



# Recruitment & Selection Guidance

Updated 23.01.2026

# Contents

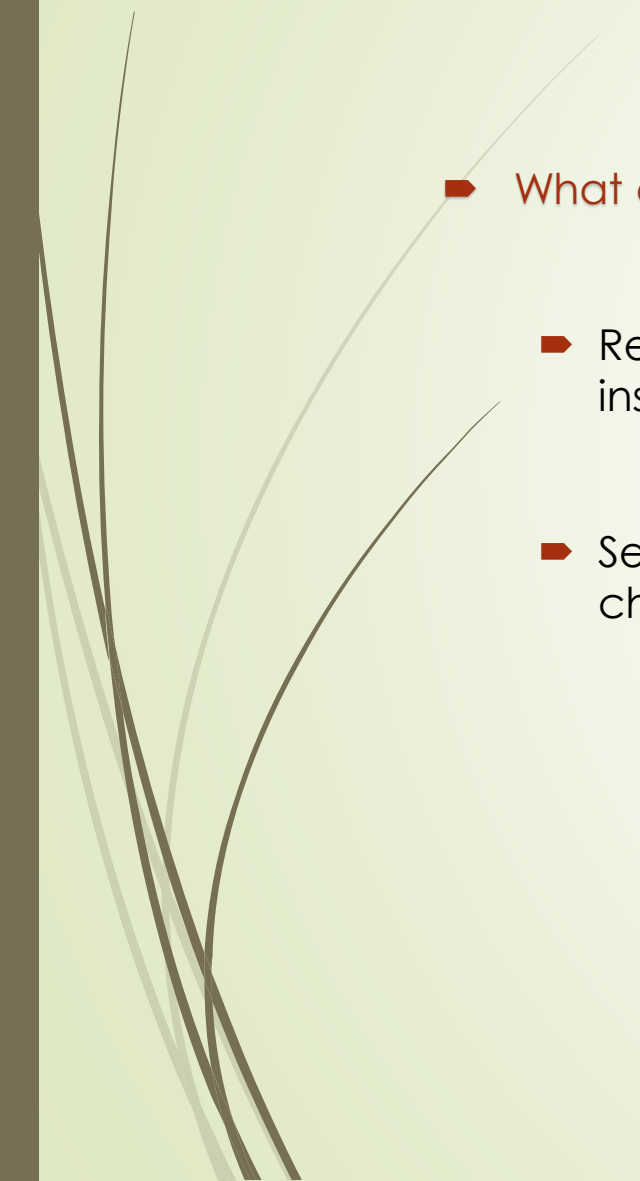
- The Aim of this document
- The importance of the Recruitment & Selection Process
- The Legal Aspects of recruitment
- Diversity
- Unconscious Bias in Recruitment
- Safer Recruitment
- The Job Description and Person Specification
- Shortlisting
- The Interview
- Post Interview Process
- Induction
- Probation

# The Aim of this document

- To guide Parishes on how to recruit and retain capable and talented employees who are committed to delivering excellent services to their internal and external customers and who will project the ethos of your organisation
- We can help you do this by:
  - Equipping you and your recruiting managers with the skills, knowledge and confidence to undertake the recruitment process and make the right decisions
  - By recommending that you adhere to a fair and consistent recruitment and selection process by providing policy and procedure documents and support
  - By giving you guidance on how to stay within the legal frameworks laid out by the law



# The Importance of the Recruitment and Selection Process

- What do we mean by Recruitment and Selection?
    - Recruitment is the process of searching for candidates for employment and inspiring them to apply for jobs in the organisation,
    - Selection involves the series of steps by which you screen the candidates before choosing the most suitable person for your vacant posts
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# Cost of the average Recruitment Process

- The average cost of the recruitment process is £3000 per worker hired so you should always ensure you recruit the right person for the job.

These costs include:

- Time costs, for HR and the Hiring Manager to plan the recruitment, design the job description and advert, shortlist, interview, prepare contractual paperwork and provide a good induction.
- The cost of the advert if you advertise externally
- Loss of productivity while new employee is being inducted
- Other hidden and ad hoc costs such as training the employee may need to do



# The Legal Aspects Of Recruitment



# The Legal Aspects of Recruitment Contents

➤ The following topics are covered in the next slides

- Equality Act 2010
- Part time Workers act
- Immigration act
- Recruiting Foreign nationals
- Equal pay law
- Rehabilitation of Offenders
- GDPR in recruitment
- Rules for recruiting specific Faiths

# Equality Act 2010

- The Equality Act become law in 2010 and protects everyone in Britain from discrimination, harassment and victimisation.
- There are 4 types of discrimination;
  - Direct discrimination on the grounds of a protected characteristic
  - Indirect discrimination where the policies of a company discriminate against people with a protected characteristic
  - Harassment, which is bullying because someone has a protected characteristic
  - Victimisation as a result of complaining of discrimination because of a protected characteristic

*(People can also be discriminated against because of their association to another person who has a protected characteristic. For example, discrimination because a relative is disabled, pregnant, transexual etc)*





# Equality Act 2010

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- The Characteristics that are protected by the Equality Act 2010 are:
    - Age
    - Disability
    - Gender reassignment
    - Marriage and civil partnership
    - Pregnancy and maternity
    - Race
    - Religion or belief
    - Sex
    - Sexual orientation

# Equality Act 2010

- It is unlawful to make recruitment decisions based on any of the protected characteristics. This would be considered less-favourable treatment and could give rise to a direct discrimination claim
- Certain recruitment policies or practices may also give rise to indirect discrimination for example where a policy applies equally to all candidates but creates a disadvantage for applicants with a certain protected characteristic.
- You also have a proactive duty under Equality Act 2010 to make reasonable adjustments to address substantial disadvantages faced by disabled individuals, when compared to non-disabled individuals
  - This applies where you know, or can reasonably be expected to know, that the candidate is disabled.
  - In the Interview invitation you should ask candidates to identify whether they need **reasonable adjustments** to enable them to have a fair interview.
- If someone feels that you have discriminated against them during the recruitment process they have 6 months to make a claim against you.

# Equality Act 2010 – Age Discrimination

The Equality Act 2010 says that you must not discriminate against people because of their age, whether young or old.

