Management guidance

Appointing senior staff in higher education institutions: a resource for higher education institutions

Universities UK

This series of Management guidance published by Universities UK provides best practice guidelines and codes of recommended practice.

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Contents

Appointing a member of the senior staff of a higher education institution is clearly a significant decision. Consequently Universities UK and GuildHE, together with the Committee of University Chairs (CUC), the funding councils and other sector stakeholders have come together to sponsor the development of this new guidance.

The definition of 'senior staff' in this context encompasses the positions of registrar/secretary, holders of office with institution-wide executive/strategic/financial responsibilities who report to the head of institution or registrar/secretary, and all members of the senior management team[1]. Universities UK and its partners have published separate guidelines on the recruitment and selection of the head of institution.

Effective recruitment secures the best possible candidate from the widest possible pool of talent, in a manner that is both fair and transparent. It is notable that despite recent progress, women and black and minority ethnic staff remain significantly under-represented at senior levels relative to their overall participation rate in higher education.[2] Good recruitment practice will contribute to redressing these imbalances and one function of this guidance is to support you in achieving these aims.

The guidance takes the form of an *aide memoire* that:

- augments institutions' own procedures by focusing on key issues of shared interest;
- focuses on the key stages of the recruitment process;
- draws upon the experiences of governors, institutional leaders, candidates and professional advisers from across the sector; and
- synthesises their experiences for each key stage of the recruitment process.

For your part the guidance assumes you have:

- a good general knowledge of the business of senior staff recruitment;
- a sound (though not necessarily specialist) understanding of UK higher education and of senior staff in higher education institutions;
- access to a range of expert resources including, but not necessarily limited to, the secretary of your governing body[3] and your institution's human resources department.

The first part of the guidance is an executive overview – the briefest summary of the key issues encompassed by the full guidance, including a single summary paragraph for each major point. Thereafter each major stage in the process – from preliminary planning through to appointment and feedback to unsuccessful candidates – is examined in detail.

1 Executive overview

This guidance addresses the recruitment of senior staff at higher education institutions. It provides a structured view of the process, looking at the various steps and the key tasks in each area. Along with guidance for governors on the recruitment of heads of institutions, it replaces earlier guidance published by Universities UK.[4]

It is aimed at a general readership who would like both an overview of the whole process of recruitment at a senior level and information about the specific tasks needed to perform a successful appointment.

The guidance considers the process of recruitment over five key stages:

- planning
- specification
- search
- selection
- appointment and review.

One key aim of this guidance to improve the breadth of the talent pool considered for senior positions and in so doing address the under-representation of both women and black and ethnic minority staff fulfilling these roles.

Compared to their representation in higher education as a whole, women and members of ethnic minorities are significantly under-represented in the senior levels of UK higher education institutions.

A baseline analysis completed by the Equality Challenge Unit (ECU) in 2008 presents a selection of key statistics relating to equality and diversity intended to 'serve as an evidence base from which the sector can develop a shared understanding of the specific challenges in furthering equality and diversity for all staff and students'.[5]

Prominent amongst the extensive range of data presented in the report are the facts that:

- Women make up 42.3 per cent of the academic staff population, but a lower proportion (17.5 per cent) of heads of department and professors. They are particularly under-represented at high level within the science, engineering and technology group of subjects (7.9 per cent).
- Black and ethnic minority staff are under-represented amongst academics at 6.1 per cent (compared to 8.7 per cent in the UK population and 17 per cent of students). This reduces to 4.8 per cent for heads of department.

Clearly the recruitment process is a major determinant of the demographic of a higher education institution's senior management team. In strategic terms this means looking at the 'talent pipeline', as the institution's approach to managing its senior appointments has a major impact on the breadth of the talent pool for the future.

If current imbalances are to be redressed, institutional processes must secure the widest talent pool possible. Doing so is clearly the aim of the sector at large and application of this guidance will directly facilitate the realisation of this ambition at each stage of the process.

