

LEGAL UPDATES AND FACTSHEETS

RECRUITMENT: A STEP BY STEP GUIDE

1 ASSESS YOUR STAFFING NEEDS.

- 1.1 Consider why you wish to recruit staff. Do you want to expand the business or handle an increasing workload for example?
- 1.2 If you are replacing an employee who no longer works for you, you should consider what skills, expertise and experience have been lost.
- 1.3 You could consider alternatives to recruitment such as the promotion of existing employees, offering overtime to existing employees or perhaps reorganizing the company structure.

2 WHAT TYPE OF EMPLOYEE DO YOU WISH TO RECRUIT?

- 2.1 Having assessed your staffing needs and decided that you do need to begin a recruitment process, you must then determine the type of employee which best suits your requirements. These include:
 - Permanent employees – either full or part time.
 - Employees on a fixed term contract.
 - Temporary or employment agency staff.
 - Employees on an on-call contract.

3 WRITE A JOB SPECIFICATION.

- 3.1 Before you proceed to advertise a job position, you should create a job specification. This ought to include:
 - Job title.
 - Position in the company.
 - Location of job.
 - Summary of the nature and objectives of the job.
 - Main duties and tasks involved in the job.
 - How much you intend to offer by way of remuneration.
 - If you are recruiting a manager, you could also include the responsibilities they will have.

4 WRITE A PERSON SPECIFICATION.

- 4.1 Once you have determined the requirements for the position open, you should compile a similar list of requirements for potential recruits. This ought to include:
 - The essential qualities an applicant must possess.
 - The qualities which you desire in an applicant (These should be dealt with separately from essential qualities).
- 4.2 You must take care that you do not include any requirements which could be interpreted as either directly or indirectly discriminatory. You should especially ensure that you do not discriminate on the following grounds:
 - Sex.
 - Race.
 - Age.
 - Sexual orientation.
 - Religion or belief.
 - Disability.
 - Gender reassignment.
 - Marital/ civil partnership status.

5 ADVERTISE THE POSITION.

- 5.1 The first thing you must consider is who you want to be informed of the position, as this will dictate where and how you will advertise it.
- 5.2 Once this has been decided, you must determine how you are going to advertise the position. This can include:
- Newspapers – local, national or specialist.
 - Magazines.
 - Online.
 - Through an employment agency.
 - Through the Job & Benefits Office.
 - Notices in public places.
 - Notices in schools and universities/colleges.
 - Word of mouth.
 - Radio or television.
 - Intranet.
- 5.3 An effective advertisement should:
- Be informative, yet concise.
 - Be attractively designed, eye-catching and clear.
 - Be simple to understand.
 - State the skills and experience required based on previously written job and person specifications.
 - Explain the application process.
 - State how much you intend to offer by way of remuneration.
 - Include a deadline for responses from applicants.
 - Be non-discriminatory.

6 DETERMINE THE APPLICATION PROCESS.

- 6.1 You must decide how you wish for applicants to apply for the position offered:
- You could require applicants to request an application form from your organisation.
 - Or you could request that applicants send you their CV and an appropriate cover letter.
- 6.2 If you decide to make use of a company application form, it ought to include the following sections:
- Name and address of your organisation.
 - Name and contact details of the applicant.
 - Applicant's educational and professional qualifications.
 - Applicants work experience.
 - Other relevant information such as the existence of a clean driver's license.
 - Hobbies and interests.
 - References.
- You must ensure that the form can in no way be interpreted as discriminatory.
- 6.3 If you decide to request CVs from applicants, you should stipulate the details which should be included in any CV submitted.
- 6.4 You must also state how you wish to receive application forms or CVs, namely:
- By post.
 - By hand.
 - By email.
 - Other electronic means.

- By fax.
 - A combination of the above.
- 6.5 If you employ over 10 full time employees, you are required by the Equality Commission of Northern Ireland to supply all applicants with a monitoring questionnaire. This can be dispatched to applicants along with application forms. If you have decided to request CVs, you should dispatch a questionnaire to each applicant once their CV had been received.
- 6.6 It is good practice to confirm receipt of an application form or CV to each applicant.