- There are some exclusions to the act however:
  - If belonging to a particular age group is essential for the job: this is called an occupational requirement, for example, a film company making a film of Oliver Twist may lawfully hire a young boy to play Oliver
  - If you are taking positive action to encourage or develop people in an age group that is under-represented or disadvantaged in a role or activity within your organisation
  - You have a compulsory retirement age that you can clearly justify in respect of particular roles: this is known as objective justification, for example fire fighters, air traffic controllers and soldiers



# Equality Act 2010 – Age Discrimination (Recruitment)

- Age discrimination can happen at any time during the hiring process - from the very beginning of working out what is required of an applicant, through to drafting the job application form, advertising the job and using social media to do this, the interview process and through to offering the job.
- Some examples of age discrimination are:
  - Asking for a specific number of years' experience rather than simply detailing the level of experience someone needs
  - Asking for Specific qualifications rather than accepting equivalent qualifications/experience (unless the role must have a specific degree to fulfil the role)
  - Advertising in places only one age group tend to use, such as social media. You should ensure your advert can easily be seen by all age groups
  - Using buzz words such as Youthful, Mature, Dynamic which indicate you are looking for a specific age group



# Equality Act - Disability Discrimination

Disability discrimination is when you treat someone less well or put them at a disadvantage for a reason that relates to their disability

- ▶ Under the Equality Act a disability means a physical or a mental condition which has a substantial and long-term impact on a person's ability to do normal day to day activities. It should have lasted or be expected to last at least one year.
- ▶ It covers progressive conditions like HIV, cancer and multiple sclerosis as soon as the person is diagnosed with a progressive condition
- ▶ People are also covered by the Equality Act if they had a disability in the past but recovered, and it has now returned.
- ▶ This means that you should not refuse to employ someone who has a disability if you can put reasonable adjustments in place to allow them to work (More on reasonable adjustments on the next page)



# Equality Act - Disability Discrimination

- It is always lawful to treat a disabled person more favourably than a non-disabled person
- You can actively seek to recruit someone who is disabled if it can be justified under the following reasons:
  - where having a particular disability is essential for the job
  - where an organisation is taking positive action to encourage or develop people with a particular disability
- What you cannot do during recruitment:
  - Ask health questions designed to screen out disabled job applicants in the application form
  - Ask job applicants about their health or disability until they have been offered a job. If the candidate discloses a medical condition, you can only explore what reasonable adjustments will need to enable them to fulfil the role.
- If you fail to make reasonable adjustments, then this amounts to disability discrimination. This can be at any stage of the recruitment process or during employment. Reasonable adjustments could be:
  - Removing physical or communication barriers (installing ramps, hearing loop systems)
  - Adjusting the job description slightly to accommodate them
  - Not requiring a driving license if the role requires some travel which can easily be undertaken on public transport and not significantly affect the amount of time the person takes to travel between destinations
  - Note that the word reasonable is important here. If the cost to implement these things is too high compared to the size of your organisation, then it is not a reasonable adjustment.
  - The employee may be able to get financial support for any adjustments through the Government's Access to Work Scheme



# Equality Act – Gender reassignment

- The Equality Act 2010 says that you must not discriminate against someone because they are transsexual, which is when their gender identity is different from the gender assigned to them when they were born.
- Many people who are transsexual prefer the term transgender, trans-male, trans-female, however you must address them as Male or Female depending on what gender they identify as
- The person can be at any stage of the gender transition process, from proposing to reassign their gender, to undergoing a process to reassign their gender, or having completed it. This is because changing physiological or other gender attributes is a personal process rather than a medical one.
- Exemptions
  - Positive action to encourage or develop transsexual people in the workplace where they are currently under-represented or disadvantaged
  - Or where the specific circumstances fall under the exemptions in the equality act, some sporting events, some single sex services such as a womens refuge.

# Equality Act – Marriage and Civil Partnerships

- The Equality Act says you must not discriminate against anyone in employment because they are married or in a civil partnership
- This is regardless of whether the couple is male and female, or both are of the same sex.
- This doesn't cover people who are:
  - single
  - living with someone as a couple but not married,
  - engaged to be married but not married yet
  - Divorced, or a person whose civil partnership has been dissolved
- The harassment provisions that apply to other protected characteristics don't apply to Marriage and Civil partnerships, and should be tackled under your company grievance procedure
- The exception to this is where there is a real and lawful reason to discriminate, such as when recruiting a Catholic priest

# Equality Act - Pregnancy and Maternity

- Employees are protected against unfavourable treatment because of pregnancy or maternity.
- This means an employee or job applicant must not be disadvantaged because of their pregnancy or maternity leave, which includes where the organisations policies and procedures discriminate against them.
- Recruitment NO's!
  - If candidate is visibly pregnant at interview stage, you must not ask her anything about the pregnancy. She can tell you about it, but you cannot let it influence your decision to recruit her.
  - You must never ask anyone if they are planning on starting a family.
  - Not offering the job because of pregnancy - If a candidate is the most qualified to do the role, then you must offer them the job if they are pregnant. It is unlawful if you do not. You would need to arrange temporary cover for their maternity leave instead.
  - Changing the terms of the role - You have to offer the job on the original terms that it was advertised. You cannot make the job a fixed term or temporary position in order to re-recruit for her role
  - If the woman tells you that she is pregnant after you have offered her the job, but before starting work, you cannot withdraw the job offer
  - If the woman has already started working for you, you cannot dismiss her for not telling you about being pregnant prior to joining.



# Equality Act - Race

- The Equality Act 2010 says you must not discriminate against others because of their race
- Race can mean:
  - Colour
  - Nationality (including citizenship)
  - ethnic or national origins, which may not be the same as their current nationality (For example, they may have Chinese national origins and be living in Britain with a British passport)
  - ethnic and racial groups - this means a group of people who all share the same protected characteristic of ethnicity or race (A racial group can be made up of two or more distinct racial groups, for example Black Britons, British Asians, British Sikhs, etc).

*People can be discriminated against because of one or more aspects of their race, for example people born in Britain to Jamaican parents could be discriminated against because they are British citizens, or because of their Jamaican national origins.*

- Exceptions to the Act
  - Where it is an occupational requirement to be a specific race. E.g, a domestic violence organisation for South Asian women, may need a South Asian woman to make the clients feel at ease.
  - Positive discrimination, to encourage or develop those people of a particular race who are under-represented or disadvantaged in your workplace.



