

Recruitment and Selection Appeals Procedure

14 June 2022
Version 1.0

Policy Details	
Policy Title:	Recruitment and Selection Appeals Procedure The purpose of this Recruitment and Selection Appeals Procedure is to allow an applicant for a post in SETU an opportunity to appeal a recruitment decision if they feel that an error was made during the hiring process which adversely affected their opportunity to be appointed. This should be read in conjunction with the SETU Recruitment and Selection Policy and the THEA Code of Practice on Recruitment and Selection, once adopted.
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Revision History		
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N/A	Initial Issue	1.0

A draft of this document was supplied to the following groups and all were requested to engage in consultation concerning the draft.

Consultation History		
Name	Date	Details of consultation
Staff Unions	April 2022	Nationally agreed with staff unions through THEA. Circulated locally to staff unions for information.
Management		

This policy must be available to all staff

Publication Details	
Where	Date
Sent by email to all staff	
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Table of Contents

1.	Introduction.....	5
2.	Appeals Process.....	6
	a) Shortlisting Decision Appeal Process.....	6
	b) Selection appeal process following interview	6
3.	Procedural Issues.....	7

1. Introduction

The recruitment process in SETU shall be carried out in a consistently open, transparent and merit-based manner. The objective is to appoint the candidate who is the best fit for any given post through a competitive recruitment process. The criteria for judging the suitability of applicants is directly related to the experience, qualifications, attributes and skills required to fulfil the duties and responsibilities of the post. On request, feedback will be made available to those who have been assessed for a position. This feedback can support the decision made by the shortlisting/interview panel and can assist the applicant in understanding the decision.

The purpose of this Recruitment and Selection Appeals Procedure is to allow an applicant, who applies for a post in SETU, an opportunity to appeal a shortlisting or selection decision if they feel that an error was made during the hiring process which adversely affected their opportunity to be appointed.

An appeal is to assess the process under the Recruitment and Selection Procedure to ensure that procedural fairness occurred in its application.

An applicant may appeal two key decisions within the recruitment and selection process:

Shortlisting decision (note only those applicants who meet the minimum essential criteria and who are not shortlisted will be eligible to appeal the shortlisting decision, e.g. an applicant who does not hold an essential criterion cannot use the appeal process)

Selection Board decision on the grounds of an evident irregularity in the process or the outcome

2. Appeals Process

a) Shortlisting Decision Appeal Process

A request for a review of the shortlisting decision must be made to the Human Resource (HR) Manager in writing within three (3) working days of notification of the decision.

When making a request for review, the applicant must support their request by outlining the facts that they believe led to an incorrect action taken or decision reached. A request for review may be refused if the applicant cannot support their request with evidence.

The role of the HR Manager / shortlisting panel is to assess whether on their merits the applicant should have been shortlisted for interview.

On review of the application and request for appeal document, the HR Manager together with the shortlisting panel, may recommend a reversal of the original decision and determine that the applicant should be included in the shortlist or the shortlisting decision may be upheld. If a reversal of the decision is recommended, this must be done within 3 working days of the date upon which the Appeal is received by the HR Manager from the applicant. The HR Department will notify the applicant and invite the applicant to interview and the recruitment process will continue.

b) Selection appeal process following interview

The applicant must address their concerns in relation to the selection process in writing to the Human Resource Manager who will coordinate the appeal process. The applicant must support their request by outlining the facts that they believe show that the action taken or decision reached was incorrect. A request for review may be refused if the applicant cannot support their request outlining the facts that they believe show the decision reached was incorrect.

A request for a formal review must be made within 3 working days of the applicant receiving notification of the selection board's decision or receipt of the feedback documentation, whichever is latest. Any extension of this time limit will only be granted in the most exceptional of circumstances and will be at the sole discretion of the Human Resource Manager.

The appeal will be carried out by a panel of two members of senior management both unconnected with the selection process and senior to the grade leading the recruitment and/or an external reviewer, if appropriate. The Human Resource Manager will convene the panel and ensure that it is gender balanced.

The outcome of the review must be notified in writing by HR to the applicant within ten (10) working days of the Human Resource Manager receiving the request. This decision is final. An appeal will be upheld only if there is an evident irregularity in the interview/selection process. A recommendation from the appeal panel will be made to the President.

If the investigation does not produce a decision within this timeframe, the reviewers must keep the applicant informed of the status of the review and the reasons for the delay. In such a situation, depending on the circumstances, SETU may decide to pause the interview/selection process.

3. Procedural Issues

Nothing in this policy prohibits an applicant from pursuing their complaint to an external third-party body (including the Workplace Relations Commission). There is no obligation on SETU to suspend an appointment process once it has exhausted the in-house appeal process.