

**‘View from the Chair’ article published in the Business Newsletter, 22 May 2018  
by Dr Michael Wardlow, Chief Commissioner, Equality Commission NI**

**Recruiting fairly: open, inclusive, fair to all potential applicants**

Employment law, including equality provisions, was designed to provide a series of protections for applicants and employees within the Northern Ireland workforce. So, with over 40 years history of equality legislation, it may come as a surprise to learn that almost 10% of all complaints made to the Commission alleging discrimination relate to recruitment.

Some of the stories appear almost unbelievable in the context of what should be an open and non-threatening environment. One of the more blatant examples was 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.”

All individuals who contact us receive information and advice. Some of those people, having received that support, go on to ask us to assist them to take cases against employers. Last year we were involved in 41 strategic cases across all discrimination grounds, which resulted in negotiated/conciliated settlements where £343,500 was recovered by way of compensation for those employees. Some of these cases addressed recruitment and retention processes.

When highlighted by the media, successful cases raise awareness of the protections available to employees, as well as serving to sound a useful reminder for other businesses, by highlighting the kind of things which can go wrong in a recruitment process but, more importantly, how those pitfalls might be avoided.

While compensation is important, it is not the only way we measure a successful outcome of these cases. When a settlement is obtained, the Commission works with the companies concerned to review their practices and procedures and help them make any necessary changes.

Our interaction with employers does not only come about as the result of discrimination cases. We allocate resources to supporting employers to comply with the law through our advice and compliance team. Over the years we have developed a range of expert guidance, advice and support to help employers steer safely through recruitment and selection processes, complying with the law and safeguarding their businesses.

On our website, you will find practical help in the form of free downloadable model policies that you can adapt to your own circumstances. There is also information about our free expert training programme (which includes sessions on ‘Recruiting

Fairly') as well as guidance on use of non-discriminatory language, reasonable adjustments for people with disabilities and when you can specify genuine occupational requirements.