# Equality Act – Religion or belief

- The Equality Act 2010 says you must not discriminate against others because of their religion or belief system
- Religion or belief can mean any religion (Christianity, Judaism, Islam or Buddhism, smaller religions like Rastafarianism or Paganism, as long as it has a clear structure and belief system)
- It also covers non-belief or a lack of religion or belief.
- It covers philosophical beliefs that must be genuine and more than an opinion. It must be clear, logical, convincing, serious and apply to an important aspect of human life or behaviour.
- The Equality Act also says that a belief must also be worthy of respect in a democratic society and not affect other people's fundamental rights.
- Direct Discrimination can occur with people of the same faith or belief for example a Christian manager employing a Hindu applicant rather than a Christian applicant because they believe their clients would prefer a Hindu.
- Indirect Discrimination for example Not allowing breaks outside of lunch time to Muslim employees who need to pray 5 times a day, not agreeing annual leave for religious holidays without a valid business reason etc
- Exceptions to the Act
  - If belonging to a particular faith or denomination is essential to do the job. This is classed as an occupational requirement (Schedule 9 part 1 of the Equality Act 2010)
  - If you are taking positive action to encourage or develop a group of people with a religion or belief that is under-represented or disadvantaged in a role or activity
  - an organisation with an ethos based on a particular religion or belief, where the religion or belief is required to understand the role

# Rules for recruiting specific faiths

- Schedule 9 (part 1) of the Equality act states that in certain circumstances it is lawful for an employer to apply a requirement to have a particular protected characteristic if due to the nature or context of the work:
  - there is an occupational requirement
  - the application of the requirement is a proportionate means of achieving a legitimate aim and the applicant does not meet the requirement
  - or (except in the case of sex) the employer has reasonable grounds for not being satisfied that the person meets the requirement
  - There must be a link between the requirement to be a particular faith and the role that you are advertising.

If you are unsure, please contact the HR Advisor who will be able to advise you



# Equality Act – Sex

- The Equality Act 2010 says you must not discriminate against others because of their sex
- Sex can mean either male or female, or a group of people like men or boys, or women or girls.
- Exclusions
  - Being a particular sex is a requirement of the job for example a female room attendant for female bathrooms
  - Positive action to encourage or develop a particular sex that is under-represented or disadvantaged in a role or activity
  - Certain religious orders
  - Armed forces and sporting events



# Equality Act – Sexual orientation

- The Equality Act 2010 says you must not discriminate against others because of their actual or perceived sexual orientation, or because they are connected to someone who has a particular sexual orientation
- This includes how people choose to express their sexual orientation, such as through their appearance or the places they visit.
- Exclusions to the Act
  - Belonging to a particular sexual orientation is essential for a job.
  - Positive action to encourage or develop gay, lesbian or bisexual people to participate in a role or activity
  - the treatment falls within one of the exceptions that permits people to be treated differently based on their sexual orientation.
  - Religion or belief
    - a religious or belief organisation can exclude persons of a particular sexual orientation from its membership or participation in its activities, or its provision of goods, facilities and services.
    - This only applies to organisations whose purpose is to practice, promote or teach a religion or belief, whose sole or main purpose is not commercial.
    - The restrictions they impose must be necessary either to comply with the doctrine of the organisation, or to avoid conflict with the 'strongly held religious convictions' of the religion's followers

# The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000

- ▶ The Regulations make it unlawful for part-time workers to be treated less favourably than full-time workers which means they should:
  - ▶ receive the same hourly rate and overtime rate as full-time employees (A lower hourly rate should only be given if it can be justified on objective grounds)
  - ▶ not be excluded from training
  - ▶ have the same entitlement as full-timers to maternity / parental leave and annual leave on a pro-rata basis.
  - ▶ Have the same entitlements to pensions, perks and sick pay on a pro rata basis
- ▶ This regulation applies to all workers and all businesses, including small businesses
- ▶ The exception to this is where less favourable treatment of a part-time worker can be justified on objective grounds if it can be shown it is necessary and appropriate to achieve a legitimate business objective.

# Immigration Act 2016

- The Immigration Act 2016 introduced new sanctions on illegal working, which prevents illegal migrants accessing services and introduced new measures to enforce immigration laws.
- It introduced new sanctions on illegal workers and rogue employers which means that employers who hire illegal migrants and the workers themselves face criminal sanctions.
- It provides better co-ordination of regulators that enforce workers' rights such as investigations into work-places such as restaurants and off licenses
- It prevents illegal migrants in the UK from accessing housing, driving licenses and bank accounts (Migrants who do not have permission to be in the UK can have certain privileges revoked, their bank accounts can be frozen, and their driver's license can be seized).
- It also introduced new measures to make it easier to enforce immigration laws and remove illegal migrants (Deport first, then appeal later. Previously this was only for criminals)



# Recruiting Foreign Nationals

- Right to work checks **must** be carried out to ensure all employees have the right to work in the UK
- They must be done on or before the employee's first day of work with you
- The Government's Right to Work Checking portal can be used for certain applicants. Checking a job applicant's right to work - GOV.UK (From 2025/25, paper-based checks can no longer be carried out and must be done digitally)
- The civil penalty if you do not perform right to work checks is up to £60,000 per illegal worker
- it is a criminal offense if you employ someone who you knew or had reasonable knowledge to suggest that the person didn't have the right to work in the UK.
- Right to work checks must be applied to all candidates to avoid discrimination, even if you "know" the person is British, you still have to do the check
- The UKVI is the department for UK Visa's and Immigration. If you have a migrant worker apply for a post with you, please speak to the HR Manager who will be able to offer guidance on what to do.

# Equal Pay Law



- Equal pay law is covered by the Equality Act
- This means someone must not get less pay compared to someone who is the opposite sex and doing “equal work” for the same employer
- Equal work is work that is:
  - either the exact same job, or a job that is very similar in tasks and responsibilities (Some jobs can be classed as equal work, even if the roles seem different. For example, a clerical job and a warehouse job might be classed as equal work)
  - where the job is not similar but is of equivalent or equal value. This could be because the level of skill, training, responsibility or demands of the working conditions are of equal value
- By law, employers must not pay an employee less or give them terms and conditions that put them at a disadvantage, because of their disability, race, religion, sexual orientation or another 'protected characteristic'.
- Equal pay law applies to both pay and terms and conditions of employment
- Differences in pay and other terms and conditions might be allowed in some circumstances. For example, it might be possible for someone to be paid more than someone of the opposite sex who does similar work because:
  - they're better qualified, if their skills are crucial to the job and hard to recruit
  - of where they are located – for example, in London where the cost of living is higher
  - they do night shifts, and the employer can prove that they can only cover night shifts by paying staff more



# The Rehabilitation of Offenders Act (1974)

- The Rehabilitation of Offenders Act (1974) is a piece of legislation introduced to help ex-offenders re-enter the workforce. It enables some minor offences to become 'spent', or disregarded, after a set rehabilitation period has been completed. Generally, once a conviction is spent, a candidate can legally 'lie' about their past convictions by answering 'no' to a question about convictions.
- Spent convictions are previous convictions which can now be ignored. Once the offence has been spent, the offender is considered fully rehabilitated, and treated as if they have never been cautioned or committed a crime. The time length for each convictions are:
  - Simple/youth caution – Immediately spent
  - Conditional caution – 3 months
  - Prison sentences under 6 months – Length of sentence + 2 years
  - More than 6 months and under 30 months – Length of sentence + 4 years
  - More than 30 months and under 4 years – Length of sentence + 7 years
  - More than 4 years – Never
- There are some roles that are exempt from this act, so the candidate must disclose their criminal history regardless whether their conviction is spent, such as solicitors, teachers, accountants, locksmiths, social workers, NHS workers and many more. Lists can be found online.

