

Frequently Asked Questions about Recruitment

At People Support Co-op we're regularly asked for advice on recruitment. We thought we'd take a different approach for this guide and share our answers to some of these questions with you. We haven't been able to create a guide covering everything you could ever want or need to know about recruitment because it would be enormous! So instead, this guide is focused on answering the basic questions small organisations often have around recruitment and making sure you have the key information you need to meet legal requirements.

Recruitment is an area in which classism, racism, transphobia, ableism and other oppressions can play out (often in subtle ways) in our organisations, so we have aimed to include some suggestions about how to approach more inclusive, equitable recruitment. We recommend that you also have a look at the ['broadening who's involved'](#) section of the Radical HR themes guide for more ideas and questions about how you can make your organisation more inclusive.

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Planning recruitment

What should we think about before deciding whether to recruit?

Budgets and affordability - can we afford to hire someone?

It's very important to make sure you have budgeted the full costs of covering the salary, employer's National Insurance, employer's pension contributions, sick pay and all applicable benefits for the role. You don't want to bring someone in to discover you can't afford their wage after a few months!

Have a look at the 'check if you can afford to take on employees' guide to find out how to calculate these costs:

<https://www.gov.uk/get-ready-to-employ-someone>

Role description - what do we actually want them to do?

Make sure you know what it is you're bringing this person into the organisation to do. A clear role description is an important part of running a fair recruitment process - you want potential applicants to have a good understanding of what the role involves, and within the organisation, you need to be clear what you're asking of a new person joining you. Remember that it can be hard enough to be a new employee navigating the written and unwritten rules and norms of a new organisation without also having a vague job description and lack of clarity about what's expected of you.

A job description should describe the main duties and responsibilities associated with the role. After you've worked out what the role actually is, then you'll need to think about who could hold it. The person specification should describe the type of knowledge, experience, skills, aptitudes, competencies and qualifications required to perform the role effectively.

Induction and support systems - do we have the resources in place to properly support someone new?

You should carefully consider your 'onboarding' processes and support systems. You will want to make sure that the process of entering into an employment contract and starting work at your organisation prioritises building strong, supportive relationships and establishing clear mutual expectations.

It is very important to think about how you will help people feel included and welcome, particularly for anyone from a background that is different from the main demographic in your organisation. Writing a policy statement that our organisations are inclusive and recruitment is open to all is the easy bit - living

those values and learning from the inevitable mistakes we all make along the way is the hard bit. Remember too that organisations have a legal duty to make reasonable adjustments to support disabled people during recruitment and when taking up employment.

Equity, equality and anti-oppression

As we said in the introduction, recruitment is an area where it's very easy to inadvertently fall into bias - classism, racism, transphobia, ableism and other oppressions can all play out. The aim in recruitment is to treat everyone fairly, and on the face of it that means equal treatment. Usually equality is the easy bit. Actively taking steps to prioritise equity and anti-oppression gives you much more to think about.

Before you start the recruitment process, take time to step back and really think about how you will work together to intentionally challenge these areas of bias when making decisions about what you include in your recruitment process and materials. There are many barriers in recruitment, and a commitment to making decisions with equity and anti-oppression in mind can help you remove as many as possible.

Have a look at Ort Gallery's RadHR blog: [An honest reflection on the inevitably slow and uncomfortable journey towards equity.](#)

Do we have to advertise the role?

The short answer to this one is no, you don't. If you have someone in mind for a role there's nothing to stop you from offering it to that person, unless of course you have a recruitment policy that specifically commits you to openly advertising all vacancies.

There's lots of reasons why advertising a role can be a big barrier for small organisations, and sometimes offering a role to someone you know is a way to increase diversity in your organisation. But in other circumstances it can mean hiring from within an established demographic of people you know or have heard about, and often that means someone who is most like the people already working for your organisation. So, if you have the resources to advertise widely, it is worth thinking about whether this could be the better option, especially if your organisation doesn't reflect the demographic make up of the area where you're based, or the people you are working with.

Employing our first staff member

What do we need to do to become an employer?

HMRC

You will need to register with HMRC to obtain your Unique Taxpayer Reference code in order to set up payroll and pension auto-enrollment. See:

<https://www.gov.uk/find-utr-number>

Pensions Provider

You will need to find and set up an account with a pension company so that you can auto-enrol employees who meet the earnings threshold. This is a requirement under the Pensions Act 2008.

Many organisations we know use NEST or The People's Pension for ease.

Nest (National Employment Savings Trust) was set up by the government to make the process of pension auto-enrolment easier for employers. It has an obligation to accept all employers that want to use it. See:

<https://www.nestpensions.org.uk/schemeweb/nest/employers.html>

The People's Pension is another workplace pension scheme that has a relatively-easy set-up process that many organisations we know use for auto-enrolment. See: <https://thepeoplespension.co.uk/employers>

We are regularly asked about ethical pension scheme providers. Many of us spend a lot of time thinking about how to apply our values to our policies and processes, and to our funding and spending decisions, and the ethics of choosing a pension provider is no different. Unfortunately we don't know the answer to this question but would love to hear from any organisations who have found the answer! **Please post in the forum.**

Policies

As a minimum you will need a Disciplinary Procedure and a Grievance Procedure (see our Guides: [How to have a legally-compliant 'disciplinary' policy that doesn't shame, blame or punish](#) and [How to create non-punitive grievance procedures which deepen our understanding of each other](#)). These should be made available from the first day of employment.

