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**UNIT 12**

**Recruitment Manual – step by step guide**

**APPOINTMENT PROCESS**

* 1. **How should the Council make the appointment?**

Once the Council has made the decision on who to appoint the post should be offered as soon as possible verbally to the successful candidate but ensuring that this is made subject to any conditions such as a Disclosure and Barring Service (DBS) check, vetting processes, legal working in UK or satisfactory references being obtained.

When an indication of their acceptance has been received, issue a letter of offer (with any conditions) and once accepted and all conditions met, issue the full contract of employment.

* 1. **Does the Council need to issue a contract of employment?**

There is no legal requirement for an employer to provide a written contract of employment. However, there is a requirement upon an employer to provide a Statement of Written Particulars (Section 1 Employment Rights Act 1996) which is in effect regarded as the contract of employment (but remember the job advert, job description and person specification are also evidence of a contractual relationship together with any relevant parts of a staff handbook).

This statement of employment terms and conditions (known as the Principal Statement) must be provided to the employee on or before day one of their employment commencing.

* 1. **What must the written statement of main** **terms and conditions of employment include?**

Under the legislation, the written statement of main terms and conditions of employment must include the following:-

* name of the employer and employee
* date when the employment began
* date on which the employee’s period of continuous employment began
* title of job which the employee is employed to do or a full job description
* period for which the employee is employed if the contract is not permanent
* place of work
* scale or rate of remuneration or how remuneration will be calculated
* intervals at which remuneration is paid, be it weekly, monthly etc
* terms and conditions relating to hours of work;
* terms and conditions relating to:-
* holiday entitlement and pay
* incapacity for work due to sickness or injury, including provisions for sick pay; and
* pensions and pension scheme and whether a contracting-out certificate is in place.
* the notice the employee is obliged to give and entitled to receive to terminate the employment
* any collective agreements which affect the terms and conditions of the employment e.g. National Agreement on Pay and Conditions of Service
* the Council’s disciplinary and grievance procedures (not the detailed procedures just where they are is located e.g. a staff handbook or a policy manual).

There are various template statements used by different employers but whichever approach is used it is important that you:-

* are prepared to negotiate within reason when offering the job to the successful candidate
* always make offers conditional on satisfactory references, DBS clearance (where relevant) right to work and reside in UK requirements, validation of qualifications where essential)
* put a time frame of receipt of the successful candidate’s response to the written offer or acceptance of the contract of employment
* decide if it is necessary to make the offer to the successful candidate conditional on medical clearance and attach a Medical Questionnaire for completion by the candidate requesting their consent to approach their GP or an Occupational Health Practitioner if anything subsequently requires clarification.
  1. **Specimen Offer Letters and Contract of Employment**

The following specimen documents are enclosed as Appendices for adaptation by the addition of any necessary local detail or removal of anything that is not applicable:-

* **Appendix 12(a)** - letter of offer of employment for the post of Clerk to the Council
* **Appendix 12(b)** - letter enclosing contract of employment/statement of main terms and conditions of employment once the offer is accepted
* **Appendix 12(c) -** letter issuing both the offer and contract of employment/statement of main terms and conditions of employment

The model statement/contract of employment enclosed may be discussed with you to ensure it meets your needs with the assistance of your County Association.

Although all the appendices enclosed are job specific the principles are the same for all posts on the Council’s establishment.

* 1. **Further Help**

If you require training, help or any other assistance with your recruitment and selection processes or have any questions on anything in the Recruitment Manual please email your county association in the first instance.

Updated September 2022

**Appendix 12 (a) - Letter of offer of employment for the post of Clerk to the Council**

**Xxxxxxxxxxx**

**Xxxxxxxxxxx**

**Xxxxxxxxxxx**

**Xxxxxxxxxxx**

**xxxxxxxxxxx**

**Date**

# Dear Enter date

**Xxxxxxxxxxxxxxxx Council**

**Appointment of Clerk to the Council**

Following your final interview on **xxxxxxxxxxxxxx** and our subsequent telephone conversation, I am pleased to write to confirm the offer of employment in the above post on the terms discussed and subject to the conditions set out below.