# GDPR in recruitment



- Starting from May 2018, organisations that collect personal data of EU residents must become compliant with the General Data Protection Regulation (GDPR.) The GDPR is a new law that aims to strengthen people's rights to privacy and protect their personal data. GDPR places the burden of ensuring compliance on organisations, especially when recruiting as you are collecting candidates' personal data in their application form
- If you don't follow the GDPR rules, then you risk being fined up to 4% of your revenue or €20 million, whichever is greater
- What does this mean in practice?
  - Application forms
    - You should only use the candidate data for a "specified, explicit and legitimate purpose, ie to shortlist and/or interview the candidate
    - You need to be transparent about what you do with the data on the application form. There is a privacy statement at the end of the application form which details this information
    - By the candidate signing the last page of the application form this is their agreement for you to use their data.
    - You should not keep the application forms on file for longer than is necessary – for recruitment this is 6 months, which is the maximum length of time a candidate could take you to a tribunal if they feel that they were not offered a job with you because of a protected characteristic. Once the 6 months have passed, all application forms should be shredded and deleted from your email and network systems.
  - Accountability - You must assume responsibility for compliance. And if needed, in an audit for example, be able to prove that you have operated under the GDPR law



# Diversity



# Diversity in Recruitment

- You have already covered the basics of the Equality Act, so will have some understanding of the law surrounding this.
- What are your responsibilities in regard to this?
  - You need to encourage equality by ensuring that your recruitment practices are fair, provide equal opportunities for promotions, and ensure that your policies do not disadvantage certain groups of people
  - You should minimise the risk of discrimination by ensuring that discriminatory behaviour is not tolerated. A good equal opportunities and positive working policy is important.
  - You should promote diversity by hiring a wide range of people and valuing the differences between staff members
  - You should manage everyone fairly, ensuring that you have a fair disciplinary and grievance procedure and that everyone has the option to apply and be considered for flexible working.
- The phrase “BAME” to identify people who are Black, Asian and Minority Ethnic is now outdated and has been replaced with the term “United Kingdom Minority Ethnic / Global Majority Heritage (UKME/GMH)”
- At the DBF we use the below Equality, Diversity and Inclusion Statement. If you use the template Job description, then this is already written into the first part of this:

*We welcome Diversity in the Diocese of Coventry*

*We are dedicated to employing staff with diverse backgrounds, abilities and working styles.*

*We understand that a diversity of ability can involve a diversity of needs.*

*We are committed to actively supporting all staff members to fulfil their potential.*

*If you have a disability, long-term illness or are neurodivergent, and feel this prevents you from meeting any of the essential criteria, please contact us to discuss the adjustments we can make for you.*

*All employees undertake equality, diversity and inclusion training.*



# Diversity in Recruitment

- You may have read the “From Lament to Action report” which is the Report of the Archbishops’ Anti-Racism Taskforce. As part of this report, it highlights what we need to do, to ensure that we are a diverse organisation in terms of Ethnic background. For us this comes under “positive discrimination” because the Church of England has a lower percentage of UK Minority Ethnic and Global majority heritage Clergy and Lay staff.
- The taskforce said that “If we are to stop failing UKME/GMH candidates, we must embrace targets for recruitment and appointment as an opportunity to identify, nurture and develop gifting and we must rethink our systems and practices”
- The changes that all Dioceses will be implementing in order to do this are as follows:
  - All adverts and Job descriptions should include our diversity statement
  - Use appropriate language when writing job descriptions (Covered later in this document).
  - You should highlight your culture and commitment to diversity and organisational benefits, in all recruitment campaigns
  - When advertising roles, you should think about the places where you advertise the roles in order to attract a diverse set of candidates
  - There is an expectation that every shortlist should hold at least 1 appointable candidate from a UKME/GMH background. However, they should only form part of the interview process if they pass the 70% minimum criteria on the person specifications (If you follow the guidance in this document). This is why good notes and shortlisting should take place. All recruitment materials and notes should be kept for 6 months, in case a discrimination claim is brought against you, so that you have proof of how the recruitment campaign was handled.
  - If you are keeping track of the diversity in your organisation, then all candidates should complete the equal opportunities form as part of the recruitment campaign. These forms must not form part of the selection process and should not be seen by anyone involved in the recruitment process. When you advertise a role, all applications and equal opportunities forms should go to the administrator or someone who is not part of the recruitment panel in the first instance, and they will forward the application forms only to the people involved in the recruitment process.



# Unconscious Bias





# Unconscious Bias

## ► What is unconscious bias?

- This is when our past experiences, likes, dislikes and ambitions contribute to the way we perceive things. This includes how we react to different people and situations. Without realising we then approach these situations or people in a way that is individual to ourselves and our own past experiences and make judgements based on our beliefs. This is unconscious bias.
- There are 10 different types of unconscious bias covered in the next slides

## ► 10 unconscious biases and how to stop them affecting your recruitment campaign:

- Affinity Bias - is the tendency to favour people who share similar interests, backgrounds, and experiences with us. Because of affinity bias, we tend to feel more comfortable around people who are like us. We should not let an applicant's education or schooling affect whether we believe they will be a hard worker or not. For example, if they have excellent qualifications and went to a good school, but their application form does not address the person specification, then you should not score them higher based on your belief of how they will perform. Also, by not making assumptions about them based upon their hobbies.
- Stereotyping - refers to beliefs that certain attributes, characteristics, and behaviours are typical of members of a particular group of people. The way we categorise social groups is often based on visible features that provide the largest between-group differentiation and least within-group variation (for example, skin colour, gender, age) We should not stereotype candidates based on our beliefs of what their attitude and behaviour may be like. For example, a Church of England worshipper, stereotyping a candidate or employee that worships in a different denomination. If this belief is vocalised, then that would be religious discrimination.

