**Recruitment Implications of the Equality Act 2010**

Employers must ensure that their recruitment practices comply with the Equality Act 2010 and people are being treated fairly throughout the recruitment process.

**1 Job Profile**

A well written job profile will help ensure that the right person is selected for the post and focuses attention on the required skills. When developing a job profile, care should be taken to avoid using language that could be discriminatory and possibly discourage disabled persons from applying. Job profiles must be as objective and quantifiable as possible.

A poorly written job profile can have a negative effect on the recruitment of suitably qualified candidates with disabilities. Where discriminatory phrases are used and cannot be justified, it could leave the Council open to litigation.

The Council provides training and guidance on writing job profiles.

**2 Advertising**

Advertisements suggesting discrimination against disabled people can be legally challenged. The advertisement should accurately but briefly reflect the job profile and encourage anyone to apply for the role who believes they meet the requirements for the role as set out in the job profile.

All Council job advertisements refer to the Disability Confident Employer accreditation to encourage applications from disabled people.

**3 Shortlisting**

**ALL** applicants with a disability who meet the minimum criteria for any vacancy are guaranteed an interview.

Application forms should be screened against the criteria in each section of the job profile.

**4 Interview Arrangements**

When inviting a disabled applicant for interview, the Council is required to make "reasonable adjustments" to ensure that the applicant is not disadvantaged in any way. For example,

* changing the time;
* paying additional travel expenses;
* changing the location;
* allowing more time.

During the interview itself, interviewers must avoid asking questions about a candidate's disability.

When asking questions, the interviewers should:

* be open minded;
* avoid making assumptions;
* ensure that they give candidates every opportunity to demonstrate their suitability for the job.

**5 The Final Selection**

The selection panel should assess objectively a disabled candidate's ability to do the job, taking into account any reasonable adjustment(s) that might help him or her perform the job.

Examples of reasonable adjustments can be found in this guidance note.

**6 Remedies**

Disabled persons who feel they have been discriminated against unlawfully in employment have the right of complaint to an Employment Tribunal.

A tribunal may, on upholding a complaint, make a declaration ordering payment of compensation including an award for injury to feelings and/or make a recommendation. There is no limit on the maximum amount of compensation awardable.

**7 Further Advice**

Further guidance on the recruitment implications of the Equality Act is available from People and Organisation.