If you are hiring five or more people, you will also need a written health and safety policy. Even if you have fewer than five employees, it's still very important to make sure as an organisation you are taking practical steps to protect people from harm. See: <https://www.hse.gov.uk/simple-health-safety/policy/index.htm> & <https://www.hse.gov.uk/managing/introduction/business-guidance.htm>

Employment Contract

As well as the three legally-required policies listed above, you will need to prepare a written statement of employment particulars for new employees to sign on or before their first day. There are a number of areas that need to be covered in the written statement, see the [Acas guide](#).

This is also an opportunity to think about how your organisation would like to create a contract that represents your values. Have a look at '[contracting between the rules](#)' for ideas to create a different style of contract that covers all the legal bases while giving you room to add your values and your approach to how you work.

You'll also want to think about whether you are offering a permanent contract or a fixed-term contract.

Should we use a fixed-term or a permanent contract?

A permanent contract is exactly that - a contract that will continue to run until brought to an end by the employer (dismissal e.g. redundancy or misconduct) or the employee (resignation or retirement).

If you can offer a permanent contract, it may well attract a broader range of applicants. People with less financial stability may not be able to take the risk of applying for a short-term role.

A fixed-term contract sets out the intention to bring the employment relationship to a close on a stated date. These contracts are often used when an organisation has funding for a specified period, or to cover an employee on family leave for e.g. a one-year period.

You should be aware that the ending of a fixed-term contract counts as a dismissal in law, and although many organisations use them without considering this fact, it is well advised to follow a legally-fair (and values-based, organisationally-fair) procedure when bringing a fixed-term contract to a close. This should absolutely include offering support to the person whose role is ending. This may well also include redundancy pay if the reason the contract is ending meets the legal definition of redundancy.

At the moment, employees only have partial employment rights until they reach two years of service with an organisation. Crucially the two-year rule means most people have no protection from unfair dismissal until they reach that milestone. Under the proposed Employment Rights Bill this will become a day-one right. That means that the ending of a fixed-term contract will need to

be for a (potentially) legally-fair reason and follow a legally-fair process. See: [what does the employment rights bill mean for you?](#) And this [Unison article](#)

Do we need to include a probationary period?

Again, you do not have to do so, but we would generally advise that you do. See section 3 on probationary periods in our [supervision guide](#) for more details.

Employers' Liability Insurance

You will also need to take out an insurance policy. Employers' Liability Insurance is a legal requirement. Like pensions, we don't have the answer to which insurance company is the most ethical choice. **If you do, please post in the forum.**

See: <https://www.gov.uk/employers-liability-insurance>

What if none of us has any recruitment experience?

As a first step, read this guide! Then check out Ort Gallery's [Equitable Recruitment Policy](#) in the RadHR library.

You may also want to check out the following:

- Acas guide to recruitment <https://www.acas.org.uk/hiring-someone>
- Collaborative Future's [Recruitment Guide](#)
- Business in the Community's [Opening Doors Factsheet](#)
- CIPD [Guide to Inclusive Recruitment](#)

You could also look into unconscious bias training for everyone who will be involved in recruitment.

Recruitment Forms and Adverts

What should we include in our recruitment pack?

Introduction to your organisation and the role

Think about the language you use. Aim to make it sound friendly and welcoming, and make sure that it's clear from a quick read of the introduction what it is that the role-holder will be expected to do day-to-day. Keep it simple to understand and try not to use unnecessary jargon or acronyms. You don't want to make someone who could do the job think they can't. If it feels intimidating people

may not even get to the stage of looking at the role description or person specification.

Think about what you want a potential applicant to know about your organisation. How can you summarise what you do and what you stand for in a way that inspires and engages people?

Make sure you include the key benefits your organisation offers in the application pack, especially those that are likely to boost inclusivity. For example enhanced pension contributions are likely to appeal to older workers, and entitlements above statutory minimums for parental leave and carer's leave are likely to appeal to parents and people with other caring responsibilities.

How to apply

Make sure that the application deadline and any interview dates are clearly stated. Let people know how the process will work, such as whether there are likely to be more than one round of interviews, and whether applicants will be asked to undertake any tasks as part of the recruitment process.

Take the time to check that you have clearly described what people need to do to apply, and make sure you include a timeline for when decisions will be made, including hearing back after sending in their application.

Try not to make the overall process too complicated.

How can we make an application process more inclusive?

To encourage a broader range of people to apply, think about:

- **Is the application deadline far enough in the future?** Does it allow enough time to provide a realistic opportunity for people to apply? Think about potential applicants who may have caring responsibilities or unpredictable working hours and less time to apply.
- **Have you made it clear when people will hear back?** It's helpful to let people know when they'll find out if they've been selected for an interview, and how long they'll have between finding this out and the date for their interview. Again, think about potential applicants who may have less time to prepare for an interview and any tasks you include in the process. Having a clear timeline with sufficient time to prepare could make the difference to applying or not.
- **Could you offer different application pack formats?** E.g. a written and an audio version. People take in information in different ways, and people with neurodiversities or disabled people may be much more likely to apply if the application pack is accessible to them.