# Unconscious Bias

- Prejudice - against others because of an ill-founded belief or hatred of them which hasn't come from a valid or real-life experience. For example, assuming that someone who has Aspergers or ADHD will not work hard or be disruptive based on an invalid preconceived idea that everyone with Aspergers or ADHD is like that.
- Attribution – Is when we make judgements about people based on previous interactions with them or because they are a friend or “friend of a friend”. You should not be biased if you know that the applicant is a friend of someone on the panel or in the Diocese, and you let your beliefs about them dictate how you score their application form.
- Beauty – Is bias based on the persons appearance. We should not assume that an applicant who doesn't appear to have made much effort with their appearance for the interview, may be lazy or disorganised. Conversely, we shouldn't assume that someone who has made a lot of effort is motivated and organised, as this could be the complete opposite to how these two people are in a work environment.
- Conformity – Is when we are swayed by other people's opinions on the recruitment panel rather than speaking up about our own opinion. We should not let other members of the shortlisting/interview panel sway our opinions just because the rest of the panel agree. You should speak up and discuss your thoughts.
- Contrast – Is when you compare the candidates to each other rather than assessing them individually against the person specification. When shortlisting or scoring, you shouldn't compare the different candidates to each other, instead you should only score them based on their answers to the person specification and the interview questions

# Unconscious Bias

- Gender - You shouldn't look at whether a candidate's gender affects how you think they will perform the role, or for example if the role has predominantly been done by women before, you should not be biased against a male applicant applying for that role
- Halo – is where you focus on one positive thing about the candidate and apply that positivity to all aspects of the candidate and assume the person is more perfect than they are
- Horns – is the opposite in that you are focussing on one negative thing about the candidate, and it affects your whole belief about that person, rather than focussing on the other qualities the person does have
- The impact of unconscious bias in recruitment and why you should actively avoid it:
  - It impairs diversity if you only recruit people who are like you and the rest of the team.
  - Diversity fosters innovation and a change in thinking patterns and can form new strategies for the direction of your organisation
  - If all the team members are alike, then the type of creativity will be lower. Different people from different backgrounds and cultures will have many more ideas than if all the employees are from the same background and culture
  - Don't necessarily look at whether the person is a good culture fit for your existing team. Look at what they can offer to make your team more diverse



# Safer Recruitment





# Safer Recruitment

- The Safer Recruitment document was initially published by the Church of England in 2016, however has now been replaced by the **Safer Recruitment & People Management** guidance, which must have been implemented by 4<sup>th</sup> January 2022
- There are Resources available on the Diocesan Website with regard to safeguarding and safer recruitment. This link will take you there: [Safer Recruitment](#)
- When recruiting, you should ensure the following:
  - Make sure candidates are aware of the Safeguarding Policies for the Diocese of Coventry. You can provide a link to the below in the job advert
    - Statement of its commitment to ensuring the safety and wellbeing of children, young people and vulnerable adults
    - Safeguarding Policy
    - Safer Recruitment Policy
    - Whistleblowing Policy
    - Recruitment of Ex-Offenders Policy
  - Make sure the JD/PS is a detailed representation of the role, so the employee knows what is in their scope. The job description must also make it clear if a DBS is required for the post, and what level DBS is needed. You should speak to Safeguarding and ask for their advice on whether a DBS is needed for the role or not, and what level of DBS check is required.
  - At least one person on the recruitment panel must have done the Safer recruitment training in the last 3 years. Ensure the application form is completed for volunteer or paid roles so that you can check for any inconsistencies such as unknown gaps in employment etc. If there are gaps in employment history, you can probe this in the interview.
  - Ensure you obtain references before hiring – particularly asking about the persons suitability to work with children or vulnerable adults if relevant

# Safer Recruitment

- The requirement to complete a confidential declaration form must be mentioned on the advert or job description in the same location as the DBS check. When you have decided to appoint, the applicant must complete the confidential declaration at the same time as the DBS application. If an applicant does not want to complete the Confidential declaration form, then the appointment will be terminated.
- Face to Face interviews – alongside the application form, this is the best way to assess the persons suitability for the role, using competency-based interview questions. With competency-based questions, you should be aware that people with processing disorders such as High functioning autism, may find it difficult to understand what is being asked of them, so you should break this down where possible to give them the best possible chance to answer the question fully.
- DBS – Disclosure and Barring Service – We need to ensure that the DBS check has been returned with no issues before the person commences the role. If an applicant has worked outside of the UK for 6 months or more in the preceding 10 years, then we have to also do an overseas criminal records check
- Offer letter for paid staff, letter of appointment for volunteers – to let the paid employee/volunteer know the terms and conditions that they are working for you under
- Post recruitment - Where applicable, the employee/volunteer must attend safeguarding training once they have started working for us, and within their probation period, and then every three years after that



# The Job Description And Person Specification

# Job Description and Person Specification

There is a template job description you can use if you wish. However, it is fine if you wish to use your own style templates.

Below are the things you should add to the job description:

- Record the date the document was issued or updated
- The location of the role including any travel, home working etc
- The annual salary including the FTE if the role is part time
- The employer pension contributions, life assurance and any other benefits you offer employees
- The hours the person will be working, including working pattern if necessary, and whether the role requires evening and weekend working.
- The Diversity statement should feature at the beginning of all job descriptions.



# Job Description and Person Specification

There are some key notes I would like to share about the language of job descriptions and adverts which I will detail now:

- Having undertaken some research on inclusive language, I found that it is important to “de-corporate” any wording that has a corporate feel to it. A study found that if a non-white person reads an advert that sounds corporate, they automatically assume the role is aimed at a white person. Corporate language can also put people off applying if they haven’t been exposed to this style of language before and may restrict how many people apply for your roles. Therefore, I recommend that you keep the language soft and conversational.
- You also need to reduce jargon and abbreviations and “insider language” so people are not put off by assuming they need to know what these mean when they apply. If “Looking after CCD” means “Looking after Critical Client Data”, Then it is best to write the full terminology.
- Another thing I found was that most women usually only apply for a role if they feel they meet 100% of the essential criteria detailed on the Job Description/Person Specification, but men will apply if they meet 60% of the criteria. Therefore, to encourage women to apply you should soften the wording on the essential criteria to say, “familiarity with” or “Good understanding of” rather than “Proficient at” or “Must have”. As you will only shortlist based on the candidate scoring 70% of the criteria, the person doesn’t need to score 100% anyway. Also, most people apply for jobs for promotion reasons, and can grow into the role if they have a good understanding and are happy to do training.
- Having a candidate information pack available as a separate attachment to all recruitment campaigns will highlight any benefits including those that promote inclusivity. Women particularly are interested to know about things such as paid maternity leave, and sickness pay. The pack could also emphasise your culture, values and appreciation for staff.
- Another thing I have found is that to increase diversity, we should also emphasise if a role doesn’t need the candidate to be Christian, as that may discourage people from other faiths/ethnicities to apply for our roles rather than most people who view our jobs assuming they need to be Christian to work for us.

