Recruitment Checklist

Use our 9 steps to keep on track.
Recruiting new talent is an exciting time for any business, but it's important to get it right. A well thought-out recruitment process will help you to fill the position with the best possible candidate, support business objectives and avoid any legal pitfalls.

The following steps are intended to guide employers through the recruitment process.

### Ellis Whittam’s Recruitment Checklist

1. Set your budget
2. Create a job description
3. Determine the interview process
4. Create the job advert
5. Monitor and respond to applications
6. Conduct interviews
7. Ensure right to work
8. Select the successful candidate
9. Devise a thorough employee induction
1 Set your budget

First consider the budget for the role (and any expenses that will be incurred). Within this, you should:
• Justify how the budget for the role aligns with the company’s overarching goals; and
• Think about the recruitment methods you can use to snag talent before your competitors.

Key in mind...

Advertisements on job boards may be costly and may not be as effective with a millennial candidate pool as more modern recruitment techniques that utilise social media. Thinking outside the box may help you to reach potential candidates while also reducing costs.

2 Create a job description

If this is not a new position, consider whether the role may have changed since it was originally created, and what you have learned from the person who previously held the position. Speaking with line managers will offer the best insight in this regard.

At a minimum, a good job description should include:
• The skills and competencies that are required to perform the role;
• The general duties and responsibilities of the position;
• The preferred background of the candidate; and
• Where the role fits within the overall company hierarchy.

Key considerations:

1. Employers are not legally obliged to provide a job description for each role, but it is considered best practice.
2. Keep in mind that an employee’s job description acts as an important performance management tool for employers to reference during discussions and formal appraisals. Ensuring job descriptions are robust enough will also help you to defend any unfair dismissal claims brought against you if you decide to let the person go, so you should ensure it fully explains what is expected of the job holder. You may wish to include “other duties as appropriate to the role” to allow you some added flexibility in this regard.
3. Taking proper care and attention when compiling a job description should also help to prevent employees from resigning because they feel the job isn’t what they thought it would be.
4. You should also give thought to the job title itself, which should accurately reflect the nature of the job whilst not inflating the importance of the role. An accurate job title is key to reaching relevant candidates.
Determine the interview process

Once you have determined the nature of the role and the candidate specification, you should map out the interview process, including:

- The different assessment stages;
- The timescale for each stage; and
- Who will be responsible for each stage.

This will depend on the nature and level of the job; administrator jobs may only require a single interview with HR, whereas management-level jobs may require two or more interviews with senior management. If the role requires certain technical skills, such as the use of software or strong written ability, you may also wish to include a competency-based task, which could either be completed at home or under supervision. This should also highlight candidates’ commitment to the process.

Create a job advert

This should be inspired by the job description but written in a way to attract potential candidates. A lot rides on an appealing job title; however, don’t be tempted to embellish the role. Keep in mind that while this doesn't necessarily need to be identical to what is listed on the job description, it should accurately reflect the nature and level of the role, otherwise it may not attract the right candidates and may invite issues in the future if the role isn't as originally advertised. The body of the advertisement should provide a brief introduction to the business and the role you are advertising for; the objectives of the role (which should help applicants to understand the contribution they will make to the business); a clear, concise and honest overview of their responsibilities; requirements (including qualifications, experience and soft skills, and whether this is desirable or essential); and the benefits of working for your company.

You should also consider where the job advertisement will be posted in order to produce the greatest response from the most relevant candidates.

Key considerations:

1. The Equality Act 2010 prohibits you from saying, or even implying, that you will discriminate against anyone on the basis of any “protected characteristic”. These are age, race, sex, disability, pregnancy and maternity, religion or belief, sexual orientation and gender reassignment. Employers can, however, require an applicant to possess a particular “protected characteristic” if they can prove that it is a Genuine Occupational Requirement (GOR), meaning that the nature of the role makes it unsuitable for individuals with certain characteristics.

2. The language and the criteria that you use when writing your adverts must be carefully considered:
   - You should avoid phrases such as “young and fresh” or “mature” as these may violate discrimination law by excluding certain potential applicants based on their age.
   - You should also be careful with any gender-specific terms such as “waitress” and “handyman”, as these imply the gender of the person you are looking to hire.
   - You must not say or imply that the role is not available for disabled people or that reasonable adjustments will not be made unless there is a very clear and proportionate job-related reason.
   - If the role requires the job holder to speak another language, this should be clearly set out as an essential skill. Rather than saying a “Portuguese customer service representative”, you should write a “Portuguese-speaking customer service representative” to avoid allegations of racial discrimination.
(You should also make sure that there is a genuine reason for requiring candidates to speak a certain language. This may be obvious, such as to be able to communicate with the company’s client base, but you should ensure your requirements are justified).

3. When deciding where to place job advertisements, try to ensure that a sufficiently wide range of potential candidates are reached. For example, online job advertisements may not reach older, disabled or mobile workers, and particular publications may have a wider gender or ethnic coverage.

**Monitor and respond to applications**

Once you begin to receive applications, you should follow a set process for dealing with incoming applications. You should first consider who will take responsibility for this part of the process, then clearly identify the key criteria that candidates should fulfil. This should promote fairness and help to prevent bias in your decision making.

