

Recruitment Best Practice Guidance

These guidance notes are written for the Employment Committee and it covers (at a high level):

1. Initial paperwork
2. Employers' potential liability for discrimination in recruitment
3. The law
4. Good practice
5. Effective questioning techniques
6. The importance of interview notes

1. Initial Paperwork

Job Summary

The job summary sets out the key responsibilities, accountabilities and scope of the job. This document is key at the recruitment stage in order for us to describe the job to candidates.

Person Specification & Interview Assessment Form

The person specification is a profile of the candidate required for the work. A person specification outlines the skills, knowledge / specialised experience, technical ability and qualities required. It will also include any professional or technical qualifications the applicant must have to undertake the job.

Selection should be made on the basis of a candidate's skills and past work performance against the relevant job summary.

The person specification will outline the essential criteria for selection during shortlisting and interview.

2. Employers' potential liability for discrimination in recruitment

Applicants for jobs are protected in law from discrimination. This applies at all stages of recruitment, from advertising, shortlisting, interviewing and assessment, through to the offer or rejection, and starting employment.

Employees are protected from discrimination throughout their employment, so the liability covers internal applicants as well as those from outside RBBC. RBBC, as the employer, would be liable for any discriminatory actions taken during our selection and interview processes.

This means that if a member of the interview panel (at officer panel stage or Member panel stage) does or says anything that could be discriminatory, RBBC will be potentially liable if the individual makes a successful complaint to an Employment Tribunal. Further training will be provided around this area.

A job applicant who believes they have experienced discriminatory treatment during the recruitment process has up to three months (from the date of the discriminatory treatment) to lodge a claim with a tribunal.

There is no limit on the amount of compensation that can be awarded for a successful discrimination claim.

3. The law

Job applicants are protected from discrimination in nine areas. These are called 'Protected Characteristics' and all job applicants must be treated equally irrespective of these characteristics.

Protection against discrimination		
Sex	Transgender status	Pregnancy and maternity
Marriage or civil partnership	Race, colour, nationality, ethnic and national origins	Religion or belief
Sexual orientation	Age	Disability

It is irrelevant whether or not the discriminatory treatment is intentional, so you need to be aware that even if your questions were about trying to get to know the applicant better by e.g. asking about their family, the person may feel that they have been discriminated against, even where you did not mean to.

4. Good practice in recruitment interviewing

The key purpose of a recruitment interview is to assess the applicant's skill, experience and general background in relation to the role profile in order to make an objective decision about which candidate is the most suitable person for a particular job. You should therefore ask questions to explore facts. It is best practice for the people selecting and interviewing to come from a diverse range of backgrounds to assist with this.

The interviewers must ensure that:

- the criteria in the person specification is assessed;
- the agreed core questions enable the interview panel to assess the applicant against specific criteria in the job summary and person specification; and
- each panel member is aware and agrees the questions, exercises or other means by which each candidate will be assessed.

Take care not to make decisions based on assumptions about applicants linked to your own subjective views and opinions.

It is best practice to prepare in advance a list of core questions, and ask them of all applicants for the particular post, even if you know the person, or their current employer, and think you know the answer. This ensures consistency and fairness because all interviewees will be given an equal opportunity to sell their skills and abilities. These answers can be recorded using a scoring system if this assists in evaluating applicants.

However, you don't need to restrict yourself to asking only these questions. You will also need to ask:

- Questions of a particular candidate e.g. to clarify something vague on an application form or a gap in employment
- Questions to follow up or probe something raised or hinted at by the candidate

As an interviewer involved in recruitment you have a duty to conduct selection interviews fairly and without bias against any particular candidate. This is harder than most people think, because we are all affected by bias and prejudice, often at a subconscious level.

You should therefore recognise how bias may influence your thinking.

Some dos and don'ts to reduce bias	
Do recognise that candidates from different racial backgrounds may have different ways of communicating their achievements e.g. some may be reserved regarding achievements. In some cultures it is impolite to make direct eye contact with someone in authority	Do guard against the 'halo effect' – when a first impression means you may not be objective e.g. the interviewee went to the same school as you, or you have worked previously worked with them
Do recognise your own general attitudes views and like/dislikes and put these aside during recruitment interviews	Do distinguish between what the interviewee is presenting and how they present it – a slick confident presentation style may be irrelevant to the person's suitability for the job and may mask flaws in the content
Don't allow first impressions to influence the decision e.g. by making assumptions based on appearance or accent	Don't be influenced by stereotypes e.g. by assuming older candidates will not be able to train in new technology

5. Effective questioning techniques

Thorough preparation is the key to effective questioning. Review the candidate's application form beforehand, as well as the job summary and person specification.

Prepare questions to examine how their skill and experience fits with the requirements for the job.

- Design questions to check facts, get relevant information about each applicant's background, test achievement and assess aptitude and potential
- Ask specific questions on the applicant's work experience, qualifications, skills, abilities, and strengths and weaknesses
- Ask open questions i.e. those beginning with what, why, how, where, when and who. Closed questions (which get a yes or no answer) can be useful to check a particular point or to get the interviewee back on track if they are rambling
- Ask challenging questions, but never in an aggressive or intimidating way
- Ask questions designed to get examples of real situations e.g. 'Tell me about a time when you had to deal with an angry customer. How did you handle it?'
- Ask factual questions about past experience and behaviour and don't make assumptions
- Remember the interview is a two-way process, but don't talk about yourself/the Council too much or show off about your own or our achievements

Avoiding discriminatory questions

No candidates should be asked questions about:

- Their marital status or family plans
- Childcare arrangements
- General family commitments and/or domestic arrangements

- Actual or potential pregnancy or maternity leave
- Their partner's job and mobility
- Any actual or potential absences from work for family reasons

Such questions asked of a female candidate indicate an intention to discriminate (whether conscious or not) and may have a negative impact on a woman's commitment to the job and her ability to work.

6. Interview notes

You should always keep notes of all interviews and hand these to HR at the end of the process.

You must be able to justify your reasons for any comments or decisions made.

If you have two candidates who have both scored highly, and there is only 1 or 2 points between the scores, you should make a record of why you came to the decision you did.

There are several reasons for keeping notes:

- You do not have a perfect memory and it is difficult to remember who said what
- If an applicant makes a complaint about the recruitment process, you won't be able to remember what happened
- Employment Tribunals may think the whole process was done in an unstructured and subjective way
- Some applicants may ask for feedback on their interview performance
- Records can help defend against a claim of discrimination

Any such records made and placed on file give rise to individual data protection rights. This means job applicants may ask for a copy of their file.

Do not write any comments on the top of the application form or interview assessment form to enable you to remember the candidate (i.e. comments relating to their physical appearance).

Closing the interview

- Ask them if they have any questions
- Thank the candidate for attending
- Inform candidates when you will make a decision and when you plan to let them know – stick to those timelines