

- developing processes and procedures collaboratively to meet legal and business requirements
- making sure the SSSC recruitment internet and intranet pages are kept fully up to date
- issuing contracts of employment, variation letters and secondment letters

- supporting the delivery of the process and offering advice in line with the policy
- reminding employees and managers of their responsibilities under the policy
- monitoring use of the policy and reporting any non-compliance to heads of department / directors.

3.7 Recruiting managers

Recruiting managers are responsible for:

- following the Recruitment Policy and the procedures as detailed on the intranet pages
- respecting confidentiality
- acting, consistently, fairly, and without bias, in the recruitment process
- working closely with the recruitment panel and the recruitment team to agree recruitment timelines and confirm panel members
- updating and drafting recruitment information, including an advert, person specification, job description and interview questions, in conjunction with the recruitment team.

4. Policy

We are committed to delivering fair and consistent resourcing practices and making sure all employees recruited have the necessary skills, qualifications and knowledge and they identify with our values and organisational culture. It is our preference to have permanent stable employment for the benefit of our employees and organisation. This policy sets out our aim of making sure that there is no discrimination in our resourcing processes and that we recruit the best candidate for every job.

Recruiting managers and candidates can find more details of our recruitment process and procedure on our intranet and internet pages.

4.1 Considering a vacancy

Managers must:

- consider alternatives to filling a vacancy, including redistribution of work before a role is advertised (taking into account any impact of doing so on staff).
- consider any employee on the redeployment register as part of the recruitment process.
- confirm that a budget is available to fill a vacancy before starting the recruitment process.
- consider whether it is necessary to fill the job on a permanent basis.

Other options are:

- advertising the post on a secondment basis or fixed term / temporary basis
- using agency staff via the agreed agency procurement framework if the role is for a short period
- increasing the hours of part-time current employees temporarily or permanently
- redeploying existing staff who want to change their role or who are returning from sickness absence, family leave or from secondment etc.

Managers must agree to the recruitment of posts with their head of department and receive Director approval before discussing vacancies with the recruitment team and starting the recruitment process. The recruiting manager will keep records of the decision-making process in the recruitment file.

4.2 New and changed roles

All new posts and changed roles are graded and evaluated with the support of Human Resources when business cases are developed or when the new post is approved (see appendix). The Director must agree to and sign off on all new or changed posts.

Heads of department submit business cases for new roles during business planning for the next fiscal year. Where a head of department has a requirement for a new role during the year, then they must submit a business case to their Director.

4.3 Job profile and person specifications

We agree a clear job profile and person specification for every role. Recruiting managers use existing job profiles and specifications where these exist but should take the

opportunity to review this documentation to make sure it remains up to date and relevant to the current duties of the role.

These documents set out the expectations, duties, responsibilities, competencies, skills, knowledge, experience and, where appropriate, qualifications required for each job. They are used for making shortlisting decisions. Once the documents have been agreed we will not change them during the recruitment process.

The job profile and person specification are included in the application pack available to candidates to allow them to self-assess their capabilities against the requirements of the job.

Where a job profile or person specification changes, this can have an impact on existing postholders as well as those we seek to recruit. It can also impact on the job grade. The recruiting manager is responsible for implementing the updated job profile and person specification for incumbent postholders **prior** to the job being advertised (using the Workforce Policy where appropriate).

Where there are significant changes, the job must be re-evaluated and formal consultation may be required (please see appendix for details of job evaluation).

4.4 Campaign request process

The recruitment process is set out in detail on the recruitment section of the intranet describing each part of the process, including timescales. Recruiting managers initiate the process by completing a campaign request form to alert that support is needed to run a recruitment campaign.

Every campaign consists of:

- Advert
- Shortlisting process
- Selection process (an interview or structured discussion is mandatory)
- Referencing requirements
- Conditional offer.

The recruitment team allocate a lead to support the campaign and they contact the recruiting manager to take forward the recruitment. The recruitment team will agree on the recruitment and selection timeline with the recruiting manager at the beginning of the campaign. This will include key dates such as the date the job advert will go live (this means the date it is published on the intranet and internet sites), the closing date, selection process, recruitment panel and interview dates.

As part of this process, the recruitment team discuss whether the role should be ringfenced for certain employee groups, aimed at candidates with certain characteristics (eg to target underrepresented groups) or whether there are employees within the redeployment pool or similar who must be considered first.

4.5 Attracting candidates

We are committed to developing our employees. We presume to advertise internally before advertising externally. We can advertise internally and externally at the same time where one or more of the following apply:

- when the role requires specific technical skills
- for senior roles (Grade C4 and above)
- where the post requires unique skills that we do not think are held by internal candidates
- the risk of advertising internally and potentially not appointing would result in lost time that could not be tolerated.

The head of department will make the final decision on whether a role should be advertised internally only or internally and externally at the same time and maintain a record of their reason and rationale.

We treat all candidates fairly in the selection process. We make selection decisions and appointments based on performance at interview, assessment and based on competencies for the role.

The recruiting manager is responsible for drafting job adverts in compliance with the prevailing template and that it complies with Plain English and brand standards. The recruitment team advise on wording and provide the current salary range and key dates.