# Job Description and Person Specification

- The Job description template is laid out under the following categories to allow the employee to see the full scope of the role and what is required from the candidate.
  - Role purpose – This is the reason why the role exists. Most people need to see a clear link between what they do and how it benefits the organisation or the people they are providing a service to. Where possible you could link this to the strategic aims and explain how the role meets those aims.
  - Key relationships – You should include the line manager for this role and any employees who will report to this post, as well as any other key contacts (internal and external)
  - Main activities and responsibilities – You should give full details of what the role entails when writing out the responsibilities section. Where some of the responsibilities listed are very specific in terms of them being something that only your organisation does, you should highlight the fact that full training will be given or reword the task to make it more generic and understandable for candidates who don't come from a Church context.
  - Monitoring and evaluation – This area should show the post holder how long their probation period will be in which they will receive training and support. It should also state whether there are yearly appraisals, and/or a 6 monthly mid-year appraisal
  - Person Specification – We will go into this more on the next slide
  - DBS/ Right to work – If a DBS and Confidential Declaration form is required then you must show this, and state that the post holder must have the right to work in the UK. You may need to check what level of DBS is required for the role you are advertising, and you should speak to someone in Safeguarding to ascertain this. There are strict rules about applying for DBS checks, for example, it is an offense to apply for an Enhanced DBS check if the role does not need this.
  - Training – Any training that is mandatory for the role holder should be mentioned plus any other training you deem appropriate

# Person Specification

## Person Specification

This section details the attributes which are required in order to undertake the full remit of this post. To be shortlisted an applicant must be able to demonstrate that they have **all the essential requirements** for the role.

AF = Application Form; I = Interview; T = Test.

Attributes	Essential	Desirable	Means of assessment
<b>Qualifications</b>			
Qualification in training		✓	AF
A professional qualification or equivalent in a relevant field such as social work, education, health, police, children's/youth work or a training qualification		✓	AF
<b>Experience</b>			
Arranging, facilitating, and delivering face to face training	✓		AF/I
Contributing to a training strategy		✓	AF/I
Working or volunteering in a safeguarding role	✓		AF/I
Working in the voluntary sector		✓	AF/I
Working as part of a team and on their own initiative	✓		AF/I
Responding to queries and problem solving	✓		AF/I/T

- The Person specification is what can be used to score applications to decide which candidates to put through to interview
- Essential versus desirable criteria - The person specification details the attributes that the post holder either must have (essential) or you prefer them to have (desirable). It is important that you only select essential, if it really is something that the person needs to have for example, if the role requires someone to deliver training, and it is a large part of the role then it may be essential they have delivered training before.
- As discussed in the previous slides, though, you should consider the language used here. While the experience may be listed as an essential criteria, you need to consider whether it is essential to have a complete understanding or whether a familiarity with the criteria would also be fine, if you could easily provide training to the successful candidate. The key thing is to not put people off applying for the role if they could in fact be trained quite easily to achieve the criteria.
- Ideally the maximum number of "essential" criteria to score against should be 20 and you should consider how you would score against each attribute (to see if it is "scorable") and consider the weight that you give to the attributes too. It is possible for example, that for a PA role, where having PA experience is an essential criteria, a candidate who does not have this experience could actually score highly because they have many of the other essential criteria. In this instance you can adjust the weighting of the scores against certain criteria.



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Working as part of a team and on their own initiative	✓		AF/I
Responding to queries and problem solving	✓		AF/I/T

- Typically, you would only shortlist against the Essential criteria, however if lots of candidates have similar scores, and you need to reduce the number sent through to interview stage, then you would score the desirable criteria as well.
- Means of Assessment – In the last column you will see the method in which you would assess the candidate against the criteria
  - AF – means that you score this criteria against what they have written in their application form
  - I means that you will score this criteria in the interview so your interview questions should be aligned with these criteria. We will discuss this in more detail later on.
  - and T is either a test or presentation which you will use to score the criteria.
- Attributes – When assessing if someone is suitable for a role, we look at their qualifications, experience, Skills and abilities and their personal qualities



# Person Specification

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Working in the voluntary sector		✓	AF/I
Working as part of a team and on their own initiative	✓		AF/I
Responding to queries and problem solving	✓		AF/I/T

- Qualifications – When deciding what qualifications someone needs, it is important to consider whether equivalent qualifications or experience are acceptable versus an academic qualification. For example, requesting a degree in marketing for a role, when a candidate's level of experience or equivalent qualifications are appropriate. It's important to note you can't request a specific amount of time of experience as that could be considered age discrimination.
- You would normally record here whether someone needs a driving license and access to a car in order to fulfil the role.
  - In terms of the disability discrimination act, If the person needs to be able to drive for this role, you need to be able to justify why. For example, if the role requires travelling to 10 places per day and taking the bus would take far too long and would impact on the job targets, then it is fine to request the person is able to drive. If the role occasionally works from other places, then it is not as the person could easily catch the bus or a taxi.

# Person Specification

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Contributing to a training strategy		✓	AF/I
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Working in the voluntary sector		✓	AF/I
Working as part of a team and on their own initiative	✓		AF/I
Responding to queries and problem solving	✓		AF/I/T

- Experience and skills and abilities are fairly self-explanatory, but you should avoid words that can lead to discrimination claims, particularly around age/gender/race etc and consider what wording you use (for example, is it necessary for the person to be 100% competent in this area, or would a familiarity with the criteria be ok)
- Personal qualities – Where the role requires the employee to be a practicing Christian, then you can put that here. If the role doesn't require the candidate to be a practicing Christian, then you can put "In sympathy with the aims of the Church of England". This is fine as it ensures that the candidate will fit into our culture.
- You need to consider if the candidate really does need to be a Christian in order to fulfil the role, as opposed to you just wanting them to be a Christian, for example, because you want all of your team to pray together once a week. If the job role itself can be done with no need for the person to be a Christian, then you can't put this in the person specification. You should check with HR if you are unsure.



# Shortlisting



# Shortlisting

- There are 2 reasons why you should shortlist roles formally
  - To ensure that you benchmark the candidates against the person specification so that you interview the candidates with the right skill set
  - Shortlisting removes the bias of any form of discrimination, from age, race, gender etc. It also prevents the recruitment of someone, just because they are an interviewer's friend or relative.
- When shortlisting and interviewing, make sure that any notes you make on the application forms and interview questions are strictly professional only. In the event of a claim for discrimination, the complainant has the right to see those notes and can request to see their notes any time within 6 months of the shortlisting or interview.
- To reduce the potential for unconscious bias there should be a minimum of 3 people on your panel to shortlist and give an average score for each candidate
- The shortlisting guide in the Parish HR Resources section guides you how to score an application form using the parameters set at each level from 0 to 5. Once all the scores have been collated, you will need to meet up with the panel to discuss which candidates you will bring to interview.