- **Do you need to have a written application process?** Could you offer applicants a choice of formats (i.e. can they record their voice/a video, can they submit a handwritten form etc)?
- **Do you need to ask for CVs?** Using a CV-based application process could open up unconscious bias and disadvantage people with less traditional work histories. Task-based approaches can be a great way to approach recruitment instead of CVs. See [Collaborative Futures](#) on task-based interviews and CV-less recruitment.
- **Can you offer informal support/advice?** This could help people who are interested in the role but nervous or unsure about applying without talking it over first.
- **Have you thought about financial support?** To avoid excluding anyone experiencing financial hardship from attending an interview, you could decide to pay everyone's travel expenses as a default position. You could also provide a payment for food, and/or provide a payment to cover the time needed to complete any tasks and/or attend an interview.
- **Have you thought about how you could make the recruitment process mutually valuable?** See [Catalyst's](#) how to guide on inclusive recruitment for more on this and many other opportunities to be open and inclusive when hiring someone new for your organisation.

What do we need to know about reasonable adjustments?

The Equality Act 2010 requires employers to make reasonable adjustments for job applicants with a disability. This means, wherever possible, removing barriers that might get in the way of a disabled person applying for, or taking up, a role.

It's important to do everything you can to prevent your recruitment process indirectly discriminating against disabled job applicants by offering reasonable adjustments. You need to let people know how they can request adjustments and make it as easy as possible to do so.

Offering a range of potential reasonable adjustments could give someone the confidence to apply and to ask for what they need. For example:

- providing extra time to think about answers during interviews or during any tasks you set;
- providing interview questions in advance;
- providing interview questions in writing as well as asking them verbally so that people can read them while they are thinking about what they'd like to say;
- providing an interpreter (e.g. Sign Language);

- providing an option to be interviewed via zoom rather than in-person;
- providing an option to be interviewed without their camera on (for remote interviews);
- providing an option to bring a support worker; and
- asking for an interview at a specific time of day (e.g. not during school drop off / pick-up times).

Role description

The role description needs to be as clear and concise as possible. Try not to overwhelm people with loads of bullet points - summarise the key points of responsibility as simply as you can. Be aware that legally, what you include in a role description can be contractually binding, so don't promise anything that you can't deliver.

It's also a good idea to include a general clause that covers additional tasks that may arise, such as: you may, from time to time, be asked by colleagues to take on different or additional duties that you can reasonably perform in line with your skills and experience.

How can we make a role description more inclusive?

Here are a few things to think about when drawing up a role description.

- **Is the role title clear?** Is it simple to understand, is it representative of what the post-holder will do, does it exclude anyone?
 - One thing to bear in mind in recruitment is to think carefully about putting words such as 'peer' in role descriptions. This has been a change in some organisations in the homelessness sector recently in recognition of the fact that when an individual moves on from homelessness, they won't necessarily want job roles on their CV that will remind every future employer of a personal experience that they shouldn't **have** to share.
- **Is the role realistic?** Is there enough time to do the job well, especially if it's a part-time role? Remember that organisations need to protect the health and safety of employees - and that includes protection from stress at work. If it looks like a huge ask within the stated hours, many people with other demands on their time are unlikely to be able to apply.
- **Is the role description gender-coded?** Research has shown that women can be put off from applying for jobs that are advertised with masculine-coded language. Check out the [Gender Decoder](#) to find out

whether your role has subtle linguistic gender-coding and could put people off from applying.

- **Is the role designed to be inclusive?** E.g. Are you designing a role that might create barriers for people with specific cultural or religious backgrounds? Are there any opportunities to reduce or remove those barriers? Can you offer different methods of working? Are there ways it can be designed to meet different access requirements?
- **Is the role flexible?** Consider offering flexible working as the default option for your role. There are many of us who can't and don't want to work the standard 9-5pm, and making flexible working the default approach is likely to attract a broader range of applicants and not exclude those with disabilities or people who need to balance work with caring responsibilities.
 - Flexible working includes remote working (including home-based), hybrid working (remote and on the premises working), job sharing, flexible start and finish times, part time hours etc. All employees have the legal right to request flexible working. (See: <https://www.gov.uk/flexible-working>)
- **Does the role pay enough and/or provide benefits that make it accessible?** Is the salary likely to exclude people with less financial privilege/stability or people with dependents?
 - Make sure you're upfront about the set salary to make it easier for people to make a realistic assessment of whether the job would be viable for them.
 - Think about whether you are offering a set salary or a salary range. Negotiable salaries tend to reinforce and perpetuate gender and ethnicity pay gaps, so think carefully about how you will quantify where someone falls within the range in a way that doesn't unfairly disadvantage anyone.
 - Depending on the location of the job, and the necessity for any in-person working, have you taken into account likely travel costs? (When thinking about this, be aware that under HMRC regulations travel to and from your home and usual place of work counts as ordinary commuting, and any reimbursement from an employer is taxable, so you won't be able to fully reimburse travel without affecting the person's tax code. See [HMRC manual 490](#) or ask your accountants and save yourself the headache!).
 - Are you able to offer any form of financial support for people with costs associated with caring responsibilities? For example, could you offer additional paid leave during school holidays? Or a pot of paid days for care leave for anyone with caring responsibilities who needs to take time off?

- Have a look at our Guide on [how to write a fairer and more equitable pay policy](#)

Person specification

Again, this needs to be clear and concise, and you should consider carefully what's actually essential for someone to hold the role effectively. Very often we see job adverts with person specs that list all sorts of essential criteria, many of which could indirectly discriminate against disabled people and younger people and are likely to be offputting to anyone with fewer years of employment-based experience or without higher education qualifications. Do you really need someone with a driving licence, 5 years of experience or a degree in a related subject? If some of the criteria you list are desirable and not essential, make sure you state this clearly.

How can we make a person spec more inclusive?