We advertise all our vacancies on our intranet. If the post is advertised externally, it will be advertised on our website and social media channels. Other external advertising options are available and the campaign lead will advise on these. We advertise in the most suitable media to make sure a wide pool of suitably skilled and qualified candidates are reached; this can include using specific adverts at underrepresented groups, where appropriate.

The recruitment team share the published adverts to the recruiting manager who can, but is not required to, share these through networks (eg LinkedIn).

We use external recruitment agencies to support the recruitment and selection process. We may use an executive search agency for very senior positions or for extremely specific skillsets where we know they are difficult to fill. If we use a recruitment agency the recruitment process can change but will still follow the principles in this policy.

Recruiting managers must discuss all requests to use a recruitment agency with the recruitment team. The recruiting manager is responsible for providing confirmation from their Director that approval to use a recruitment agency as there is a significant fee involved. Our normal procurement rules apply.

All job adverts on our website will contain the same type of information (adverts on other sites may contain a reduced version where they link to our website). The following must be listed:

- a statement on inclusion, reasonable adjustments and describing our approach to flexible and agile working
- a statement on current salary, expected appointment level (ie first above competency line) and a summary of terms and conditions
- details regarding our extensive benefits
- which additional guaranteed interview schemes apply to this vacancy
- whether the position is suitable for secondments
- a statement that we will retain their application for a period of 12 months to be considered for similar posts.

4.6 Application process

We have adopted a standard online application form which specifies details that candidates must complete. Candidates must provide information in their application to show that they match the criteria in the person specification before they are shortlisted for the job. A non-digital application form is available on request.

Curriculum Vitae (CV's) can be accepted where the Director has approved their use for a specific campaign or type of role. Where this occurs, candidates complete our shortened application form. This can also be used as a note of interest particularly for ringfenced opportunities.

Where we have advertised a vacancy, and the same vacancy occurs within the following 12 months, ie same role, grade, duties, and responsibilities (but not necessarily the same hours or contract type (ie permanent or fixed term)) we can use the original recruitment campaign folder to select other appointable candidates. The recruiting manager must record their reason and rationale for who they appoint.

Applications from previous appointments

Where former employees of the SSSC want to return to their previous role, they can **request** to do so within 12 months of their leaving and we will consider their request with no obligation to accept it. We conduct our normal pre-employment checks before a formal offer of employment is made. A further recruitment process is not required as they have previously been recruited to us. They do not maintain their continuity of service or other service related terms and conditions (other than as described below).

If they do not return to their vacant post within a 12-month period or if they wish to apply for another vacancy, we will always follow a fair recruitment process. In this case, we will not re-hire a previous employee without a full recruitment exercise taking place. If a previous employee is identified as the preferred candidate for a post, we still conduct pre-employment checks before a formal offer of employment is made.

We honour continuity of employment in accordance with the redundancy modification order if the candidate satisfies the continuity of service requirements as part of our agreed terms and conditions. Where there is a break of service of more than 1-month continuous service will not be honoured.

4.7 Selection and shortlisting

Shortlisting

Our application form is designed to exclude or minimise discrimination by removing references to protected characteristics and attributes (eg forenames, educational institutions attended and dates qualifications were attained). The recruitment team collects this information separately for equality and diversity monitoring purposes but does not provide it to the selection panel.

We shortlist candidates by matching the details in their application form against the person specification. The recruitment team identify which candidates meet the essential criteria for shortlisting and those that have applied previously. We recognise that not all essential criteria can be evidenced through an application. The selection panel can invite a candidate to interview who does not demonstrate all the essential criteria but must record that they have done so and why. A consistent approach must be taken for each candidate.

Where too many candidates meet the essential criteria, we use the desirable criteria to reduce the shortlist. We only use information in the application form to shortlist applications. Candidates are matched against the person specification and not against other candidates.

The selection panel records their comments on the shortlisting form for each candidate. The recruitment team provide feedback to candidates (where requested) who have not been selected for interview based on the information available in shortlisting decision records.

Guaranteed interview scheme and reasonable adjustment

Candidates who identify themselves as meeting one or more of the following and meet the essential criteria are invited to interview:

- having a disability
- are care experienced
- member of the redeployment pool
- members of underrepresented groups (eg young people, those from minority ethnic communities) where we identify as operating a guaranteed interview scheme in the advert.

The recruitment team will identify candidates who are part of our guaranteed interview schemes on the shortlisting form. No reason will be given to the selection panel at this stage.

Where reasonable adjustments are required, and these adjustments can be sustained during employment, a member of the recruitment team will discuss these with the candidate and the recruiting manager. Occupational Health advice can be sought at this stage and shared with the panel. If successful, the OH advice will be recorded on the successful candidates HR file and shared in full with the ultimate line manager.

After shortlisting, the panel will be notified of the candidate's full name. Where a member of the panel has a personal interest or connection with any candidate that has been shortlisted for a role, they must declare it to their manager and the recruitment team. A different panel member may be appointed.

Selection

The objective of the selection process is to gather the maximum amount of information from the candidate to make an informed decision on their suitability for the job. The recruiting manager and the recruitment team will agree the selection methods before starting the shortlisting process. All selection processes include an interview and a skills exercise(s) to robustly evaluate competency.

