

Recruitment

- best practice for employers

Most employers will need to recruit a new member of staff at some stage, either because an employee has left and they need to be replaced, or because they are expanding. Finding the right person can be tricky but employers need to follow a fair selection procedure to reduce the risk of allegations of discrimination.

Discrimination law covers all areas of employment, including advertising jobs and recruitment. You should keep records of the equal opportunities training that managers have received, all decisions made during the recruitment process and the reasons for them, in case you have to justify a decision later.

A fair recruitment selection process should:

- **Use a standard application form** – a job description and a person specification should not include requests for personal information. Equal opportunities monitoring forms should be kept separately.
- **Advertise internally and externally** - use a range of different publications and social media sites to attract the widest response.
- **Shortlist** - mark candidates against a set of selection criteria based on the job description and person specification in order to decide who to interview.

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- **Interview** - have at least two managers carrying out the interviews, agree a list of open questions to ask the candidates and score their answers. Do not ask about their personal lives and no assumptions should be made based on their personal circumstances.
- **Offering the job** - send a standard offer letter to the successful candidate, setting out the main terms such as the job title, days and hours of work, place of work, details of pay, other benefits and any probationary period.
- **References** - if the references are unsatisfactory or the candidate fails to return the medical questionnaire or refuses to provide a DBS check, you may be able to withdraw the offer. You should take legal advice first in order to reduce the risk of a discrimination claim.
- **Induction** - obtain their P45 and emergency contact details before taking them through your policies and procedures.

You should notify the other candidates that they have been unsuccessful. If they ask for feedback, ensure that it is objective.

Using standard documents when recruiting, such as offer letters and contracts of employment, can be particularly helpful and should be tailored to your company requirements to follow best practice.

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good on paper, even better in person

Contact us

Ware & Kay's specialist, Gill Wilkinson, has extensive experience in all aspects of employment law. Contact her on 01904 716000 or 01937 583210 or gillian.wilkinson@warekay.co.uk.

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