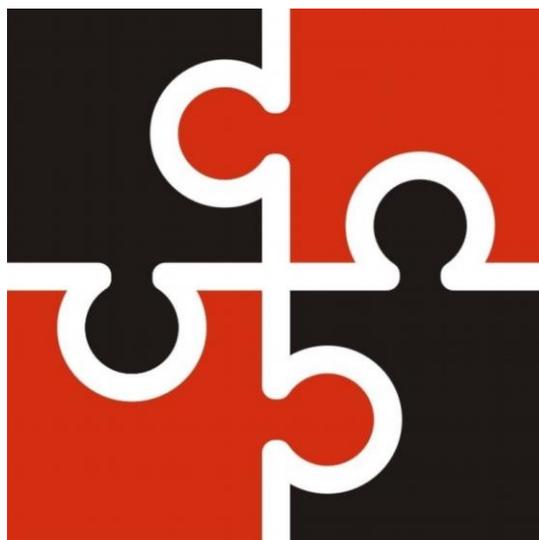


## **RECRUITMENT**

These notes are intended to provide general guidance only. For advice relating to a specific matter please do not hesitate to contact Hailwood Advisory Services Ltd.



### **General**

The operation of a properly structured system of recruiting new staff (and indeed the promotion of existing staff) is the best way of ensuring you employ the most suitable people in the appropriate jobs in your Company. These notes are intended to assist in the development of such systems.

### **Equal Opportunity Monitor Forms**

There is no legislation that specifically governs how an employer should go about recruiting staff. However, employers should be careful to ensure that any method of recruitment cannot be shown to discriminate against job applicants on the grounds of sex, race, religion or belief, sexual orientation, age or disability etc.

Any method of selection should be based on a person's ability and qualification to undertake the required duties.

If a claim of discrimination is considered by an Employment Tribunal, the Tribunal would expect the makeup of the employee's staff to comprise a cross section of the general population and to reflect the make of the community in which they operate.

As the makeup of an employer's staff can be monitored Hailwood Advisory Services Ltd recommends that Equal Opportunity Monitoring Forms are issued with Job Application Forms.

It is important that Equal Opportunity Monitoring Forms are kept separate from the Job Application Forms and are not seen by those selecting candidates for interview or conducting interviews.

It is normal practice for a separate envelope to be provided with the Job Application Form in which the Equal Opportunity Form can be placed and sealed when returning the application.

## **Job Application Forms**

It is recommended that application forms do not ask for information to be provided that is not relevant to the advertised post. It is particularly important that application forms do not ask for information that can be seen to be discriminatory, such as age and marital status.

Dependant on the nature of the advertised job it may be desirable to enclose with the application form a **job description** giving details of the essential and desirable skills and qualification being sought.

Some employers do not issue application forms but request potential applicants submit a CV. In principle there is nothing wrong with this approach. However, it may make it difficult to consider all applicants on a “level playing field”. It may also require you wading through length documents to find the required information. The consideration of CVs may be a relevant method of selection when the ability to convey information in writing is an essential skill required for the advertised job.

## **Job Application Assessment Form**

Deciding who to interview for a particular job is an essential requirement of the recruitment process. You do not want to waste time interviewing unsuitable candidates or indeed miss interviewing the right person for the job.

To assist in deciding who to interview a Job Application Assessment Form is useful. Job applications should be judged against the requirements of the job, applicants being assessed against such criteria as relevant experience, qualification, essential and desirable skills. The applicants with the highest scores being contacted for an interview.

Job Application Assessment Forms should be retained; they may be valuable evidence if your decision not to interview an applicant is challenged before an Employment Tribunal.

## **Interviewing**

Similarly, to Job Applications Forms, when interviewing, particular attention should be taken to ensure that questions are not asked that could be seen to be discriminatory.

The following are examples of the types of question that should not be asked:

-

- How many children do you have?
- Working these hours, how will you manage your family commitments?
- What religion do you follow?
- Will working a Friday be a problem?

It is always advisable that more than one person from the company be present at interviews and share equally in the interview process. to alleviate the risk of charges of bias on the part of an interviewer,

It is good practice to ask the same questions to all candidates, scoring their responses.

Questions should be limited to the requirements and skills required for the advertised post.

### **Interview Rating Form**

To assist in ensuring the best interviewee gets the job an Interview Rating Form should be used.

Some of the information required to make your final decision will have already been obtained from the Job Application Form and can be inserted on the Interview Rating Form prior to the interview. However, you may wish to ask questions to check the validity of the information by inspection of certificates or by asking questions. Dependent on the information provided or responses given you may wish to adjust the final score awarded up or down.

A number of questions, relating to the requirements of the job, should have been drafted prior to interviews being undertaken and the answers to these questions should be assessed with the appropriate score being inserted on the Interview Rating Form.

The interviewee with the highest overall score should be offered the job, unless there is an overriding reason why not, for example not possessing an essential skill.

Interviewing Rating Forms should be retained; they may be valuable evidence if your decision not to appoint an applicant is challenged before an Employment Tribunal.

Remember if you are going to ask for evidence (such as certificates) confirming qualifications gained at the interview please notify the interviewee of this in the letter inviting them to the interview.

### **Medical Declaration Form**

Great care should be used in using this forms and consideration should be given to the requirements of the Equality Act 2010. These should not be used until the interview process has been completed and the selection made.

It is permissible to make any job offer to be subject to a satisfactory medical report (and subject to satisfactory references being obtained).

Where the completed Medical Declaration Form causes concern a further interview should be arranged with the potential employee to discuss the

content. It is also essential you contact **Hailwood Advisory Services Ltd** for further assistance.

It should be noted that under the Equality Act an employer is under a duty to make reasonable adjustments to facilitate the employment of a disabled person. A failure to do so could lead to an award of unlimited damages for disability discrimination.

Under the Equality Act, disability has a very wide definition - in summary it is a condition that has a prolonged and substantial effect on a person's day to day life.

### **Reference Letter**

It is permissible to make any offer of employment subject to satisfactory references being obtained. However, it should be noted that a former employer is not obligated to provide a reference for a former employee (accept in some limited circumstances). However, if they do, it must be factually correct - if not then there could be legal consequences.

Employers are increasingly becoming reluctant to provide references and the fact that an employer refuses to give a reference should not necessarily be taken as detrimental to the employee.

A former employer is more likely to complete a pro-forma form that asks them to confirm the validity of information supplied by the former employee and rate a former employee's performance against a rating system, than to provide a narrative reference.

If you require further assistance in developing a recruitment system or require templates of any of the documents referred to above, please do not hesitate to contact Hailwood Advisory Services Ltd.