Recruitment panel

The size of a selection panel depends on the nature and level of the post. There should be at least two people on the panel, ideally with a diverse background. The panel may choose to use additional selection processes (eg assessment centre, inbox exercise etc) but must always conduct an interview with the individual. Guidance from the Recruitment team on how to conduct different processes is available.

The same panel members will conduct all interviews where possible. The recruiting manager and a colleague from the same grade or at a more senior grade will usually make up the selection panel. Team members who are of the same grade or below the recruiting post can be involved in the selection process.

We may include external panellists who provide an expert opinion on a particular job function or aspect of a role. External panellists cannot be decision makers. They are not required to have direct experience of the service which they participate in recruiting for as we provide them with information to make sure they understand the role and remit of the job advertised.

The Chief Executive or Convenor can invite the Partnership Forum to attend the interview panel for posts at EMT level or above and can involve Council members in interview panels where appropriate, eg for director roles, Chief Executive. For the appointment of a Chief Executive Officer reference to Sponsor must be made to identify the prevailing requirements of the Scottish Government.

The Chair, having considered the evidence presented and assessment ratings agreed by the panel, will have the final decision on the preferred candidate. The Chair is responsible for providing written evidence of the decision-making process.

Appointment

The Chair of the panel contacts the successful candidate to let them know the outcome of the selection process and to offer feedback, usually within a week of the final interview.

The Chair of the panel advises the successful candidate that they are the preferred candidate for the role and makes a conditional offer of employment. The recruitment team then issue a conditional offer of employment with a written statement of particulars. We do not give unconditional offers either verbally or in writing until all pre-employment checks are satisfactorily complete. In exceptional circumstances we may waive this but only when approved in writing by the Director.

The recruitment team sends out formal emails of success and regret. We provide all candidates with accurate, constructive, and appropriate feedback on their application and performance throughout the whole recruitment and selection process if requested. Feedback is always based around facts and not opinions. This has the additional benefit of demonstrating that we have not discriminated during the recruitment process. We may decline to provide feedback where the number of applications exceeds our operational ability to do so.

Referencing and background checks

All offers of employment are conditional until all pre-employment checks have been completed to the satisfaction of the SSSC. We do not conduct pre-employment referencing for non-employees; the agency, school, college or similar are responsible for conducting appropriate checks and notifying us that these have been completed satisfactorily.

Where we make an offer of employment, the following pre-employment checks for **external** candidates include:

- verification of identity
- confirmation of eligibility to work in the UK
- two satisfactory references where possible (including the most recent and most relevant employer)
- criminal convictions declaration
- satisfactory Disclosure Scotland check
- professional registration and qualification check (where applicable)
- employment history
- occupational health pre-placement check.

Candidates are asked to complete a self-declaration statement ahead of their interview by the recruitment team. Where a candidate has made a declaration the recruitment team will gather further information and notify the recruiting manager. The panel will explore any concerns at the interview. If required, the recruitment campaign lead and recruiting

manager will conduct a risk assessment to make an informed decision on the candidate's suitability for employment in conjunction with other pre employment checks.

Internal candidates are required to provide one reference from either their current line manager, department head or director and evidence of any new qualifications gained since their initial application. Where the current line manager is on the selection panel an alternative referee will be requested.

Recruiting managers will receive all referencing material received (other than Disclosure Scotland disclosures) and any health actions to determine whether an unconditional offer can be made. They will agree a start date and the recruitment lead contracts with the preferred candidate.

Recording

The selection panel return all paperwork to the recruitment team at the end of the selection process who maintain the records of the process. Human Resources maintain the records for successful candidates.

4.8 Acting up arrangements or temporary promotions

If a manager has a vacancy for a short term, temporary period and they consider they can redistribute the duties within the current team / function, they should consider an acting up arrangement. This gives existing staff a development opportunity and rewards them for any acting up arrangement.

An acting up arrangement allows an employee to undertake a percentage of duties and responsibilities of a higher graded role. We presume that an employee will cover 100% of a role unless the acting up duties are shared with another employee. Acting up is for a continuous period of a minimum of four weeks varying up to 18 months depending on the requirement for the acting up position. Managers must discuss the proposed arrangements with HR / Recruitment to determine the correct percentage.

An acting up arrangement can cover:

- family-related leave
- long term sickness absence
- temporary surge in workload
- short term cover for vacant posts (eg during the recruitment process for a permanent replacement).

Heads of departments must approve all acting up arrangements. The opportunity to apply for an Acting Up arrangement must be given to all relevant staff (usually within a specified team, grade or other relevant grouping). The recruiting manager specify the reason and expected duration of the acting up.

The process used to advertise the opportunity and to select the chosen candidate must be produced by the recruiting manager and notified to the recruitment team and relevant director prior to advertising the post. This process must be fair and open.

Once the selection process has concluded, the recruiting manager is responsible for notifying their director and recruitment team of the gathered evidence of the candidates competence.

4.9 Additional responsibility

Additional responsibility payments are made to employees who are taking on additional responsibilities over and above those set out in their job profile and at a higher level but not to cover another complete role (or less than 50% of a complete role). This gives existing staff a development opportunity and rewards them for any additional responsibility. Heads of departments must approve all acting up arrangements.

