

RECRUITMENT POLICY

PURPOSE

Tautoko Tāne Aotearoa ('TTA') Recruitment Policy ('Policy') provides guidelines for the recruitment of trustees, employees and volunteers by TTA and TTA Member Organisations ('TMO's).

The purpose of the Policy is to ensure that:

- Fair, consistent and robust recruitment practices are properly applied;
- The recruitment process is values based and applicants selected for interview are a good match to the organisational values and/or operating principles;
- All candidates are appropriately screened and reference checked;
- Selection procedures make certain that the best applicant for the position is appointed through a standardised and non-discriminatory process;
- Selection process and subsequent decisions are valid and based on merit and objective reasons; and
- The organisation's employment brand is maintained and enhanced through a high level of values based candidate care.

SCOPE

This Policy is intended to apply to the recruitment of all trustees, staff, contractors, and volunteers engaged by TTA or an TMO in operational and/or governance roles.

PRINCIPLES

TTA and TMO's will recruit and select with a view to appointing the best person for the position.

Recruitment and selection processes are expected to:

- Adhere to the principles of good recruitment practice and legislative requirements i.e. Human Rights Act 1993 and Privacy Act 2020
- Be in accordance with the principles of fairness, equal employment opportunity and TTA's commitment to the Treaty of Waitangi
- Align with the TTA/TMO shared purpose of 'enabling the wellbeing of male survivors of sexual violence; and
- Reflect the following TTA operating principles (values/behaviours):
 - ✓ **Hoaketanga | Purposeful** – Always on purpose: putting male survivors first and always seeking ways to improve their well-being;

- ✓ **Ngaio | Professional** – Always ethical, open and honest: acting authentically with integrity and without judgment, always aspiring to the highest standards of professional practice; and
- ✓ **Mahi tahi | Collaborative** – Always collegial; building meaningful relationships based on mutual value, trust and respect, and working together to achieve our ambition for the future.

OBJECTIVES

Applying this Policy will ensure that:

- TTA and TMO Trustees and staff understand their obligations and responsibilities relating to the recruitment of people who will have governance and/or operational roles within their organisations;
- Recruitment processes comply with relevant legislative requirements, reflect best practice, pay appropriate attention to recruitment risk management and ensure that appointees are values aligned; and
- Candidates have a positive experience of the recruitment process that is reflective of TTA operating principles and enhances their perception of TTA/TMO and the work we do.

CORE ELEMENTS

The Policy addresses two critical aspects of the recruitment process that can present significant organisational risks if not properly managed:

1. Engaging with applicants/candidates

The way we engage in recruitment should always be fair and equitable and reflect the organisation's operating principles (values)

It is very important that the recruitment process **avoids discriminating against applicants** by:

- Pre-determining who should be offered the recruitment opportunity;
- Setting discriminatory terms on which the opportunity will be offered
- Denying specific people the opportunity to apply; and
- Not making reasonable allowance for applicant training or learning on the job.

The following process, reflects good recruitment practice and will help to minimise the risk of discrimination.

1. Draft a position or **role definition** prior to offering recruitment. Ensure that any specific requirements for the position relate to the skills and experience needed for the role and avoid references to personal attributes that may be regarded as discriminatory.
2. When **advertising the opportunity**, only include the requirements that relate to the skills and experience need for the role. Remember, the content of a job advertisement is critical if there is ever an allegation of discrimination.

Advertisements should be clear about the nature of the role and the conditions of engagement including:

- a. any minimum qualifications, experience or requirements;
- b. whether it's a full-time, part-time, permanent, fixed-term, casual or volunteer position
- c. any benefits, for example flexible hours, extra KiwiSaver payments;
- d. the things that make your organisation a great place to work; and
- e. how to apply.

Vague advertisements that are not clear about the nature of the role or other important details of employment may risk breaching New Zealand's consumer protection legislation.

3. Prepare a list of **questions for the interview** that relate directly to the role requirements. Avoid asking questions that may be presumed to be relevant only to certain people or questions that intrude into irrelevant details about a candidate's personal life. Focus questions on whether candidates can fulfil the key requirements of the role noting the skills and experience the role requires and the duties the candidate would be required to undertake if they were employed.
4. Evaluate the **interview responses** of all candidates on a pre-agreed fair and equitable basis to avoid bias towards any candidate. It is good practice to keep interview records that will evidence that the process was objective as well as fair and equitable.
5. Throughout the **recruitment process** you must be truthful and not mislead or deceive candidates about:
 - a. the terms and conditions of employment, such as the salary on offer;
 - b. the availability of work;
 - c. the work conditions and nature of work;
 - d. key duties; and
 - e. future employment prospects.
6. Always focus on **selecting the best person** for the position endeavouring to remove any bias or discrimination that could corrupt the process. It is appropriate to focus on the following considerations:
 - a. **relevant experience** – what level of training and or support will be required to enable their engagement?
 - b. **personality** – how will they fit in?
 - c. **values** – are their values aligned with the organisational values – purposeful, collaborative and professional?
 - d. **attitude** – do they seem passionate about the job?
7. Adopt similar procedures for **volunteering roles** to ensure that these individuals are not discriminated against when seeking to volunteer their time for your organisation.