# Shortlisting

- You should note that there is no requirement for you to always interview the people with the highest scores. As part of the reflection in the meeting, you may decide a candidate shouldn't be interviewed for the following reasons:
  - You may feel that they shouldn't have been scored as highly, and consider that unconscious bias may have had an impact on yours or another panel member's scores
  - Their scores may be high on the basis of other shortlisting criteria such as working flexibly, and good IT skills etc, but lower in areas where they actually need the experience or knowledge to do the job such as managing budgets or project work. This is where you need to consider weighting certain criteria such as giving double points for certain criteria that is relevant
  - It could also be that the candidate's application form shows that they have had 10 different jobs in the last 5 years, with no understandable reason for leaving each job and that calls into doubt whether the person will stay in your employment and whether there may be something in their character that isn't working well with others in their previous employment. Be careful though as they could be temporary assignments, however typically a candidate would write this as their reason for leaving.
  - There are many reasons why you may decide not to bring forward the highest scorers, and that is ok, if you can justify your reason within the shortlisting group and write down your reasons in case it is ever requested by a candidate.
- Notifying the candidates – I would recommend at least 1 weeks' notice of being invited to interview, but 2 weeks is more preferable if you have asked them to prepare a presentation for the interview as this will give them time to prepare.



# The Interview

# The Interview - Questions

SAFEGUARDING TRAINING AND SUPPORT OFFICER INTERVIEWS			
Candidates Name: _____		Interviewers Name: _____	
NO	QUESTION	Criteria Assessed	SCORE
	<u>10 minute</u> presentation –  Why is safeguarding in the church context important?  What do you consider are some of the key areas to create a safer church environment?	<ul style="list-style-type: none"><li>• Some understanding of the Church of England structures and experience of working or volunteering with the Church or other faith groups in respect of safeguarding children/and or vulnerable adults</li><li>• Excellent interpersonal and communication skills – written and verbal</li><li>• An understanding of current safeguarding policy and practice</li><li>• Excellent presentation skills</li></ul>	
1.	What is your experience in delivering training, what were the challenges and how did you deal with those challenges?	<ul style="list-style-type: none"><li>• Arranging, facilitating, and delivering face to face training</li><li>• Contributing to a training strategy</li><li>• Excellent presentation skills</li><li>• Challenging effectively to support learning</li><li>• Ability to work on their own initiative and be accountable</li><li>• Excellent administrative skills with the ability to work accurately and with attention to detail</li><li>• Highly organised and excellent time management skills</li></ul>	
2.	How would you make training effective and engaging? Please give examples	<ul style="list-style-type: none"><li>• Excellent interpersonal and communication skills – written and verbal</li><li>• Managing a diverse range of opinions in a training context</li><li>• Excellent presentation skills</li></ul>	

- All interview questions should be based around the criteria in the person specification.
- You should aim for approx. 10-15 questions or as many as you think the candidate will be able to answer in the hour slot you have allocated (45 minutes if they have been asked to present for 10 minutes, with 5 minutes to feed back to the candidate and ask questions.
- If you want the candidate to do a presentation or test, then you must make sure that the information gleaned from this is relevant to the job they are being interviewed for and is linked to the criteria on the person specification.
- If you have a candidate who requests a reasonable adjustment, for example if you have given them a written test, and they have dyslexia, then you can increase the length of time given to that person to complete the task. If you have given 20 minutes to all candidates, then you can extend by 5-10 minutes for a disabled candidate depending on what you feel is necessary. Speak to HR if you have any queries about this.

# The Interview - Questions

<ul style="list-style-type: none"><li>• <b>Competency</b> - technical and experiential competence in what you need them to do.</li></ul>	
<ul style="list-style-type: none"><li>• <b>Chemistry</b> - the chemistry to work well and fit in with the rest of the team.</li></ul>	
<ul style="list-style-type: none"><li>• <b>Culture</b> - the ability to fit well within the organisation; an understanding of the mission and core values, including the desire to live them out at work:<ul style="list-style-type: none"><li>• Christ Like</li><li>• Community</li><li>• Service</li><li>• Integrity</li></ul></li></ul>	
<b>Is candidate to be offered the role? If <u>not</u> then please explain why for feedback purposes:</b>	

- During the interview you will need to score the candidates using the Interview scoring guide which is in the Parish HR Resources section.
- Following the interview, you should have a discussion together about whether the person is appointable, completing the boxes at the end of the interview scoring sheet:
  - The Competency can be evaluated from the scoring of the interview questions that you will have asked
  - With the Chemistry section, it is important that you consider your unconscious bias when you think about this. When we say “do they click” with people, we are not asking if they are similar to you or other people in the team, we are looking at whether they complement the team with their skills and diverse ideas.
  - In the culture box, you are looking to see if the person has evidenced in their interview that their character aligns with your organisations values.
- The next box to complete is whether you will offer the role to the candidate and why. Equally if you are not going to offer the role, then please also complete this section, partly so you can feed back to the unsuccessful candidate, but also in case you have any queries from candidates within the 6-month period that they would be eligible to bring a claim against us if they felt that some form of discrimination prevented them from getting the role.
- It's important to note that even if 1 candidate scores higher than the others during the interview, they will not necessarily be the person you need to appoint, particularly if they will not fit with the team or culture. If you have comprehensive notes about why you have chosen one candidate over another who scored higher and can justify your reasons, then it is fine to appoint the preferred candidate.



# Example Questions and Criteria Assessed

Below are some examples the criteria on the person specification and questions that can be formed to establish a candidate's experience and skills.

<u>Questions</u>	<u>Criteria on the Person Specification</u>
3. Have you delivered training online, what were the strengths and challenges that you faced? If you haven't what do you think would be some of the strengths & challenges	<p>Criteria assessed:</p> <ul style="list-style-type: none"><li>• Excellent presentation skills</li><li>• Highly <u>organised</u> and excellent time management skills</li><li>• Knowledge and use of general IT systems and applications including spreadsheets, word processing and data bases.</li><li>• Flexible and positive in approach to working, and an ability and willingness to travel to various locations if required</li><li>• Willingness to work flexibly with evenings and weekends when required for the delivery of training</li></ul>
4. What do you need to consider if an individual attending training <u>discloses</u> they have experienced past abuse?	<p>Criteria assessed:</p> <ul style="list-style-type: none"><li>• An understanding of current safeguarding policy and practice</li><li>• Ability to work on their own initiative and be accountable</li><li>• Strong personal commitment to safeguarding</li><li>• A proven ability to maintain the highest standards of confidentiality and work sensitively with those affected by issues of safeguarding</li></ul>
5. What are some of the key steps to consider <u>in order to</u> recruit a volunteer safely to their role? 	<p>Criteria assessed:</p> <ul style="list-style-type: none"><li>• Working or volunteering in a safeguarding role</li><li>• Working in the voluntary sector</li><li>• Some understanding of the Church of England structures and experience of working or volunteering with the Church or other faith groups in respect of safeguarding children/and or vulnerable adults</li><li>• An understanding of current safeguarding policy and practice</li></ul>

# Hosting the Interview

- If the candidate needs to do a test prior to the interview, you should arrange either for yourself or someone else to greet them at the door, take them to the room where they will be doing the test, and show them what they need to do. When the candidate has completed the test, you should arrange for someone to take them to the interview room.
- In the interview itself, the recruiting Manager is normally the lead. They need to introduce the rest of the panel members and explain the format of the interview, and how many questions there are, giving a rough idea to the candidate of how long they have to answer each question (this will help keep the interview on track to finish on time).
- If the candidate is doing a presentation, then you should help them set up the IT things they will need, plugging memory sticks in etc
- Asking the questions - Prior to the interview, the panel should decide on who will ask each question. The rest of the panel can ask follow up questions if needed to get the candidate to elaborate on a certain point.