An additional responsibility payment can:

- be paid on a part-time basis if the employee is taking on additional duties for a percentage of time rather than for their full hours eg undertaking a higher graded role for 1 day per week.
- be used for temporary additional duties (eg for a specific task or project) and where an employee is asked to cover more senior duties but not to cover another complete role.

Managers must discuss the proposed arrangements with recruitment team to determine the correct percentage. Additional responsibility payments are temporary and should always have an end date to reflect special circumstances. Any request over 6 months should be discussed in advance with the recruitment team.

Heads of departments must approve all additional responsibility arrangements. The opportunity to apply for an additional responsibility arrangement must be given to all relevant staff (usually within a specified team, grade or other relevant grouping). The recruiting manager specify the reason and expected duration of the arrangement.

The process used to advertise the opportunity and to select the chosen candidate must be produced by the recruiting manager and notified to the recruitment team and relevant director prior to advertising the arrangement. This process must be fair and open.

Once the selection process has concluded, the recruiting manager is responsible for notifying their director and recruitment team of the gathered evidence of the candidates competence.

An additional responsibility payment should not be made if the additional responsibilities are regarded as a development opportunity and / or a natural growth of their job or where the duties being undertaken are at the same grade or lower than the employee's substantive role.

4.10 Secondments

Secondments can offer significant opportunities to support operational and development requirements. Secondments can support flexibility, the sharing and exchange of skills across organisations and encourage the personal development of individual employees. A secondment arrangement should last for no longer than two years unless the employee, host and donor organisations agree to extend this if it meets business needs.

Employees who have a minimum of 12 months' service are eligible to apply for a secondment opportunity, either internally or externally, providing their application has been approved in advance by their line manager.

There may be occasions where a secondment opportunity is not suitable. For example:

- where the employee does not meet the eligibility criteria of the secondment post (the recruiting manager or organisation will determine this)
- where we cannot release the employee from their current post due to the business-critical nature of their substantive post / where the postholder requires a very specialist skillset which is difficult to replace on a short-term basis
- where we cannot release the employee from their current post due to a lack of capacity within a team (and we have already considered whether we could leave the role vacant for the duration of the secondment, whether we could redistribute the work to other team members, or whether we could ask an existing team member to 'act-up' in the role on a temporary basis)
- when there is no benefit to the SSSC in supporting an external secondment.

Secondments vary in nature and length. Some are short and some take place over longer periods. They come about through many different routes, and managers will need to make decisions in line with business needs. The period of secondment must be agreed and clearly understood by all parties. An internal or external secondment can be ended earlier than planned by the SSSC by notification to the employee.

We will put in place a secondment agreement before agreeing to the start date of a secondment. The secondment agreement sets out everyone's roles and responsibilities. If a manager identifies a need to backfill a secondee's post, this is usually done on a temporary basis to make sure there is no increase in our establishment (that is, agreed roles within the organisation).

Recruitment to a secondment opportunity

We will advertise external secondment opportunities with external bodies (notified to the SSSC) on our intranet.

We advertise secondment opportunities within the SSSC internally and through external media (for an inward secondment) if necessary. Secondment adverts will clearly state that the role is a secondment, its duration and that when it ends, the secondee will return to their substantive post. Where we advertise a post on a permanent or temporary basis, we can also consider a secondment arrangement if it means securing the right person with the right skills, knowledge, and expertise.

Where we advertise a temporary post externally, this is referred to as a temporary vacancy. However, if the preferred candidate is currently in permanent employment and wishes to return to their substantive role at the end of their time with us, they can request permission from their own employer to join us on a secondment basis.

Application and selection process

An employee must get approval from their line manager before they apply for a temporary internal or external (outward) secondment. Line managers will clearly define objectives and identifiable benefits to both the SSSC and the employee before approving a secondment.

The employee must complete a secondment application form and send this to their line manager. The line manager will review this and discuss it with their head of department and will normally decide in one week. The line manager and head of department will base the decision whether to approve the request on the details submitted by the employee in the application form and eligibility.

The line manager will communicate the decision to the employee in writing within this timescale and copy to Human Resources for information.

Once approved, the employee applies for the secondment through the standard recruitment process. Applicants for secondments are shortlisted in the same way as for temporary and permanent posts. If only one applicant meets the shortlisting criteria, we will still interview to determine their suitability and competency for the role.

For external secondments, applicants must follow the application process of the organisation hosting the secondment.

External secondment terms and conditions

A secondment does not terminate an employee's contract of employment. The contract continues during the period of secondment and a key aspect of the arrangement is that the employee is expected to return to their substantive post when the secondment ends.

The effect of a secondment agreement is to vary certain terms of the employment contract for the time of the secondment. A secondment agreement must be put in place by the recruitment team and agreed with the relevant parties before a secondment can start.

During a secondment the employee undertakes duties for the organisation they are seconded to and will not be in a day-to-day management relationship with the donor organisation. The employee on secondment remains the employee of the original (donor) organisation. During the secondment, the employee's continuity of employment will continue for the purposes of calculating contractual and statutory entitlements and employment protection rights.

Managers must remain alert that a SSSC employee on external secondment remains our employee and we are responsible for them. This includes for all matters such as family leave, annual leave, discipline and grievance. It is essential that the manager and seconded employee maintain in regular contact with one another.