- **How do we check for indirect discrimination?** Organisations have a legal duty to ensure that no-one is discriminated against on the basis of a protected characteristic: age; gender reassignment; being married or in a civil partnership; being pregnant or on maternity leave; disability; race including colour, nationality, ethnic or national origin; religion or belief; sex and sexual orientation.

For example, requiring a specified number of years of experience can indirectly discriminate against younger people. If travel is required, stating that a driving licence is essential could indirectly discriminate against disabled people. You could instead say “a driving licence, or access to transport”.

- **Should we ask about qualifications?** Before automatically listing qualifications, think about whether the applicant actually needs them or whether relevant work and/or life experience (perhaps combined with training) would also be appropriate.
 - Where a certain type of qualification is not essential to being able to do the job role, avoid including it (even if you say ‘x degree or equivalent’, people without that degree might feel the role isn’t for them and might not be sure what an ‘equivalent’ is). Have a look at the work of [Non-Graduates Welcome](#) for more on this.
- **How do we define relevant experience?** Could you open up the role to someone with lived experience and providing training, rather than specifying that applicants must have specified professional work-based experience? *“Opening up roles is one way of diversifying the sector, which*

leads to different ways of thinking and doing the work.” (From [The Change Collective’s Guide to Recruitment for Small Charities](#)).

- **How else do we make sure that we are not leading people from under-represented groups to feel they aren’t qualified for the job (when they might well be)?**

Some other things to consider doing are:

- Structuring the job description around the specific abilities, transferable skills and competencies required rather than emphasising years of experience.
- Making clear that you value skills and experience from less formal work or activities.
- If a certain type of degree or equivalent knowledge/experience really is essential to the role, consider specifying what ‘equivalent’ means in your context.
- Make sure each of the criteria you list is measurable in an assessment or interview so you’re not judging suitability on ‘gut feeling’ (try and develop criteria for measuring while you are designing the job role and person spec, so that you know if it is measurable).
- Avoid saying things like you’re looking for a ‘well-connected’ individual or someone with strong networks in the sector- this may prioritise those who are already in the know and exclude people who are not already part of a particular world. Strong relationship building skills are often much more important than existing networks. (Again, [the Change Collective’s guide](#) is good on this).
- Be clear about your equity, diversity and inclusion policies and practices.

Application Form

Think about what you really want to know from applicants to be able to decide if they’d be a suitable candidate for the role.

How can we make an application form more inclusive?

- **Should we separate identifying information?** To reduce bias in recruitment it’s a good idea to keep the person’s name and contact details separate from the main application. That way when you’re shortlisting you can focus on what they say and not what you think about them based on their identity.
- **Can we ask about previous employment?** It’s good practice not to ask about career history in reference to dates or duration of employment. It is likely to lead to bias against people with

career gaps (classically this disadvantages women who've taken time out from working to have children, as well as anyone who's been in prison, or anyone who's experienced time away from working for health reasons).

Instead you could ask people to describe their previous experience, and relate it to specific role description and person specification criteria.

- **Can we ask about health?**

This is an area of huge potential bias in recruitment, and you should not ask about someone's health in an application form. There are a few exceptions where it's ok to ask about health and disability, including asking if an applicant needs any reasonable adjustments to be able to engage in the application process. You can also ask about disability in a separate equal opportunities and diversity monitoring form. Anything else about health should wait until the job offer stage. See Acas: [Following Discrimination Law](#)

- **Can we ask about criminal convictions?**

To avoid excluding people who have previous convictions, best practice is to remove this question and only ask about convictions later in the recruitment process (and only if you really need to). By asking candidates about criminal convictions at the initial stage of a job application process, people with convictions are often excluded from roles they'd otherwise be suitable for. See: [Business in the Community's \(BITC\) Ban the Box campaign](#)

Also see: [Do we need a DBS check?](#)

Where should we advertise?

You will want to think about appropriate advertising spaces for the specific role, as well as how you can reach a broad range of people.

Things to think about:

- **Are you placing the advert in a wide range of places?** If you want to make sure it's seen by as many people as possible, particularly groups who are not currently represented in your organisation, spend time researching suitable opportunities. E.g. older people may be more likely to see adverts in printed media or local venues.

Think about whether community notice boards, youth centres, particular social media channels might be appropriate. (If you don't know within your

organisation what these places might be, are there people in your networks who might know?)

- A few examples of representation-focussed recruitment websites: [BME Jobs](#) and [Ethnic Job Site](#); [LGBT jobs](#); [Evenbreak](#) (disability); [Restless](#) (older workers).
- **Have you encouraged people in your organisation to share vacancies** with underrepresented groups in their networks? Evidence shows that word of mouth referrals can boost diversity in recruitment. See the recent [CIPD Guide to Inclusive Recruitment](#).

What about equal opportunities monitoring?

Do we need an equality and diversity monitoring form?

Again, the short answer to this is no - there's no legal duty for small organisations to include an equal ops monitoring form as part of your recruitment. However, you may have a policy that states that you will actively monitor this as part of any other work you are doing around diversity, inclusion and anti-oppression, and in which case you may want to invite all applicants to fill in a separate form.

There are a couple of important things to know here. The first is that we're into data protection territory and you need to have a clear reason for processing this data, so make sure you actually need to know this information, what you plan to do with the data, how you will keep this data secure, and how long you will retain it. You should always let people know that completing a monitoring form is voluntary. It's also good practice to include a 'prefer not to say' option for each question as different people can feel more and less comfortable disclosing different things.

The second thing is that to avoid bias and discrimination in recruitment, it's very important to keep any data that you collect anonymous and separated from application forms. You should not link the equal opportunities monitoring data to the individuals who have applied.