If an applicant is unsuccessful at the shortlisting stage, we advise sending a templated email to:
1. Thank them for applying;
2. Inform them that they have been unsuccessful on this occasion; and
3. Wish them luck in their job search.

Successful candidates should then be invited to interview; you should inform them of what the interview shall involve and ask them to confirm attendance in writing.

**Key considerations:**

- Your process for rejecting unsuccessful candidates should ensure compliance with the General Data Protection Regulation (GDPR). For example, if it is your policy to hold unsuccessful candidates’ CVs for the purpose of future vacancies, you must inform candidates of this in the form of a privacy notice, explaining how their personal data will be used, how long it will be held, and a legitimate reason for retaining their information. You should also inform candidates of their right to object. The timescale for retaining recruitment data depends on how you are intending to use the data. Data should not be kept for longer than is necessary and there should be a process in place to ensure CVs are reviewed for any new vacancies so as to justify keeping them on file.
- You may wish to consider practising “name-blind recruitment”, whereby names are omitted from potential employees’ CVs, as this will prevent bias from occurring during the shortlisting process.
Conduct interviews

For fairness, all interviews should follow a set format. It is best to prepare a list of questions beforehand to keep the conversation on track and to ensure each candidate has the same interview experience. You may also wish to implement a scoring system to encourage objectivity.

Key considerations:

1. As with writing a job advertisement, you should avoid any questions relating to an individual's protected characteristics unless clearly related to their ability to do the job. Remember, although you are not yet their employer, discrimination claims can still be brought in the pre-employment period.
2. Note-taking during an interview is important as it acts as a record of your decision making that can be referenced in the event of any discrimination claims.

Ensure right to work

Before making an offer of employment, it is important to ensure that they have the right to work in the UK. Checks can be done either manually or online.

As part of a manual check, you should:
- Obtain original versions of one or more acceptable documents (such as a passport, national identity card, Registration Certificate or Document Certifying Permanent Residence);
- Check the document's validity in the candidate's presence; and
- Make and retain a clear copy, recording the date the check was made.

Alternatively, from 28 January 2019, employers can use the online Right to Work Checking Service to demonstrate they conducted the necessary right to work checks on migrants and avoid a penalty if found to be employing illegal workers.

Key considerations:

1. Avoid making assumptions regarding a candidate’s right to work based on their name. All candidates are required by law to undergo right to work checks.
2. The EHRC Code recommends that employers should verify candidates' eligibility to work in the UK in the final stages of the selection process, rather than at the application stage, to make sure that your decision on who to hire is based on merit alone and not influenced by other factors.
3. It is important to take your obligation to conduct right to work checks seriously. If you are found guilty of employing someone who you knew or had “reasonable cause to believe” didn't have the right to work in the UK, you could face five years' imprisonment and be ordered to pay an unlimited fine.
Select the successful candidate

After all interview rounds have been successfully and fairly completed, you should have the information you require to make an informed decision on the best candidate for the job. At this point, depending on the circumstances and the role, HR or the hiring manager may wish to call the candidate to let them know they are being offered the position. Either way, it is always recommended to issue a written offer of employment via a letter or email (depending on your company’s policy), and request written confirmation of the candidate’s acceptance so that both parties are clear of the conditions of employment.

Key considerations:

1. You should always start by making a conditional offer of employment which is subject to certain conditions (such as satisfactory references). A “conditional” job offer can be legally withdrawn if the candidate does not meet the conditions outlined. Once you confirm that the offer is unconditional, or the applicant has met all of the conditions, withdrawing the offer could land you in breach of contract – so it’s important to tread carefully and not rush into decisions.

2. Make sure that verbal and written offers are the same – you don’t want a situation where a verbal offer is made, accepted and then the written offer is different.

3. Be aware of timeframes to send out a contract of employment. For any employees whose contract lasts a month or more, you will need to provide a written statement of particulars within two months of the employee starting work. This isn’t quite an employment contract but does need to set out:
   - The name of employer and employee;
   - An employment start date;
   - The job location;
   - The employee’s pay and when it is paid;
   - The employee’s working hours;
   - The employee’s holiday entitlement;
   - A job description/job title; and
   - Details of any collective agreement that directly affect the employee’s conditions of employment.

4. When deciding on the package you are offering, it is important to be aware of the ‘equality of terms’ provisions of the Equality Act 2010. This stipulates that employers must treat male and female employees equally in the terms and conditions of their employment if they do:
   - The same work (or work that is broadly similar);
   - Work that a job evaluation study finds to be ‘equivalent’; or
   - Work that is of equal value in terms of effort, skill or decision making.

Devise a thorough employee induction

Once you’ve successfully navigated the recruitment process and introduced new talent to your business, the key is to keep the momentum going with an effective employee induction. For more information on how a well-thought-out induction process can improve employee retention visit https://elliswhittam.com/blog/6-ways-retain-talent/

If you’re currently recruiting and require support or guidance on any part of the process, speak to one of our dedicated Employment Law Advisers on 0345 226 8393.
To find out how we can support your organisation with your Employment Law, HR and Health & Safety needs call us on 0345 226 8393.

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