When we agree to second an employee to an external organisation, the line manager and recruitment team will discuss the financial and other arrangements of the secondment with the host organisation including payment of salary, pension, travel, and subsistence payments.

Finance will provide advice on the most appropriate payment arrangements and implications for VAT for external secondments. Where we are paying for the cost of employing that person, we cannot claim back VAT, therefore the real costs of such employment may be 20% higher than employing someone directly.

Representatives of each organisation (usually the recruitment team) must agree and sign the terms and conditions of the secondment prior to the employee commencing their secondment. A secondment agreement must be agreed before agreeing to the start date of a secondment.

The host organisation is usually responsible for completing the secondment agreement. The secondment agreement sets out everyone's roles and responsibilities. Although the host organisation is likely to need substantial day to day management of the secondee, it is important that it does not assume direct control of all matters (to avoid it assuming the employment relationship). The secondment agreement must explicitly state who is responsible for monitoring annual leave and sickness absence, and which policies the secondee should follow. Only the employer can authorise contractual changes regarding the secondee.

Any increase in salary agreed as part of the secondment arrangement only applies for the secondment period and is the responsibility of the host organisation. When the employee

returns to the SSSC they will return to the relevant pay point within their substantive grade. Any incremental pay progression that would have applied if the employee had not been seconded will be applied.

Should the seconded role be assessed at a lower salary point than the employee's substantive role, there is no requirement on the SSSC or the host organisation to fund the gap between these two salaries. Employees will have to decide whether to accept the secondment if additional funding is not available to pay the difference.

The secondee's post remains available for them to return to at any time and is only filled on a temporary basis for the duration of the secondment. If budget is secured, and an individual is recruited to backfill for the employee or the role is filled by another employee 'acting up,' they will only be in post for the duration of the secondment. If a secondee wants to return to their substantive post before the end of their secondment, they must give notice, in writing, to their line manager in accordance with the secondment agreement so that appropriate steps can be taken.

Seconding in

Normally secondees coming to us will continue with their substantive employer's terms and conditions and their substantive contractual arrangements. If we need the employees to change their working hours, expense claim arrangements or any other conditions these will be discussed and agreed before the start of the secondment. Where we require changes, the donor organisation is responsible for implementing them. As the host organisation, we will be recharged for costs associated with the secondee's salary.

Confidentiality

All secondees in and out of SSSC must comply with our standards of conduct and confidentiality and maintain high standards of confidentiality and not discuss any confidential matter with any third party including the media. This is made explicit within formal secondment agreements and will continue to apply once the secondment ceases, and they return to their seconding organisations.

Supporting and mentoring the secondee

The line manager in the seconding (donor) organisation must discuss the following areas to make sure they and the secondee are clear about the purpose of the secondment and the secondee's learning objectives:

- clear aims and objectives for the secondment
- areas of personal and professional development to be targeted during the secondment
- new areas of work that the secondee will become involved in
- skills and knowledge to be developed
- changes and initiatives that are envisaged for expansion.

The identified 'line manager' in the host organisation will provide a mentoring role to the secondee during the secondment.

Line managers must stay connected with the employee during their secondment through 'keeping in touch' contact days, meetings or telephone calls. This makes sure the employee continues to feel connected to their existing team and is kept up to date with our key messages and developments or important changes to their substantive role or the wider organisation. This will help with the employees' return to work. Line managers must make sure the employee has access to relevant communications (including training events) so that they can maintain and develop skills whilst away from their substantive post.

Where a workforce change occurs under the [Workforce Change Policy](#) line managers must also make sure that seconded employees are consulted and kept informed throughout any process.

Conclusion of a secondment

The employee, host and seconding organisations can agree to extend the secondment. We will not always support extensions and early discussion is required.

If a secondee requests to end their secondment early they should discuss this with their line manager, who in turn, should discuss this with the recruitment team.

Either the host or donor organisation may consider an early termination of the secondment arrangement. If this is agreed, then the organisations must provide notice in writing in accordance with the secondment agreement.

Seconded employees should be aware that in some circumstances the post which they left (where it was agreed that they would return to their substantive post) may be subject to workforce change. In those circumstances our normal policies apply.

At the end of a secondment, the line manager must complete an evaluation to assess the experience from both the secondee's and the host organisation's perspectives. The line manager should record the evaluation as part of a development discussion and cover the following areas:

- benefits and gains from the secondment
- areas of personal and professional development for the secondee
- new areas of work that the secondee participated in
- skills and knowledge which were developed
- planned changes and initiatives to utilise the employee's new skills and learning
- whether the objectives and goals of the secondment were achieved.

The line manager may also request further information and feedback from the host organisation and / or the secondee. The returning employee should be actively encouraged to share their learning experiences.

4.11 Redeployment

The SSSC recognises the contribution of all staff to delivering its strategy. It is committed to maintaining employment, where this is consistent with its strategy and statutory obligations.

To give effect to this intent, the SSSC operates a redeployment procedure to protect the security of employment for its employees. Redeployment gives employees whose jobs are at risk the chance to find a new job at the SSSC.