7 CONDUCT AN INTERVIEW PROCESS.

- 7.1 It is highly recommended that you include an interview process as part of your recruitment proceedings. Not only does this help to ensure that you employ the right applicant, but also provides a written record of your recruitment process.
- 7.2 The first step in any interview process is to shortlist the applicants that you wish to invite to interview:
- Compare all the applications against the previously determined job and person specifications to eliminate those who do not meet your requirements.
 - The specifications must be applied consistently to each applicant.
 - Be careful not to discriminate in any way during this process.
- 7.3 Invite successful applicants for an interview and consider notifying those who were unsuccessful. When inviting applicants for interview, you ought to consider or inform the applicant of the following:
- Whether to inform them of their interview in writing or by telephone or email.
 - Where the interview will take place.
 - When the interview will take place.
 - The estimated length of the interview.
 - Whether the applicant needs to bring any documentation with them to the interview.
 - Whether you will require the applicant to take a test or prepare a presentation.
 - Whether the applicant has any special needs which must be catered for.
- 7.4 Once you have invited the selected applicants for interview, you must ensure that you prepare fully for the process. This includes:
- Using the applicant's application form or CV to compile a set of questions that you wish to ask at the interview.
 - Make suitable arrangements for holding the interview, including selecting an appropriate room.
 - Keeping other staff informed of the process, especially secretarial and administrative staff.
- 7.5 The final stage is carrying out the interview itself. At this point, the following should be considered:
- Make the applicant feel at ease, as interview situations can be very stressful.
 - Introduce yourself and any other members of staff present.
 - Give the applicant necessary further details of the position such as the number of hours to be worked.
 - Offer to give the applicant a tour of your premises.
 - Ask your pre-prepared set of questions. Remember to be careful that none of your questions could be interpreted as discriminatory in any way.
 - Keep detailed records of the interview and store them accordingly.
 - Ask the applicant if they have any questions for you about the organisation or the application and interview processes.
 - If possible, inform the applicant of when they will hear from you regarding the success or failure of their application.

8 MAKE AN OFFER OF EMPLOYMENT.

- 8.1 Once you have made a decision as regards who you wish to recruit, the next stage is to make an offer of employment to that person(s). This should be done in writing and you should keep a copy of your offer on file. The following should be considered when making an offer:

- You must include whether your offer is conditional or unconditional.
 - Where your offer is conditional, you must inform the applicant of the conditions which must be satisfied before they can be appointed to the position. These can include requesting: confirmation of qualifications; confirmation of eligibility to work in the UK; the applicant to report for a medical examination; ensuring that their references are accurate and present a positive description of the applicant.
- 8.2 The offer should include all relevant details such as:
- Intended start date for the commencement of employment.
 - The time at which the recruit should report to work.
 - The place that the recruit should report to work and who they should ask to speak to on arrival.
 - Reiterate important details of the position such as hours to be worked and perhaps details of lunch and coffee breaks.
 - The deadline for the recruit to decide whether or not they wish to accept the offer.
- 8.3 Ensure that you allow the recruit reasonable time to consider your offer and that they do not feel pressurised to accept it.
- 8.4 Consider informing unsuccessful applicants. However, be careful to ensure that your intended recruit has accepted your offer before you progress to this stage.

9 AFTERTHOUGHTS: WHAT YOU MUST PROVIDE FOR NEW RECRUITS.

- 9.1 It is important to remember that you, as an employer, have certain legal and good practice obligations towards your new recruits. These include, but are not limited to:
- Consider carrying out an induction process for your new recruit. This can include a tour of the premises, introducing the recruit to their colleagues and explaining any health and safety issues.
 - Provide the recruit with their contract of employment, where necessary, and arrange for them to review it and sign it.
 - Provide the recruit with a staff handbook, or equivalent documentation.
 - Provide the recruit with a written statement of their Particulars of Employment within 2 months of their start date as required by [Article 33 Employment Rights \(NI\) Order 1996](#).

Kappa Solicitors
commercial legal practice

The practice is a niche commercial legal practice providing business, property, and employment law services mainly to the business sector in Northern Ireland.

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In common with other commercial law firms, we must comply with the Money Laundering Regulations 2003. This is part of the government's drive against money laundering and terrorism. The Regulations require us to obtain satisfactory evidence of identity for substantially all new clients and those in respect of whom there has been a break in the relationship. We will be unable to start work for you until this evidence is obtained.

TERMS OF ENGAGEMENT

- 1 By instructing us, you shall be deemed to have accepted our terms of business, from time to time applicable, which shall apply to the exclusion of any standard terms of purchase or any other terms which you may propose or supply to us.
- 2 Northern Ireland Law will apply to our relationship with our clients and any dispute or claim shall be subject to the exclusive jurisdiction of the Courts of Northern Ireland.
- 3 There shall be no variation of these terms without the prior written agreement of the Principal of the practice.

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