

View from the Chair; Business Newsletter; 5 July 2022 Geraldine McGahey, Chief Commissioner, Equality Commission NI

Recruiting Fairly – even when the pressure is on

Recent figures from NISRA have shown a steadily growing employment rate in Northern Ireland, and it's the eighth consecutive year of growth in our construction, services and production (including manufacturing) sectors.

The growth in vacancies is very apparent – it's hard to visit a restaurant, shop or bar that isn't looking for staff – and there's a scramble for talent. In a CIPD survey conducted in early Spring of this year, almost three-quarters (74%) of employers in the UK said that they planned to take on new staff in the near future and 45% said that they had hard-to-fill vacancies.

What has all this got to do with equality?

The first thing that employers or Human Resources people must be wary of is forgetting, in the pressure of the rush to recruit, that all the rules about equality of opportunity in recruitment and selection still apply. Hiring staff is the third most visited employment areas of our website, which shows that many employers are making the effort to find out what they need to do to comply with the law on recruitment.

To give you a flavour of the breadth of the subject, in the past year, we've had complaints of discrimination in recruitment from a visually impaired IT worker who says he was unable to upload his job application to a potential employer's website because it was not accessible, from a woman who said she was debarred from applying for a higher level post because non-essential eligibility criteria were applied, from a woman who said the first question she was asked at interview was about her age and from a man with autism who said he asked for but did not get suitable reasonable adjustments to allow him to compete for a job.

Employers must be aware of how equality law protects job applicants and employees from unlawful discrimination and bear in mind both law and best practice at every stage of a recruitment exercise.

It's important to look critically at what you require of applicants so that you are clear about which criteria are essential and which are just desirable.

Be wary of stereotyping applicants by their characteristics, such as age or sex, and

instead use the recruitment process as a way of finding out if their abilities and qualities would suit them to your job.

It is wise to plan for the possibility of applicants with disabilities and to be aware that the law obliges employers to remove or change any aspects of selection processes that can act as barriers to disabled applicants, through making reasonable adjustments.

How will you attract suitable applicants? Advertise your job vacancies widely so that as many eligible and suitably qualified candidates as possible have an opportunity to apply. Use a variety of different media to publish your advertisements, for example, in Job Centres or on JobApplyNI.com, or on your own corporate website or social media pages, or in one or more newspapers, or on online recruitment websites.

Employers should also bear in mind that there is a scramble for talent and that many job applicants are choosing employers that offer something beyond a pay packet. Job applicants are looking at opportunities for promotion, approaches to working such as flexible working for men and women and a welcoming and inclusive workplace. This is where adopting best practice can set you apart from other similar employers.

Finally, monitor your applicants and the operation of your recruitment processes. Are the applicant rates and success rates for any particular group lower than what you might normally expect, given the job? If so, consider what lawful positive action you might take to remedy that.

We have many resources to support employers in complying with the law, through our advice and compliance team. As well as our website, we offer expert guidance, advice and support to help employers steer safely through recruitment and selection processes, complying with the law and safeguarding their businesses. You can phone the team on 028 90 500 600 or email edenquiries@equalityni.org for free and confidential help tailored to your situation and needs.