The exception to this is disability. The Equality Act 2010 treats disability differently and it's ok for organisations to provide disabled people with more favourable treatment than non-disabled people. So you could choose to guarantee an interview to anyone with a disability and specifically ask people to state whether they consider themselves to be disabled in the application form / process.

See:

<https://www.gov.uk/employers-responsibilities-equality-monitoring>

<https://www.gov.uk/data-protection-your-business>

<https://www.gov.uk/employer-preventing-discrimination/recruitment>

Can we advertise for someone with a specific protected characteristic?

In general, no you can't. The Equality Act 2010 makes it unlawful to discriminate against anyone on the basis of a protected characteristic: age; gender reassignment; being married or in a civil partnership; being pregnant or on maternity leave; disability; race including colour, nationality, ethnic or national origin; religion or belief; sex and sexual orientation.

There are two exceptions here: disability and jobs where there is an occupational requirement to have a specific protected characteristic.

Disability

The Equality Act 2010 treats disability differently and it's ok for organisations to provide disabled people with more favourable treatment than non-disabled people. This means that you can specifically advertise for and recruit a disabled person without the risk of disability discrimination against a non-disabled candidate.

Occupational Requirement

This is an interesting area of law and one where there has been a lot of challenge. For example, some jobs may require someone of a particular sex for reasons of privacy and decency or where personal services are being provided. It can only be an occupational requirement if the protected characteristic is essential for and relates to the main tasks of the job (and it can only be for a specific job, not for all jobs with an organisation), and, crucially, it must be objectively justifiable. To be objectively justified it must be "a proportionate means to achieve a legitimate aim". See: [Equality Act 2010 explanatory notes](#).

If you think your organisation may need to hire someone with a specific protected characteristic under the occupational requirement exemption, we strongly advise seeking further advice.

The selection process

What do we need to think about when shortlisting applications? (with access and equity in mind)

How do we score applications?

There are lots of different ways to do this. The most important thing is to be clear about how you want to do this so everyone involved in shortlisting understands what they're being asked to do in order to make shortlisting decisions.

You could decide to award a number of points for each of the person spec criteria listed. So if someone fully meets one of the criteria and demonstrates they have skills and experience above the minimum level required, they receive e.g. 5/5, and anyone with the level of skill/experience specified scores 4/5, and anyone with most of the skills / experience scores 3/5 and so on. So if you have 6 person spec criteria, each applicant will receive a score out of 36.

It's also a good idea to work out a scoring system at the same time as setting an application task if you decide to use one as part of your recruitment process.

Again, the most important thing is that everyone involved with shortlisting understands the scores and applies them in the same way.

Do we need to anonymise applications to reduce bias in shortlisting?

Yes! It's really important to remove personal information before looking at the content of applications. This means you'll be able to read everyone's application without thinking about their name, gender, age or where they live. You should focus on the content of what they have to say in answer to the questions that you've set, and work out your shortlist from that. This helps minimise bias based on gender, ethnicity, or social background. (See for example the [LSE toolkit on avoiding unconscious bias](#)).

How do we generate the shortlist?

Make sure you have more than one person assessing applications (and where possible, aim to involve three or four people, choosing those with a range of roles in your organisation and ideally a broad range of backgrounds). Ask each person to score individually and then meet to compare the scores that have been awarded and discuss and review each applicant's final score.

Then you'll want to work out what's practical for interviews / next stages of your application process and shortlist the agreed number of most highly scored candidates.

Can we look at people's social media?

This is generally not a good idea. You shouldn't be able to identify individuals while shortlisting, and looking at social media could lead you firmly back into unconscious bias territory. It could also be unlawful if applicants have not given you permission to do this. An exception would be looking at someone's profile on LinkedIn or a business networking site. But again, that means shortlisting knowing who people are, which makes bias far more likely.

What if we haven't shortlisted anyone from an under represented group?

Once you have completed the scoring exercise, you can ask someone else in the organisation to match the scores with the individuals (and their diversity monitoring form if they've completed one) to check through and see whether your shortlist reflects the make-up of the people who've applied.

Let's say you had 50 applicants and you've shortlisted 8 people, all of whom scored 32/36 or above. If it turns out that your shortlist doesn't reflect the broad range of applicants from those 50 people, then you can ask the person checking to let you know how long the shortlist needs to be to ensure candidates from marginalised groups are included. For example, this could mean interviewing everyone who scored 24/36 and above. Research shows that interviewing more than one person from an under-represented group increases the likelihood that a candidate from that group will be hired. See: [CIPD Guide to Inclusive Recruitment](#)

What do we need to do to prepare for interviews and how can we make the process as fair and equitable as possible?

What information do shortlisted applicants need?

You need to make sure that all shortlisted candidates have the necessary information about the interview timings and processes in advance. Think about sharing the interview questions in advance too, so people can arrive feeling prepared and ready to share what they'd like to tell you about themselves without the pressure of having to think about what to say on the spot.

This is also an important opportunity to reiterate your approach to offering reasonable adjustments to everyone shortlisted, and to make the necessary preparations. See above: [How can we make an application process more inclusive?](#)

How can we keep it friendly and reduce formal interview nerves?

Think about how you can make the interview as informal as possible by taking away unnecessary pressure. This may include thinking through the room layout, offering a break, letting people know they're not expected to dress formally, and/or including a warm up chat or exercise to break the ice. You could also make it a mutual exchange of information and make sure everyone on the panel talks a bit about themselves in a less formal introduction than just names and job titles.

