

**'View from the Chair' article published in the Business Newsletter, 10 Oct 2016  
by Dr Michael Wardlow, Chief Commissioner, Equality Commission NI**

**NI's recruitment and employment laws were ground breaking**

Being appointed to a job you really want remains one of life's great achievements. Although I am sure all of us remember with satisfaction the first time it happened to us, it is more likely that we have a stronger memory of our first real disappointment when we weren't short-listed or were not appointed to our 'dream job'.

When I was applying for my first job, in 1972, there is little doubt that there was a 'who you know' context for some appointments. Many of my friends who had good manual skills entered trades because they were 'spoken for' by male family members.

Such concerns about the fairness of recruitment and employment practices were the building blocks of our first equality legislation in Northern Ireland - ground breaking laws introduced to protect people from discrimination on grounds of religious belief/political opinion and gender. The subsequent Codes of Practice had a particular focus on the need for systematic and objective recruitment as a core element of good practice for all employers.

Over the past four decades recruitment in all sectors and at all levels has improved enormously with practices such as word-of-mouth recruitment or using unsolicited applications having been greatly reduced. Now the great majority of appointments take place through a clearly defined and accountable selection procedure.

Although the general picture is one of great improvement, we should not be complacent as the existence of legal protections does not mean all problems are removed, or that all recruitment processes are always impeccably handled. Last year, complaints about discrimination in recruitment made up almost 10% of all complaints to the Equality Commission. Cases we assisted ranged from a young woman who was told after a job interview: "Sadly I'm afraid your personal arrangements with the new baby will make it impossible to carry out this role," to a 62 year old man applying for a supervisor's post who complained, based on comments made at his interview, that he was passed over because of his age.

In Northern Ireland it is unlawful, when recruiting or making an appointment, to

discriminate against someone on any of the grounds covered by anti-discrimination legislation. It is when equality law is contravened that the Equality Commission can become involved in a recruitment issue. Prevention, however, is the best policy and to this end we work extensively with employers – public and private, large and small – to offer advice on how to recruit fairly and avoid the risk of contravening of the anti-discrimination laws.

The Commission offers a wide range of free guidance, advice and support on recruitment and selection processes to employers. Details can be found on our website, where there are downloadable, template model policies that you can adapt to your own circumstances. Other information includes details of our free, expert, training programmes including sessions on 'Recruiting Fairly'. There is also guidance available on the use of non-discriminatory language, on making reasonable adjustments for people with disabilities and on the circumstances in which an employer can specify use of a particular characteristic as an occupational requirement for a post.

Best practice, of course, is to approach the matter positively, and make sure that all aspects of your recruitment process are open and inclusive, systematic and objective. That will ensure, not just that you can avoid a discrimination case, but also increase your likelihood of getting the best and most qualified person for the job and thereby enhancing your business.