# Hosting the Interview

- Be careful with asking any questions that can be misconstrued as discriminatory. For example
  - Don't ask if the person has children or is wanting to have children (Even in an informal chat)
  - Don't ask about disabilities, even if it is obvious the person is disabled. If you offer them the job, you can ask them at that point if they need reasonable adjustments making (but you cannot ask them at interview stage)
  - They can tell you if they are disabled and what their disability is. If they do, then only ask them how they perceive their disability will affect any part of the role and what reasonable adjustment they would need to help them. Don't make any assumptions
  - Unless the role specifically states that the candidate must be Christian, avoid any discussion around Faith. You can ask the standard question of "Are you supportive of the aims of the Church of England" or you can ask them what they know about the Church of England and how this role contributes to our aims, because naturally we want people to work for us, who understand and support us, but that doesn't mean that they must be Christian in all cases.
- Wrapping up the interview
  - Check whether the candidate has any questions for you
  - Let them know when and how you will notify them of the outcome and any next steps
  - Thank them and walk them out of the interview, ensuring they are signed out of the building



# Post Interview Process





# Post Interview Process

- Once a decision on which candidate to recruit has been made, the recruiting manager needs to ring the candidate to offer the job to them
- They also need to ring the unsuccessful candidates and offer them feedback. I advocate using a sandwich style approach (positive feedback, then negative, and finish with positive feedback) as this gives the candidate a positive experience of being interviewed.
- An example of feedback that you could give are:
  - I am afraid that you have not been successful however we just want to say that we felt that you performed really well at the interview, but your experience wasn't as strong as the other candidates. We also felt that your answers to some of our questions could have been developed a little more to show your knowledge of the requirements of the role. In future we would recommend that when you interview you lay out your answers using the STAR method (Then explain to them what STAR is):
    - S – Situation – what was the situation?
    - T – Task – What was it that you needed to do
    - A – Action – How did you complete the task and why (highlight only your contribution, not others)
    - R – Result – What was the outcome of your actions, what went well, and what did you learn
- Finally, finish the call by thanking them for attending the interview, and wishing them the best in their job hunt.

# Post Interview Process

## ■ HR/Admin Steps:

- Before you issue the offer letter and contract, you may wish to write to the referees that the candidate has supplied. You should ask for their current or previous employer, and 2 personal references
- You can then send the offer letter and statement of main terms and conditions to the employee along with the staff handbook and other enclosures. You may wish to wait until the references have been returned before sending this out.
- If a DBS check is required, then the information should be sent to the employee to complete and send back along with the Confidential declaration form. They should not be allowed to start work until the DBS and Confidential declaration form are both clear.
- The Line manager should ascertain if any IT equipment/ phones/fob are needed and should organise this in advance, so it is ready for the employee's first day
- On the first day the HR/ Health and Safety representative will need do an induction with the employee, and show them around the building, go through relevant HR policies etc, and Health and safety policies (if applicable to your organisation).
- The Line Manager should ensure that the new employee receives a full induction into the role and organise any training the employee will need to do.
- The employee will have a probation period in line with your policies. You should meet regularly with your employee to assess them during their probation period. Template documents and guides are available in the Parish HR Resources section.



# Probation Period

# Probation Period

- The purpose of the probationary period is to train your new employee to be at the standard required or as close to it as possible within the 6-month period (or whichever time frame your organisation decides upon).
- This should be enough time to assess an employee's performance. During this time frame, you must ensure that you provide all the training that the employee needs. It is both the employee and manager's job to work towards a successful outcome.
- You can use the template induction and probation form from the employee's first day of employment and set dates in both of your diaries for the end of month 1, 3 and 6 of their employment. It should be an ongoing process to help the employee pass the probation period, by regularly checking their wellbeing, progress against objectives, and organising any training and support that they need.
- In the final meeting at the end of their 6th month, you will decide whether to pass the employees probation period, whether to extend it by a further 3 months, or end their employment. Please note that you are only able to extend their probation if you have made provision for doing this in the staff handbook or contract of employment.
- When making the decision about whether to pass an employee's probation period you need to consider 2 things:
  - Their competence in the role
  - and whether their personality fits with you and the rest of the team they are working with. The employee may be able to do the job well, but if their attitude doesn't align with what is required, then it is fine to end their employment. In this case you should have been having previous conversations with the employee about their attitude or behaviour to give them chance to improve. Always record notes of these conversations.



# Probation Period

- It is really important to hold this meeting and make a decision a few days before the end of their probation period, as once an employee has passed this date, if they have received no clarification from you, then by law they are deemed to have passed their probation period. Therefore, if you hadn't planned on passing their probation period, you will then have to start a lengthy process of using the capability procedure to end their employment. The only exception to this is where either the employee or line manager have been off sick and unable to do this in time, or another exceptional circumstance. In which case you may typically have 10-14 days grace, but this should be an exception to the rule.
- The potential outcomes are below:
  - Pass -If the employee passes their probation period, then send a letter to the employee confirming this
  - Not passed – If the employee does not pass their probation period, then you have two options
    - End their employment if it is felt that even with additional training and support, the employee will not reach the required standard.
    - Extend their probation period for a further 3 months, ensuring that any additional training/support is provided to them. If the employee still hasn't reached the required standard at the end of the additional 3 months, then the employee will be dismissed with notice pay depending on their contract.
- There are template documents and letters you can use for this process in the Parish HR Support section



There are many policy templates you can use along with template letters, forms etc stored on the Diocesan Website under “Parish HR Support Services”

You can also contact the Diocesan HR Manager, Simone Smith by email to [ParishHR@Coventry.Anglican.org](mailto:ParishHR@Coventry.Anglican.org) or telephone 02476 521381 between the hours of 10am and 2pm Monday to Friday