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RECRUITMENT AND SELECTION GUIDELINE

Recruitment and Selection Guideline

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Sample contracts, policies and guidelines will need to be tailored to the needs of individual firms/practitioners, who should in all cases consult the relevant legislation and codes of practice. Employment and Equality Law is the subject of frequent changes, whether by legislation (domestic and European), or as a result of case law.

Effective recruitment and selection procedures are vital in attracting and retaining the best candidate for each post. For recruitment and selection procedures to be effective it is essential that they are fair, rigorous, transparent and professionally conducted. All decisions in relation to recruitment and selection must be justifiable in relation to the criteria outlined for the post. The steps in the recruitment and selection process that will be considered in this guideline are:

1. Establishing the post
2. Job description/candidate specification
3. Application form
4. Advertising the position
5. Selection
 - 5.1 Short-listing
 - 5.2 Interview
6. Decision-making
7. Record management
8. Making the job offer
9. Advising unsuccessful candidates

Individual organisations may use some or all of the foregoing and list is not intended to be conclusive, rather it is an illustration of the steps that might be followed.

1. Establishing the post

The recruitment and selection process typically begins with the creation of a new position or the need to fill an existing vacancy. Often, the first task is to carry out a job analysis to clarify what the post holder will do, and then prepare a job description and candidate specification based on this analysis. **Job analysis** should endeavour to identify:

- The key areas of responsibility, roles and requirements of the post
- The reporting and working relationships of the post
- The status/seniority/contract duration/grading of the post
- Any impact the new position may have on existing roles/posts/reporting lines.

2. Job description/Candidate specification

The **job description** describes the job, not the person in it. It is a clear description of exactly what is required of the position, including:

- The main purpose and details of the job and the context in which it exists
- The key areas of responsibility and accountability involved
- The reporting relationship
- The tasks involved and skills required.

The job details will generally include:

- Remuneration (salary, benefits, etc.)
- Working hours
- Location/Place of work/Travel requirements
- Annual leave
- Duration of contract.

The **candidate specification** involves identifying the personal attributes that are essential for the successful candidate to possess to perform the job competently. Examples include:

- Qualifications e.g. University degree or professional qualifications
- Experience, expressed in terms of level and depth rather than number of years of experience
- Specific skills required e.g. computer skills
- Personality factors e.g. ability to work without close supervision, provide leadership or requirement to work within a team/with international time consideration, etc.

The job description and candidate specification must not be discriminatory or make explicit or implicit reference to the age, gender or any other irrelevant characteristics.

It is advisable for employers to draft their job description and candidate specification prior to reviewing applications received for the vacancy. This will avoid the job description and candidate specification being drafted with a particular person in mind.

3. Application form

If you decide to use an application form, ensure that all who wish to apply can obtain it. Also, the form must not contain either questions which are actually discriminatory or which could give rise to an inference of discrimination. The application form should only contain questions relating to the requirements of the job. Questions on marital or civil status, number of children, date of birth, place of birth, medical history or any of the nine grounds listed in the Employment Equality Acts 1998 to 2015 (gender, sexual orientation, disability, civil status,

religion, race, family status, age or membership of the travelling community, should not be included in the application form except in the extremely limited circumstances where different treatment may be permitted by the Acts. Specialist legal advice should be sought on the particular circumstances where this might apply.

4. Advertising the position

A decision should be made on the most appropriate method of advertising, which will result in sufficient level of interest from suitable candidates. The advertisement should be carefully drafted with specific regard to the job description and candidate specification. The wording and any images used are important as the advertisement must conform to relevant legislation, particularly equality legislation, to avoid any form of discrimination, be it intentional or otherwise.

5. Selection

An interview board should be of a composition appropriate to the position being filled and should have appropriate gender balance where possible. If any member of the interview board feels that he/she may have a conflict of interest due, for instance, to their relationship with any applicant they should opt to withdraw from the interview process.

5.1 Short-listing

The short-listing of applicants is the process of reducing a large number of applicants to a relatively small field of suitable candidates for consideration. It is important to remember that all documents throughout the selection process are submitted in confidence. Each application must be dealt with on its merits. No short-list criteria that could lead to discrimination on any of the grounds set out in the Employment Equality Acts, 1998 to 2015 should be used. At least two members of the interview board should assess the applications, to short-list those who will be invited to interview. This helps bring objectivity to the process and can minimize allegations of bias. At the end of the short-list process all unsuccessful candidates should be notified by letter as soon as possible.