Redeployment may come about because:

- Employees are unable to perform the duties of their post due to ill health or disability
- Employees are unable to perform the duties of their post due to capability (performance) or conduct.
- Workforce change

Ill-health or disability

If you become unable to do your job due to a medical condition, disability or if by continuing in your post you will make your medical condition and / or disability worse, we

have a duty to consider reasonable adjustments and this may include alternative employment on a temporary or permanent basis.

In these situations, you and your manager must seek advice from Human Resources and an Occupational Health report is required. When we consider suitable alternative employment, we will consider each case on its own merits. If we are considering redeployment for you and you have a disability this may include reasonable adjustments, such as changing your working hours or providing you with special equipment. We may, with your agreement, move you to a post without advertising that post or give you first opportunity ahead of others where we consider this to be a reasonable adjustment. We will consider allowing a trial period where you make such a request.

Redeployment can also occur under our [Maximising Attendance Policy](#).

Conduct

Where a disciplinary chair is considering whether your employment can continue or not under our [Disciplinary Policy](#), they will consider whether you can be redeployed into another role. They may move you to another post without advertising that post or considering other candidates for that role. Salary protection does not apply – you move to the nearest point on the new salary scale to your current salary.

Workforce change

Where employees are displaced due to a change in workforce requirements, eg organisational change or department restructure, our first step is to consider job matching. Details on the job matching process are in the Workforce Change Policy.

Redeployment process

Once on the redeployment register the employee will meet with their manager to discuss the process and be asked to complete a Redeployment Form. This form will capture all their skills, knowledge and experience and will be used as an application for all future roles. The recruitment team can provide support on how best to complete the form.

You can bring a representative of a recognised trade union representative or a work colleague to any redeployment meeting.

The recruitment team will advise of any upcoming roles that can be matched with the role that the employee was displaced from. Rather than interview displaced employees, we conduct a structured discussion to explore the role and set expectations where there is only one person for the role. A selection process does take place where more than one person is matched to the matched vacancy.

Using your redeployment form the recruitment team will conduct a desktop exercise for any other role, prior to advertising, and where the minimum criteria are met, invite displaced employees to interview.

Displaced employees must actively look for alternative employment within the SSSC. We recommend applying for any vacancy within the SSSC that they have the suitable skills, knowledge and / or experience for. We seek to redeploy to permanent posts where possible but may redeploy to temporary posts where these are available.

To be considered for a post on a higher grade displaced employees apply through the normal competitive recruitment process. The recruitment team can assist with outplacement support (eg interview training).

Salary protection

Once placed on the redeployment pool, job matched or redeployed to a new post with a lower grade than the current substantive post, salary protection will apply. Employees remain on their current salary point on a protected basis for a three year period from the date you moved to the redeployment pool or other post. At the end of three years, the salary moves to the nearest point on the salary scale of the new post.

Salary protection will end if:

- The employee applies for and is appointed into a post where the salary level is equal to or higher than the protected salary level
- The employee voluntarily applies for a different post and are successful (even if it is a lower salary)
- The new substantive salary catches up with the protected salary (this includes through job evaluation).

Employees with protected pay will continue to receive any annually agreed cost of living pay increases through the three year period. See also Salary protection under Salary arrangements.

Appeal process

Employees who have been redeployed to a post can appeal to the Head of Human Resources, who will then decide who is the most appropriate Director to hear the appeal. Appeals must be made in writing and be received within fourteen calendar days of the date of the offer letter for the new post. The reasons for appeal must be clearly stated.

An appeal meeting will be convened as quickly as possible following receipt of the appeal. If your appeal is not successful and we consider that you have unreasonably refused suitable alternative employment opportunities which we have matched you to, we will arrange a meeting to consider terminating your employment in line with the relevant policy.

Sources of support

We will keep you informed throughout the redeployment process. We will do this in a range of ways to make sure the employee:

- is aware of and understands the reason for redeployment
- understand what will happen during the redeployment process
- know how redeployment will directly affect them.

Managers and the recruitment team will share information openly as it becomes available during the process. Even if there are no current redeployment opportunities, we will continue to provide updates so that uncertainty is minimised.

We know that the redeployment process can be stressful for employees. Managers will support them as necessary by providing information directly or signposting displaced employees to other areas of support.

4.12 Salary arrangements

The SSSC operates an incremental pay and grading system in line with the Public Sector Pay Policy issued by the Scottish Government. The first two points at each grade are classed as below competency level (for B3 it is one point) and can only be used for development roles eg modern apprenticeships, trainees etc.

Incremental progression to the top of the pay band is subject to six months service by 1 April each year and satisfactory performance (ie in post before 1 October of the previous year). We publish current pay scales on the intranet so we are, open and transparent in our pay scales.

Starting salary for external candidates

The Executive Management Team agrees all grades for posts. We place new appointments on the grade minimum (first point above competency level). Individuals will usually start at this position in the range because of the learning curve of the job – the individual may have the basic qualifications for the job and some relevant experience but will lack the full experience to perform the job at a fully competent level.

However, we need to take many factors into consideration when determining a starting point within the agreed grade. The decision considers the following:

- the knowledge and skills of the individual
- the experience of the individual
- the current salary of the individual (relative indicator only)
- the salaries of current team members who may hold the same or a similar job
- the salaries of those on the same grade
- market forces.