If you're interviewing online, think about checking in beforehand to make sure that everyone knows how to join the call and how to change view settings etc. For example, it can be disconcerting seeing yourself on screen as well as the people on the panel - like being interviewed while looking into a mirror! So if it's possible to switch off self view that would be worth explaining in advance. And some people may not want to be on camera at all, so it would be good to have that conversation in advance too, so the interview can start without the stress of negotiating those elements at the time.

What questions should we ask?

Think about what you'd really like to ask people to get a sense of their approach to the type of work your organisation does. Make sure you create enough space for people to showcase their strengths, experiences and perspectives. You can use hypothetical questions to give people a chance to demonstrate how they would approach doing something specific, even if they have not done it before.

Remember too that we all process information differently, and you'll want to make your questions as straightforward as possible. If you have to ask a fairly complex question, aim to divide it up into several, smaller questions. It's important to think about how to keep your questions accessible to everyone being interviewed.

Make sure all candidates are asked the exact same questions. This gives everyone the opportunity to be assessed for their suitability for the role based on the same criteria.

How long should we allow for interviews?

This is very much up to you. Think about timings - you will want to make sure interviews don't feel time-pressured, but equally if it goes on for hours it could be too big an ask. Everyone should be given enough time to answer the questions at their own pace and there shouldn't be pressure to cut someone off because you're running out of time before the next interview starts.

Remember too that an interview needs to allow time for the person being interviewed to ask their questions.

Should we include some form of task as well as an interview?

Using practical tasks or skills-based assessments relevant to the job can help score candidates on their abilities rather than more subjective factors. Some people are very good at interviews, but unless the job role requires the type of skills that make people good at interviews, think about how else you could give someone the opportunity to demonstrate their suitability for the role. Consider how you want to score the interview and the task(s).

Who should sit on the panel?

Think about who will sit on your interview panel to give you a good balance of perspectives and experience. Is it diverse enough to ensure decisions are made equitably? If you don't have enough diversity within your team, is there anyone you could include from within your networks? E.g. if you're an organisation with service users, could it be appropriate to invite some of them to participate? (And can you pay people for their time and expertise?)

Do you have people who work in a range of areas in your organisation? For example, if you're a workers' co-op, do you have opportunities for people from a range of functions in the co-op to be involved in the recruitment process?

What happens if anyone on the panel knows a candidate?

Where a candidate is known to a member of the panel, this needs to be declared for full transparency. If they have a close working, personal or family relationship with an applicant, it is usually not appropriate for them to have any involvement in the selection process.

However, you may be in a situation where several applicants are known to people on the panel (perhaps if you're recruiting from within your network for a particular role). What you will need to do is make sure all relationships are declared, and that scoring is open to challenge for objectivity.

How do we score people's answers?

Everyone on the panel needs to understand the system to be able to fairly (and as objectively as possible) score responses using the agreed criteria.

A simple version would be something like marks out of 4, e.g.

4 = Excellent answer. All points addressed.

3 = Very good answer. Relevant information used to address all or most of the question.

2 = Good answer. Some points covered, not all relevant.

1 = Fair answer. A few points covered, but main issues not addressed.

0 = Poor answer / no answer or answer irrelevant to the question.

You will want to be able to make sure the final decision is made with transparency and equity in mind. To be able to do this, the most important thing is that everyone on the panel understands the scores and applies them in the same way.

Objectivity is a big subject and beyond the scope of this guide, but we add that the honest approach for us is to understand that complete objectivity is impossible - we're people who will inevitably form subjective opinions about other people, and these opinions will almost certainly include the unconscious biases that we all fall into. So the aim is to do our best and be open to sharing the reasons behind our scores and expect to question and challenge each other (and ourselves).

Is there anything else we need to know about the law and interviews?

It's very important to know that a contract does not have to be written down. So if you verbally promise the job to someone, or make commitments about what the role will involve in an interview, you need to know that legally a verbal offer is as binding as a written offer!

Various employment tribunal cases have found that what was said in an interview was legally binding. So it is very important that all the information given is accurate, and that promises aren't made in the interview that you can't keep. The content of a job advert can also be contractually binding, so be careful here too.

How do we decide who to hire?

How do we make a decision?

You need to make sure you allow time for the interview panel (and anyone involved in running any tasks or other elements of the recruitment process) to

reflect and consider their scoring. There may well be the need for a few hours of discussion to reach your final decision, particularly where people have scored very similarly across the different recruitment stages and no one person is the clear frontrunner.

It's important to make sure you can explain and objectively justify the reasons for your decisions, and record this information.

As part of the decision-making process, encourage critical reflection on bias and be open to challenging each other's scoring. This is particularly important when thinking about who would be the best choice if you have two or more equal-scoring candidates for a role.

Be aware that deciding on someone on the basis that they seem like they'd be the best fit in the existing team culture can unintentionally lead to reinforcing the status quo, instead of hiring people who add new perspectives and skills to your organisation's work and culture. See [Inclusion Geeks](#) for more on hiring for fit.

What is positive action and when can we use it?

Positive action means using a protected characteristic under the Equality Act 2010 as the reason for making a decision to hire someone **if** the decision is taken under the specific circumstances that qualify for lawful positive action.

Protected characteristics are: age; gender reassignment; being married or in a civil partnership; being pregnant or on maternity leave; disability; race including colour, nationality, ethnic or national origin; religion or belief; sex and sexual orientation.