The terms and conditions of employment are generally in accordance with the National Joint Council Scheme of Conditions of Service and the provisions of the National Association of Local Councils and the Society of Local Council Clerks Conditions of Service for Clerks of Local Councils or as amended by the Council.

The key personal terms of employment are:-

|  |  |
| --- | --- |
| **Job title:** | Clerk to the Council |
| **Salary range:** | **xxxxxxxxxxx** |
| **Salary on appointment:** | **xxxxxxxxxxx** |
| **Working week:** | The normal full time working week is **xxx hours per week** plus negotiated study/training time as appropriate. Days of work are Monday to Friday. |
| **Hours of work:** | The office hours are **xxx am** to **xxx pm** but the hours of work will be flexible by agreement to include attendance at evening or weekend meetings and functions for which time off in lieu is granted. |
| **Holidays:**  **Location:** | **xx** working days (**xx** working days after 5 year’s continuous local government service) **plus 2 discretionary days and bank and public holidays**.  Home-working/office-based/flexible mix |
| **Pay method:** | Salary is paid on **the 25th of the month**, directly by credit transfer to a bank or building society. |
| **Expenses:** | Reasonable subsistence for conference attendance in accordance with National Joint Council Scheme of Conditions of Service. |
| **Pension:** | You have an option to become a member of the Local Government Pension Scheme if this is appropriate, which operates a contributory pension scheme and which you are entitled to join. The rate of contribution for the LGPS is based on full time pensionable pay **within the range of xxxxxxxxxxxxxxxxxx.** |
| **Car allowance:** | Car allowance payable in accordance with the casual user provisions in the National Agreement. |
| **Probationary period:** | **Xxxxxxxxxxx months** |
| **Notice period:** | After completion of the probationary period, **3 months** on either side in writing. |
| **Commencement date:** | To be agreed. |

The full terms and conditions of employment will be set out in the Statement of Main Terms and Conditions of Employment which will be issued in due course.

The offer of employment is conditional upon receipt of **(include such of the following as are appropriate)**:-

* satisfactory references (for which application has been made);
* qualification certificates;
* a satisfactory DBS (CRB) check or other vetting procedures i.e. xxxxxxxxxxxxxx;
* satisfactory medical clearance (please complete and return the enclosed form);
* the documents confirming your right to work in the UK to meet our legal obligations in this regard e.g. your passport, birth certificate, utility bills etc.

They must be the original documents, not photocopies, and if any of the above is not produced or satisfactory the employment offer will be withdrawn or the employment terminated with immediate effect.

You will also be required before commencing employment to provide details of your bank or building society.

As stated above you will be required to serve a probationary period of **three/six months** counting from the date when you start work. The main purpose of the probationary period is to give you an opportunity to establish your suitability for the job and confirmation in the post is subject to the satisfactory completion of the probationary period.

I hope that all the above is clear and you indicated when we spoke that you will be accepting this offer of employment. I would be pleased if you would confirm your acceptance by signing the copy of this letter enclosed and return it to me within the next seven days. When doing so it would be helpful to have an idea of your intended start date.

I look forward to hearing from you but if you have any queries or wish to discuss the offer further please do not hesitate to contact me.

## Yours sincerely

**Name**

**Post Title**

**On behalf of xxxxxxxxxxxxxxxxx Council**

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

**Acceptance**

I acknowledge receipt of a copy of this offer of employment and the conditions attached have had the opportunity to discuss or question it with the **xxxxxxxxxxx** Council.

I accept the offer of employment on the terms and conditions set out above.

I confirm that I am not prevented by previous employment terms and conditions, or in any other way, from entering into employment with the Council or performing any of the duties of the post.