Recruiting managers can exercise discretion and recommend a higher starting salary to their Director approval in exceptional circumstances only. Examples of justifying appointments made above the minimum include (but are not limited to):

- to secure an individual's unique skills and experience where this has proven difficult to secure in the past
- where the external market dictates a higher salary.

Offering salaries above the minimum for the grade must not be solely based on the following:

- The candidate achieved demonstrably high levels of performance at the assessment centre and / or interview.
- Where it is deemed necessary to secure a candidate because of their current salary level (particularly as this is likely to perpetuate any pay differentials which may have no objective basis).

The recruiting manager must document the rationale for starting salaries above the salary scale minimum, recognising any conflict of interests the manager has, before recommending to their Director. The Director will then make the final decision, record their rationale, identify other actions that are required (eg accelerating pay for others in the same grade) in writing to the Head of Human Resources. A record of this decision is maintained by Human Resources.

Promotion

A promotion is where an individual is transferred from a lower graded post to a higher graded post on a permanent basis via a recruitment process (ie they applied for a post). If an individual is promoted within the organisation to a **higher** graded post, they will be placed on the grade minimum (first point above the competency level) of the promoted post. Where this results in lower or the same level of pay they will be moved to the first scale point above their previous rate of pay. There is no flexibility to starting points in these circumstances.

Internal secondments

An internal secondment is where an individual is temporarily transferred from one post to another. Where this is a lower graded post to a higher graded post their starting salary is calculated on the same basis as a promotion. Where this is to a same graded post, the individuals rate of pay does not change.

Where the employee requested to move to a lower graded post, the individuals rate of pay is either their current rate of pay or the top of the lower graded post, **whichever is lower**.

Where we requested to move the employee to a lower graded post, the individuals rate of pay is either their current rate of pay or the top of the lower graded post, **whichever is higher**.

When the internal secondment is over, the individual returns to the scale point and grade that they would have been in had the internal secondment not taken place (ie increments are calculated as if they had been in post). They do not receive back payment.

Demotion

A demotion is where an individual is transferred from a higher graded post to a lower graded post on a permanent basis via a recruitment process (ie they applied for a post). If an individual is demoted within the organisation to a lower graded post, the individuals rate of pay is either their current rate of pay or the top of the lower graded post, whichever is lower.

Temporary acting up and additional responsibility allowances

We pay an acting up allowance when an individual undertakes a percentage of the duties of a higher graded post for a continuous period of at least four weeks and for a reason other than annual leave of another employee. If an employee is acting up for 100% of the duties and responsibilities of a higher graded role, payment is made on the same basis of a promotion.

If an employee is acting up for less than 100% of the duties and responsibilities, payment is calculated based on the percentage of the duties and responsibilities they will undertake at the higher grade. The salary level is based on the difference between the employee's current salary and the promoted rate from the agreed start date (ie difference of salary multiplied by the percentage of the role, added to their existing salary).

Salary protection

Where an individual increases their hours or rate of pay (eg because of a promotion, secondment, acting up or additional responsibility) any salary protection is correspondingly reduced.

In these circumstances salary protection does not apply, and the employee will return to their substantive post once the acting up arrangements have ended. Salary protection will then recommence if still applicable.

Increments and temporary arrangements

Employees who have a temporary arrangement in place (eg acting up, responsibility allowance, promotion, internal secondment) will benefit from increment increases where they were employed prior to 1 October.

Fixed term to permanent contract

If an individual has previously been working on a fixed term contract (temporary basis) and subsequently secures the post (or another same graded post) as a permanent appointment, their salary will remain unchanged.

4.13 Work experience and learning opportunities

We provide work placements and learning opportunities for different groups (eg young people, those with care experience, those who are vulnerable) to help them overcome barriers and reach a positive destination with or to develop from the SSSC.

Student placements / work experience

These provide opportunities for school, college, and university students to gain practical work experience to help develop their employability skills and to give them an insight into the world of work. Where possible these requests should be accommodated.

Placements / work experience are unpaid and can be student led (eg during summer break) or educationally led (eg where learning credits are achieved as part of a course). They may involve shadowing others undertaking their role, carrying out simple tasks with direction or being given access to data for research purposes.

All requests received should be discussed with the HR team to make sure that we adopt a consistent approach in providing these opportunities is in place across the organisation. Where the placement / work experience is educationally led an agreement will be set up by the educational establishment and signed off by HR on behalf of the SSSC.

All placements should complete a confidentiality statement and receive a short induction to the team they will be joining. The placement agreement will usually set out how best to support the student, the milestones for any deliverables (eg report, presentation, feedback, etc) and managing any issues where the placement is not working out.

Trainee solicitor scheme

The SSSC offers employs trainee solicitors on terms and conditions no worse than as set out by the Law Society of Scotland.

Apprenticeships

We are committed to developing and growing a young workforce in Scotland, including through the use of apprenticeships. Apprenticeships demonstrate and promote the benefits work-based learning brings to businesses, individuals, and the Scottish economy. Where capacity allows, we will engage with and or provide apprenticeships (eg Foundation Apprenticeships (FAs), Modern Apprenticeships (MAs) and Graduate Apprenticeships (GAs)). By investing in our employees through apprenticeships, we can develop our workforce and support employees to develop their skills. For support to engage with or recruit apprenticeships please contact the recruitment team.