If after the interview process you have two or more candidates for a role who have scored equally well and they are considered equally qualified to do the job, and you are confident that either: a) an applicant with the protected characteristic is disadvantaged because of it, or b) people with the protected characteristic are under-represented, then the panel may be able to use positive action to make their final decision.

For example, the panel could decide to select a woman over a man who did equally well in an application process and is equally qualified **if** your business has a goal of increasing participation of women in that role and you have evidence of underrepresentation of women.

Positive action will only be lawful if:

- The candidate is appointed on merit – the candidate must be as qualified as any other candidate to be appointed. A candidate cannot be appointed

just because he or she has a particular protected characteristic, such as being from an ethnic minority

- The employer does not have a general policy of always favouring people with certain protected characteristics
- Any action taken by the employer is a proportionate means of achieving the aim of addressing disadvantage or under-representation in the workforce

From: [Equality Act 2010: Step-by-step guide to using positive action](#)

To meet the requirements for exemption under discrimination legislation, positive action should only be used in very specific circumstances. You will always need to make sure that you are confident a positive action decision would be appropriate. This is an area in which legal action could well be taken on the grounds of discrimination, so we would recommend seeking advice should this situation arise.

See: [Acas - Hiring someone with a protected characteristic](#)

Giving and receiving feedback

What feedback should we give to the people who didn't get the job?

It's a good idea to decide in advance on a set of points for feedback. Feedback should be based on the job specification and the core requirements of the role, and should be as specific as possible. Having a standardised set of feedback points should enable you to more easily provide feedback for everyone who would like to receive it. It also ensures that you are addressing the same areas with each person and (hopefully) providing useful feedback.

If someone came very close to getting the job, tell them that and encourage them to reapply if you have any other vacancies coming up.

Should we ask them for their feedback about our process?

Yes! This is a good opportunity to find out how well your organisation handled the recruitment process. Don't send out a huge questionnaire or expect people to spend hours of their time analysing your recruitment process, but it's a great idea to make feedback a mutual exchange of information and invite people to let you know how they experienced the process. Be sure to ask if they have any suggestions for improvement.

Making a Job Offer

What needs to go into an offer letter?

An offer letter should set out the basic details of the job that you are offering, including role title, hours of work, location and salary. You should also state that full details of the post's terms and conditions of employment will be provided in a written statement of employment particulars/employment contract on or before their first day, and let them know who to contact if they have any questions before accepting the role.

It is advisable to make an offer conditional and include wording to the effect of: *This offer is conditional and subject to satisfactory results from relevant pre-employment checks.*

What are pre-employment checks?

Pre-employment checks is the umbrella term for the various checks organisations may choose to carry out prior to confirming an offer of employment. Usually these checks include the mandatory right to work check and references, but may also include a DBS check and/or a DVLA check, and/or receipt of evidence of specified qualifications.

Do we need to get references?

This is up to you. Most organisations do ask for references, but it's not a requirement. More and more organisations are providing short-form references simply confirming the dates of employment and role title, so be aware that it won't always be possible to get a full reference from a previous employer.

Do we need to do a DBS check?

The Rehabilitation of Offenders Act 1974 gives people with spent convictions and cautions the right not to disclose them when applying for most jobs. You should only seek to check someone's criminal record if you really need to do so, because the job you are offering to them is exempt from the Act.

Have a look at Unlock's [simple guide to the Act](#) and their [A-Z of roles](#) which sets out eligibility for DBS checks. See also the government's online eligibility checker to help you determine whether the role requires a DBS check:

<https://www.gov.uk/find-out-dbs-check>

Do we need to do a DVLA check?

If the role involves driving, you will probably need to check the person's driving licence with the DVLA.

1. Ask them to generate a code here: <https://www.gov.uk/view-driving-licence>
2. You can then use the code to view their driving licence information here: <https://www.gov.uk/check-driving-information>

Why do we need to do a right to work check?

Unfortunately, under threat of large fines and even the possibility of imprisonment, all employers are required by law to ensure the person they are proposing to hire has the legal right to work in the UK. This makes us in effect agents of the Home Office, unwillingly helping to enforce the hostile environment that prevents asylum seekers and others without official permission to work from having access to paid employment.

How do we carry out a right to work check?

For British and Irish Citizens, you will need to see the person's original documents, check that the documents are valid with the person present, and make and keep copies of the documents and record the date you made the check. This is known as establishing a 'statutory excuse' and prevents your organisation from holding liability.

If your organisation works remotely and it's impractical to meet up to do this, you can use an online identity service provider instead. See the government's list of certified identity service providers [here](#).

For anyone who has been told that they can view their immigration status online, you can carry out an online right to work check. They will need to generate a share code: <https://www.gov.uk/view-prove-immigration-status> and you can then check it here: <https://www.gov.uk/check-immigration-status>.

For full details of how to carry out a right to work check, see: <https://www.gov.uk/check-job-applicant-right-to-work>

Withdrawing a job offer

Can we withdraw a job offer?

Yes, if you really need to do this, then you can. It's not something that you should do lightly - the person to whom you've offered the job may well have handed in their resignation in another role or made other changes in their life ready to take up employment with you.

Be aware that there may be financial implications (see below) if you have entered into a contract with them. It's possible you could face a breach of contract employment tribunal claim. There may also be a risk of an employment tribunal claim if the person believes that the job offer is being withdrawn on the basis of a protected characteristic. For example, if you ask someone to fill in a health questionnaire and then withdraw an offer based on concerns about their fitness to do the job, it could be discriminatory.

How do we withdraw a job offer?