I confirm that I will commence employment on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**Signed** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Appendix 12 (b) - Letter enclosing contract of employment/statement of main terms and conditions of employment once the offer is accepted**

**Xxxxxxxxxxx**

**Xxxxxxxxxxx**

**Xxxxxxxxxxx**

**Xxxxxxxxxxx**

**xxxxxxxxxxx**

**Date**

# Dear Enter name

**Xxxxxxxxxxxxxxxx Council**

**Appointment of Clerk to the Council**

Further to my letter of offer of the above appointment and your acceptance of the post I am now writing to enclose your contract of employment (the Statement of Main Terms and Conditions of Employment) for your consideration and acceptance.

Two copies of the documents are enclosed and I would be pleased if you would confirm your acceptance of the terms by signing the “Receipt and Acceptance” endorsement on both copies and returning one copy in the stamp addressed envelope also enclosed.

If you have any questions or queries or require any further information before signing and accepting please do not hesitate to contact me.

I look forward to hearing from you.

Best regards

**Name**

**Post Title**

**On behalf of xxxxxxxxxxxxxxxxx Council**

**Enclosures**

* Two copies of Contract of Employment/Statement of Main Terms and Conditions of Employment
* Stamped addressed envelope

**Appendix 12 (c) - Letter issuing both the offer and contract of employment/****statement of main terms and conditions of employment**

**Xxxxxxxxxxxxxx**

**Xxxxxxxxxxxxxx**

**Xxxxxxxxxxxxxx**

**Xxxxxxxxxxxxxx**

**Xxxxxxxxxxxxxx**

**Xxxxxxxxxxxxxx**

**Date**

# Dear enter name

**Offer of Employment as Clerk to the Council**

Further to your recent interview and our telephone conservation I am pleased to write on behalf of **xxxxxxxxxxxxx Council** to offer you employment with the Council in the above post on the terms and conditions discussed and as set out in this letter and the enclosed **Contract of Employment/Statement of Main Terms and Conditions Employment**.

The offer of employment is conditional upon receipt of **(include such of the following as are appropriate)**:-

* satisfactory references (for which application has been made);
* qualification certificates;
* a satisfactory DBS check or other vetting procedures i.e. xxxxxxxxxxxxxx;
* satisfactory medical clearance (please complete and return the enclosed form);
* the documents confirming your right to work in the UK to meet our legal obligations in this regard e.g. your passport, birth certificate, utility bills etc.

They must be the original documents, not photocopies, and if any of the above is not produced or satisfactory the employment offer will be withdrawn or the employment terminated with immediate effect.

You will also be required before commencing employment to provide details of your bank or building society.

In addition, this offer is made on the basis that the information provided by you in applying for the position are true and accurate to the best of your knowledge. If any of this information is later found to be untrue then, as your employer, the Council reserve the right to dismiss you immediately without notice.

This offer is also subject to a **xxxx** month probationary period as set out in the **Contract of Employment/Statement of Main Terms and Conditions of Employment**. During this time your performance and conduct will be carefully monitored and discussed with you and at the end of the probationary period or any extended period if your performance and conduct is considered satisfactory then your employment will be formally confirmed. If, however, your performance and conduct is considered to be unsatisfactory during the original or extended probationary period then your employment will be terminated on one week’s notice.

I hope that you will accept this formal offer of employment and will confirm acceptance and your start date by signing the endorsement on one copy of the enclosed **Contract of Employment/Statement of Main Terms and Conditions of Employment** within the next seven days. The second copy enclosed is for your retention.

I would be grateful if you would confirm your commencement date when returning the signed documents.

Finally, if you have any questions or queries about the job or this offer or require any further information before signing and accepting please do not hesitate to contact me.

The Council looks forward to welcoming you as a member of their team. This is an exciting time for the Council and you will be a key part of our future development and assist the Council in meeting our future objectives.

Yours sincerely

**Name**

**Title**

**On behalf of xxxxxxxxxxxx Council**

**Enclosures:**

* **Contract of Employment/Statement of Main Terms and Conditions of Employment** (2 copies)