Applicants must be short-listed against objective criteria and should be done by reference to the application form/CV submitted and the job description and candidate specification only. Employers should also note in writing the reason for failing to short-list a candidate, e.g. not holding requisite qualifications.

5.2 Interview

Interviews are the most commonly used selection technique. Interviews should be conducted in such a manner that applicants feel they have been given a fair interview.

Consideration should be given to arranging a suitable and comfortable interview environment with adequate lighting, heating and no noise distractions.

The interview board should draft an interview plan (sometimes referred to as a score card), based on the job description and candidate specification, with specific areas of questioning identified for each interviewer. At the start of each interview:

- Introduce each applicant to the board
- Explain the purpose, expected duration and structure of the interview
- Indicate to the applicant that board members may take notes
- Invite any questions on the introduction/process.

In conducting the interview:

- The applicant should be put at ease, so that he/she can answer questions to the best of their ability;
- The interview board should ask all applicants the same core questions, to ensure a consistent and fair approach;
- Questions asked must be wholly relevant to the specific position, based on the agreed job description and candidate specification, and not discriminatory under the Employment Equality Acts 1998 to 2015;
- The board should actively listen and seek clarification, to obtain sufficient information to make accurate decisions;
- Applicants may be asked if they wish to discuss matters that may not have emerged, to add any relevant information or to ask questions;
- Applicants should be advised of the likely timing of the decision-making and notification of the outcome of the process; and
- Records (i.e. copy notes and completed 'score cards') of the interview should be kept.

For some posts it may be necessary to supplement the interview with other forms of assessment, for instance isometric testing, a presentation, an assessment of computer skills, testing report writing, etc. Applicants should be advised in advance of any additional forms of assessment.

6. Decision-making

Each interview board member should initially complete an interview assessment form, making rankings on the basis of their own assessment of each applicant's performance in relation to the specific agreed selection criteria, based on the job description and candidate specification. Differences between rankings amongst board members and reasons for rankings should then be discussed. Efforts should be made to reach a unanimous decision; however, if this is not reached a majority decision is acceptable. The selection decision should be made based on the outcome of all the selection processes, e.g. written application, interview and any additional assessments. Interview boards may wish to capture their final decision in a composite score card/decision document which should make clear each interview board member's scores.

7. Record management

The selection decision and any supporting evidence must be documented. This should outline the process that the interview board undertook and their rationale for the appointment of the nominated candidate(s). It should demonstrate that the appointment was made consistent with the principles of merit, transparency, validity and reliability. All documentation should be kept for a minimum of 12 months after decisions have been communicated in light of the fact that a claim under the Employment Equality Acts 2008 - 2015 can be brought within up to 12 months of the date of the discriminatory act. The absence of appropriate records can result in negative inferences being drawn.

Referee reports are often further part of the selection process. These should be from previous employers who have first-hand knowledge of the candidate. Checking a reference by phone or by face-to-face discussion is preferable, written references can be vague and uninformative. A reference should not be sought or furnished until the candidate has consented to the referee being contacted. A note of any verbal references provided or received should be taken.

If a **pre-employment medical** forms part of the recruitment and selection process, best practice suggests that candidates should complete their medical prior to the job offer. The

results of medical examinations must be dealt with in accordance with the Employment Equality Acts 1998-2015. Discriminatory grounds cannot influence decision making, e.g. details of disabilities or pregnancy for female candidates. Where a pre-employment medical reveals a disability which does not impact the candidate's ability to do the job (or which would not so impact where appropriate measures are provided) and the employer decides not to offer the position to the candidate in light of the results of the medical, then this may leave them open to a claim under the Employment Equality Acts 1998 - 2015.

The results of the medical should be confidential and not become known to the candidate's current employer (if any).

8. Making the job offer

Once satisfactory medical and reference checks have been completed and qualifications and references have been verified (if required), a written offer of employment should be made to the successful candidate. The employer should allow for a probationary period, agree a starting date and arrange an induction programme. Many employers may wish to send out a contract of employment along with the letter of offer. The potential employee should be asked to sign and return the contract, which is taken as his/her acceptance. Where a signed contract is required by the employer, candidates should not be allowed start employment unless they have signed the required form of contract.

9. Advising unsuccessful candidates

A person designated by the interview board to take responsibility for the recruitment process should advise unsuccessful applicants as soon as possible.