2. Screening applicants

Please Note: Disclosing information about a job applicant to anyone, even by accident, is a breach of the Privacy Act

Reference Checking

Reference checking shortlisted candidates is a critical recruitment-risk management practice that can only be completed with the consent of the candidate. It is a breach of privacy for a referee to provide information about a candidate if they have not been specifically authorised to do so. Candidate consent should be for a specific person to converse with their nominated referees for a specific role.

Whanua & Supporter Checks

A person who is being recruited as a peer worker may have lived experience that includes some challenging life history that precludes normal refereeing processes. In these cases, consideration should be given to arranging a meeting with the candidate and selected relevant whanau and/or supporters that can attest to the suitability of the applicant for the role. This may not only provide assurance that the candidate's life histories do not present an engagement risk but also provide helpful insights into education, training and support requirements for the applicant to be successful in the role.

Obviously, this intervention will require the consent of the candidate and confirmation for all participants that the meeting will be confidential to the participants, but with the understanding that a record of the meeting outcomes will be kept as part of the confidential employee records.

Pre-Engagement Checks

There are three other types of pre-engagement checks that can only be requested when they are specifically relevant to the position being recruited.

- **Criminal record checks** through the Ministry of Justice or the NZ Police vetting process, both of which require the consent of the candidate;
- **Drug and alcohol checks** but only where this is a condition of their appointment, is included in any employment agreement and is in accordance with an approved organisational policy;
- **Credit checks** but only where there is significant financial risk and the candidate has consented to the check; and

TTA policy, which also reflects relevant legislative requirements, requires that criminal record checks be completed in the following circumstances:

- The **appointment of trustees, directors and advisors to TTA or TMO governance boards** requires the completion of a Police vetting report. Board members will be advised by the report and where they consider that the nature of any criminal record does not warrant disqualification of the candidate, they must formally record the rationale for their decision.

- The **appointment of peer-workers, counsellors, social workers and any other employees, contractors or volunteers**, including governance board and/or board committee members that will be working with:
 - o children
 - o older people
 - o people with special needs, or
 - o other vulnerable members of society

Criminal History Risk Assessment

Where a person with a criminal record is to be engaged in a governance, management or operational role as an employee, contractor, consultant or volunteer, it is important that due consideration is given to the nature of their criminal history in relation to their intended role within the organisation.

It is also important that there is a record of that consideration, which should include an assessment of the potential risks associated with the appointment and the particular circumstances and/or actions that were identified as acceptable risk mitigation factors in approving the appointment.

When considering criminal history issues it is helpful to be aware of the Criminal Records (**Clean Slate**) Act 1994, which enables people to wipe their criminal record clean in the following circumstances:

- No convictions within the last seven years
- Never been sentenced to a custodial sentence
- Never been convicted of a specified offence such as sexual offending against young children
- Paid any fine, compensation, reparation or other monetary penalty ordered by a court following a criminal case
- Never been indefinitely banned from driving, and
- Never been held in hospital by the court in a criminal case due to their mental state.

The nature and extent of risk analysis to be performed in regard to the recruitment of a person with a criminal history will obviously depend on the nature and scope of their intended role. However, the assessment would typically consider the following matters:

- The nature of the offence and its relevance to the position.
- The length of time since the crime was committed.
- The age and maturity of the offender now as compared to when the crime was committed, the seriousness of the crime e.g. length of sentence, use of a weapon, the circumstances at the time of violent behaviour.
- Any pattern of crime, e.g. a short spate may indicate a "phase" but a regular pattern may indicate continuing inappropriate behaviour.
- The proximity of the person undergoing vetting to the vulnerable person(s). That is, is he/she likely to have unsupervised access to these vulnerable people?

A simple record detailing the risk assessment and conclusions reached, should be filed with the recruitment documentation.

Entitlement to work in New Zealand

Where the recruitment involves a person who is not a New Zealand citizen and/or resident you will need to make sure they are **entitled to work in New Zealand**.

If you plan to engage a migrant who is in New Zealand, you must check their visa lets them work here before offering them a job. You can use Immigration New Zealand's **VisaView** tool to see a candidate's visa status.

If the person you want to engage doesn't have a visa that allows them to work in New Zealand, they'll need to apply for a work or resident visa – before they begin their engagement. You can find details about how to support someone you want to engage on the Immigration New Zealand Website.

3. Direct recruitment

It is not uncommon for peer workers to be recruited from within a TMO client base or by way of referral from an existing employee. Candidates recruited in this manner are typically experienced in peer support practices and usually well known to the TMO management and/or staff. Reliance on a prior relationship experience can reduce the recruitment risk (experience, personality, fit and attitude) and can be an effective and efficient recruitment pathway.

In these cases, the normal recruitment process should be followed but the TMO manager may feel that there is no need to advertise the position externally. Adopting this form of selective or direct recruitment should still have regard to process fairness by ensuring that, where there are multiple internal, client or referred applicants with similar experience, there is an opportunity for all to participate in the recruitment process.