4.14 Good practice schemes

We are committed to attracting and engaging with talented people from diverse backgrounds at every level of the organisation. We recognise the importance of an inclusive organisation, making sure that all our employees can flourish and reach their full potential.

We continue to engage with several recognised schemes to reduce barriers and make sure we adopt good practices that support those with protected characteristics and those from

disadvantaged groups. We will continue our support our existing schemes and seek to expand these to make sure we continually improve our practice.

5. Further information

5.1 Learning and development

To support the fair and consistent application of this policy, we will ensure full awareness and understanding of the issues relating to resourcing for managers by incorporating training on this policy within line management development programmes and ensure that all managers have participated in such a programme.

5.2 Sources of support

- ACAS
- Employee Assistance Programme
- Human Resources
- Occupational Health
- Unison or other trade union representative

5.3 Related documents

- People Strategy
- [Code of Conduct for Employees](#)
- [Equality, Diversity, and Inclusion Policy](#)
- [Safer Recruitment through Better Recruitment](#)
- [Recruitment Guidance for employees and candidates on our intranet](#)
- [Workforce Change Policy](#)

Appendix 1 – Job Evaluation

All posts within the SSSC are evaluated to make sure that we adopt a fair and consistent approach. We use a method called JEGS (Job Evaluation and Grading Support) and invite trade union representatives to observe or participate in the evaluation process.

We adopt a proactive approach to evaluating jobs. Where we identify significant permanent future changes or where we create a new post, we evaluate the post. Posts are only evaluated with the approval of the Director.

New post is proposed

Line managers prepare a job profile and person specification for any new role with a member of the HR team considering the position in the responsibilities and challenges of the role and the fit within the team / directorate. Once an agreed profile and specification are ready the Director will confirm whether the post can be evaluated or not. The evaluation of a new post does not in of itself implement a change in structure. The [Workforce Change Policy](#) describes how to implement a change.

A post is expected to change

Where post changes are predicted that are permanent and significant the line manager is responsible for identifying these **ahead of time** and preparing an update job profile and person specification with support from member of the HR team. A significant change is 25% or more of the job. An employee can propose an update to their job description where they think it will change significantly.

For such changes to be budgeted, with the expectation of implementation in the following financial year, the job evaluation process needs to be concluded by August.

Updating a job description and person specification can take considerable time and effort and impact on many employees. It can involve changing structures and may result in employees being displaced, having to apply for 'their' job or increase or decreases in their pay. Changes should not be undertaken lightly. Prior to updating a job description and person specification, the Director must approve the work commencing.

A job description and person specification will normally be prepared in conjunction with the post holder(s). At any such meeting they may be accompanied by a co-worker or trade union representative. A job description and person specification may be updated without their involvement as part of the preparation for workforce Change.

Significant changes to existing posts will require consultation through our Partnership Agreement. We always seek agreement on job descriptions and person specifications but ultimately it is for the SSSC to determine its requirements from its posts. The [Workforce Change Policy](#) describes how to propose and implement a change. Minor changes to posts can be agreed with human resources.

We will not normally consider requests for re-evaluation of posts within 12 months of the date of last grading evaluation.

Outcomes of job evaluation

Job evaluation outcomes can mean a post is upgraded, downgraded or stays at the same grade. It is important that such communications are handled carefully with all concerned.

Communication

HR will notify the heads of department the job evaluation outcome. They in turn will notify you or your line manager. HR are available if required to discuss the evaluation and any consequences of the outcome. You will be notified in writing by HR of the outcome of the evaluation and of any implications for you.

Increase in score leading to a higher grade

You will move to the lowest spinal column point (SCP) of the grade above the competency line unless you are on a SCP that overlaps the higher grade and then you move to the equivalent SCP in the new grade. Your salary will move to the new grade with effect from the date of the job being implemented.

Decrease in score leading to a lower grade

If your current salary is higher than the maximum point of the new lower grade, you have your current salary protected for three years. At the end of three years your salary is reduced to the highest point on the revised salary grade for the post. There is no annual incremental progression on the protected salary SCP point. Annual pay awards continue to apply on the protected salary SCP point. Please see the provisions on salary protection above.

Post remaining in same grade

If the outcome means your role stays within the boundaries for the current grade, there is no change to either grade or salary.

Challenge process

We recognise that employees have an individual right to challenge the outcome of the evaluation of their job. Any such challenge must be submitted in writing to the Head of Human Resources within 14 days of being notified of the outcome. Appeals should be based grade allocated and not against the scheme.

The Head of Human Resources is responsible for convening a new panel, or asking the previous panel, to consider the appeal. They will consider the grounds as presented and reach a conclusion. As job evaluation is based upon the post rather than the postholder, the panel will **not** normally meet the employee to discuss their challenge.

The Head of Human Resources will notify the individual employee of the outcome of their challenge.

An employee using the challenge process does not prevent the employee from raising a grievance.

Your wellbeing

We know that job evaluation can have a negative impact on your mental health and wellbeing as it can be stressful and can cause anxiety. Support and guidance is available to managers and employees to ensure that everyone understands why we do job evaluations. We will make sure we have up to date communication and give support to you when you take part in the process.



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