If you have made an offer of employment to someone and then need to withdraw it, you'll need to think about whether you are already in an employment contract with them. A contract does not have to be written down. It would be enough if you have verbally offered and they've accepted the job.

Similarly, if you've sent them an offer letter which they've signed and returned, unless it clearly states that it is a conditional offer subject to pre-employment checks and the reason for withdrawing the offer is because of an unsatisfactory pre-employment check, then you are probably in a contract with them.

If you are in a contract with the person you will need to give them notice. You may need to pay them for a notice period, depending on the length of the notice period stated in the offer letter (or confirmed verbally) and the amount of time between withdrawing the offer and the agreed start date.

If you need to withdraw a job offer, we recommend seeking advice, e.g. from the Acas helpline, see: <https://www.acas.org.uk/contact>

Starting the Role

HMRC and Payroll

Ask them to provide a P45 or complete the [HMRC new starter checklist](#) so that you can set them up on payroll.

Induction tasks

Many organisations create a new starter checklist to keep track of the many tasks that need to be completed when a new employee joins. This includes:

- Offer letter
- Pre-employment checks (including taking up references and conducting a right to work check)
- Drawing up a contract / written statement of employment particulars
- Setting up an email address
- Providing access to systems - shared drives/calendars etc
- Access to work premises - keys/passes
- Ordering any equipment needed - laptop, desk etc
- Setting the person up on payroll
- Taking details of emergency contact(s)
- Adding them to the register of interests
- Arranging an induction meeting (usually on the first day) to talk through:
 - Wellbeing, support and supervision, including: how the induction process and probationary period works; check-in / support meetings; review system (to formally complete the probationary period; organisational processes to support wellbeing; any services available e.g. counselling or Employee Assistance Programme.

- Who's who: intros to others in the organisation; opportunity to complete [Manual of Me](#) (or similar) to share how you like to work (and access to other people's to learn about others in the organisation).
- How things work: understanding organisational structure and meetings and decision-making systems etc.
- Tech, including: email; shared drives; apps/tools for recording hours and leave etc.
- Employment T&Cs including: working hours and breaks; overtime; annual leave entitlement; other forms of paid leave; any benefits e.g. cycle to work scheme.
- Policies and processes, including: how to book leave/inform people if unwell; intro to policies/handbook; how to claim expenses etc.
- Health and Safety, including: premises-based H&S (fire exits; accident book etc); completing a Display Screen Equipment (DSE) [checklist](#); intro to H&S policy/systems.
- Training: when and how training needs are discussed; how to request/organise booking a training course.

Health and Reasonable Adjustments

Once you've made a job offer and it's been accepted, this is a good opportunity to revisit the question of reasonable adjustments and support needs. Our preferred approach is to invite people to share what they feel comfortable disclosing rather than sending out a mandatory health questionnaire. We like to look at this in the context of supporting everyone in the organisation to share their needs (and preferences) for what helps them to do their work and participate in collective working practices. For example, this could include any support they need in relation to neurodiversity, as well as developing mutual understanding about what works best for them in terms of collaboration with the rest of the team.

Legally your organisation has a duty to act when you know, or you could be expected to know, that someone who works for you is disabled. You must also take steps to explore support options if you receive a request for adjustments, or if someone who's disabled is having difficulty with any part of their job. It may be appropriate to offer an Occupational Health Assessment or a neurodiversity assessment to help identify opportunities for support.

Reasonable adjustments vary widely, and what is reasonable will in part depend on the size and resources of your organisation. Common examples include:

- **Technology**, e.g. speech-to-text software can help people with dyslexia to communicate and check their spelling, and assist people who have dexterity challenges, for example arthritis or repetitive strain injury, who find writing or typing difficult.

- **Equipment**, e.g. voice recording equipment helps those who have trouble concentrating for extended periods, and an ergonomic keyboard, trackball mouse and flexible height workstation can help people with a bad back.
- **Working patterns and ways of working**, e.g. enabling someone with depression or a fluctuating condition to work flexibly may mean that they can work at times of the day when their energy levels are at their greatest, or they could work longer hours on their good days and fewer or no hours on the days when they feel less able to contribute.
- **Open discussion and collective support**; e.g. training or facilitated discussion to help everyone improve their understanding of disabilities and health conditions, and to collectively explore opportunities to support everyone to work in ways that work best for them and accommodate the needs of their colleagues.

For more information, see [EHRC guidance on reasonable adjustments](#)

Data Protection

What is a job applicant privacy notice and do we need one?

To comply with data protection regulations your organisation should have privacy notices for employees, plus any volunteers, consultants, customers, service users or anyone else whose data you process.

A job applicant privacy notice sets out what information you will collect, why you need to collect it, who will have access to it, how you'll keep it secure, and what rights a job applicant has to ask your organisation to see their data or request that it be deleted/destroyed.

See: [ICO privacy notice builder](#)

How long should we keep recruitment data?

Under the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018, personal data should be kept for no longer than necessary. So for recruitment, unless you receive notice that an unsuccessful applicant is pursuing a legal case against you, it's likely that six to 12 months would be a reasonable timeframe before deleting or destroying application data and interview/application process notes. You should specify this timeframe in the job applicant data privacy notice.

If your organisation did find itself facing some form of legal action, you would of course need to keep the relevant recruitment data until the situation was fully resolved.

What is a subject access request?

Under data protection regulations, individuals have the right to receive a copy of their personal data. This is commonly referred to as a subject access request or 'SAR'. Your organisation should respond within one month of receipt of the request.

See: ICO guide to [subject access requests](#)