Level 3 Certificate in In-House Recruitment

Coursework One Student Version

Unit 3-1: Understand the legal and ethical responsibilities for in-house recruitment

|  |  |
| --- | --- |
| Learner: | Telephone 1: |
| Company name: | Telephone 2: |
| Study Coach: | Date of submission: |

This coursework is a learning and revision tool that is an integral part of the course. The coursework is designed to aid your learning and should not be interpreted as a sample examination paper, nor does it cover the full range of content that may appear in the examination.

Do remember your Study Coach is there to help and will give full feedback on your coursework when it is returned to you.

Please complete your answers to the coursework questions for unit **3-1** using the table below and email the word document to your allocated Study Coach. You must ensure all 6 units are completed by the deadlines outlined in your Study Guide.

|  |  |
| --- | --- |
| **Q. 1a** | Abdu has just joined your in-house recruitment team as a trainee recruiter. He says he has heard a lot about data protection in the press recently, and asks you   1. **What is a subject access request, and how should he deal with it?** 2. **What are the key responsibilities under the Data Protection Act 1998?**   (6 marks) |
| **Answer** | Q marks awarded = |
| **Q. 1b** | You ask Abdu to draft an advertisement for a new vacancy that has arisen, and ask him to bring it to you for checking before it is published online.  He writes the following:  ***Receptionist – 6 Month Contract – South London - £22k pro rata***  *Experienced receptionist required to cover maternity leave.*  *We are looking for someone with at least 5 years’ experience working on a busy corporate reception. GCSE Maths and English grade C/4 or above essential.*  **What is wrong *from a legal perspective* with this advertisement, and why?**  (2 marks) |
| **Answer** | Q marks awarded = |
| **Q. 1c** | Abdu has suggested that another option to fulfil the maternity cover role on reception might be to get an agency worker in on a temporary basis, and suggests you might be able to get away with paying them a lower rate because they’re ‘only a temp’.   1. **What do the Agency Worker Regulations say about paying agency workers less than their permanent comparators? (2 marks)** 2. **What are the Day One Rights that your company would need to ensure the agency worker receives from the start of their assignment? (2 marks)**   (Total: 4 marks) |
| **Answer** | Q marks awarded = |
| **Q. 1d** | One of your hiring managers comes to you with a requirement for a junior administration role, and you decide to ask Abdu how he would go about recruiting for the role. He suggests talking to the hiring manager about whether they would consider taking on an apprentice.  **Why might taking on an apprentice be a financially attractive option, particularly for a large organisation?**  (2 marks) |
| **Answer** | Q marks awarded = |
| **Q. 1e** | You have just offered a role to an applicant over the phone, and they have said they are delighted to accept. You decide that this is a great opportunity for Abdu to get familiar with the on-boarding process.  The Employment Rights Act 1996 requires that employees are given a written statement of particulars.   1. **Within what timescale should employers provide this? (1 mark)** 2. **Other than the organisation’s name, the employee’s name and the job title being offered, provide 3 things that must be included in a written statement of particulars. (3 marks)**   (4 marks) |
| **Answer** | Q marks awarded = |
| **Q. 1f** | Abdu asks how you conduct vetting on new hires.   1. Other than Right to Work checks, give 3 other types of vetting organisations may conduct to verify suitability.   (3 marks) |
| **Answer** | Q marks awarded = |
| **Q. 1g** | Abdu shows you an email that he has received from an agency recruiter who has just connected with him on LinkedIn. The email is unsolicited, and attaches a CV of a candidate, together with the agency’s terms and conditions. Abdu knows that this agency is not on the company (Preferred Supplier List) PSL, and asks for you advice on how to deal with the email.  Your organisation invests of a lot of time and effort in its relationship with the agencies on your PSL, with whom you enjoy truly consultative, mutually beneficial relationships.  **How should Abdu proceed, to avoid the risk of being charged for services that were not requested?**  (2 marks) |
| **Answer** | Q marks awarded = |
| **Q. 1h** | Abdu has been reading some back copies of various recruitment and HR publications, and is interested in the recent tribunals involving Uber, CitySprint and Deliveroo where the courts were deciding whether individuals were workers or self-employed. He understands that workers get some rights that self-employed people don’t get (like holiday pay and statutory sick pay). He also understand that some people prefer to be self-employed as it is possible in some situations to gain tax advantages working in this way.  What he doesn’t understand is how you can tell if someone is self-employed or a worker.  You tell him that it is mostly about Supervision, Direction and Control.   1. Describe what is meant by Supervision, Direction and Control   (3 marks) |
| **Answer** | Q marks awarded = |
| **Q. 1i** | Abdu has seen another email from one of the agencies on the organisation’s PSL that is promoting the Good Recruitment Charter and is asking whether your organisation would consider signing up to the Charter.   1. Give two business benefit of committing to work to any code of practice or charter   (2 marks) |
| **Answer** | Q marks awarded = |
| **Q. 1j** | Having seen that Abdu is keen to learn, you decide to involve him on a project your team is about to undertake. The compliance processes of your recruitment team have not been reviewed for a number of years and you are keen to make sure that the business is properly managing legal and ethical risks, as well as delivering a positive candidate experience – especially in light of the GDPR and other legislative changes in recent years.   1. What are the 4 stages of developing a compliance process for recruitment? 2. Why is communicating the compliance process to relevant stakeholders so important?   (6 marks) |
| **Answer** | Q marks awarded = |
| **Q. 1k** | Abdu is reviewing the application form candidates complete online in order to apply for a job as part of the compliance process.  He has a number of questions for you:   1. Why are there no questions about medical history or days’ absence? When he was looking for a job, some application forms had health questionnaires included. (2 marks) 2. What does the term ‘reasonable adjustment’ mean? (1 mark) 3. Can you give an example of a reasonable adjustment? (1 mark)   (Total 4 marks) |
| **Answer** | Q marks awarded = |
| **Q. 1l** | A hiring manager comes to the recruitment team to let them know that one of their team has just handed in their notice. You ask whether their exit interview has taken place yet, as you would like to follow up with your HR colleagues. Abdu asks why you’re interested in feedback from someone leaving the organisation, when your role is recruitment.   1. Why is it important for recruiters to understand why people leave the organisation?   (2 marks) |
| **Answer** | Q marks awarded = |
|  | **(Coursework 1 total = 40 marks)**  **Total Coursework 1 marks awarded =** |