Planning

Recruitment needs to be thoroughly planned. For senior appointments it is essential to have a person who will coordinate and manage day-to-day actions – a recruitment manager. This could be a senior person from the human resources department or the secretary/registrar, who will be accountable for the minutiae of the plan and ensuring actions are progressed on a day-to-day basis.

It is critical that the selection and interview panels include people from a range of backgrounds and are representative of different stakeholder groups and interests.[6] Panels which are largely unrepresentative of the diversity in the institution and the community it serves are unacceptable; panels should also contain individuals with the expertise (and role-specific experience) directly relevant to the appointment.[7]

An early decision the panel will have to take is whether or not to appoint an executive search agency (ESA). Over the last 20 years the use of ESAs has become increasingly common for senior appointments – which is not to say their use will always be appropriate or necessary.

ESAs can be used to undertake a number of functions on behalf of the institution (advertising, information packs, research, initial contacts and discussions with potential candidates). However these are fundamentally matters of process management. A good agency also adds value by applying its experience and knowledge in the development of the institution's requirements – acting as a critical friend in the development of the detailed specification through the application of its knowledge of the sector and candidate market.

To be effective an ESA should be prepared to spend time meeting stakeholders and in getting to know the institution. In return the panel for its part must be prepared to invest time in working with the ESA – while ensuring that at all times it retains its primacy in directing all key activities.

The institution leads the process. The ESA, where used effectively and strategically, is both a critical friend and a means to an end – a tool to be deployed where it can demonstrably add value.

Specification

It is essential to agree and document the precise requirements expected of candidates. This requires the panel to:

- review and affirm the priorities for the role within the institution;
- specify a job description and person specification that clearly reflect and are aligned to these priorities;
- identify the necessary attributes of the individual (skills, knowledge and experience);
- ensure that these requirements make the vacancy attractive to the widest possible field of potential candidates. Any restrictions should be what is legally permitted and represent only what is required to undertake the job and no more.

In drawing up the specification it is important to take account of the range of stakeholders who may have an interest in the appointment. Senior staff interact with many parts of the institution and combine functional responsibilities with their collective role as members of the senior management team.

Ensuring that there is a clear definition of the role and person is the foundation of successful recruitment. The role specification must also be aligned with the strategic priorities of the institution, be wholly justifiable and represent the needs of the institution in a way which is both legally acceptable and not disproportionately demanding in relation to the nature of the work.

Search

Ensuring that the talent pool from which the sector draws its senior managers is as wide as possible is key and also challenging to accomplish.

The panel should ensure that a search (internally or externally resourced) encompasses the widest talent pool relevant to the role. Clearly the advertising channels that the panel selects will shape the pool of applicants and should be selected in a way that is consistent with the overall search strategy. The advertisement should also present the vacancy in the best possible way to attract the most diverse audience.

Depending on the post, the institution may wish to explore other approaches, such as finding and directly approaching individuals. This can be particularly valuable where the institution is seeking someone from outside the sector. People whom we have consulted in compiling this guidance have consistently cited this as being the most valuable service ESAs provide.

Finally, the search process is also clearly one of promotion of the institution to potential candidates. The quality of briefing materials and the handling of interactions experienced by individual candidates will make an immediate and substantive impression. The panel should therefore be clear as to what image it wishes this material and the wider process to express – and ensure it is projected consistently.

Effective configuration of search and advertisements will widen the pool of talent available to your institution. This in turn will improve the sector's access to skilled staff and further sustain the drive to embed equality and diversity at senior levels.

Selection

Having created a candidate list from the applications, the panel should normally refine its selection over at least two stages.

If the panel does not want to carry the whole candidate list over to the long list it may wish to do a preliminary sift to remove the obviously unqualified, using the essential criteria of the person specification. The long list can then be refined, using the previously agreed criteria, to identify the candidates who will be invited to the second stage. The panel should apply agreed attributes from the person specification that can be identified from the information it has available on the candidate. The aim is to produce a shortlist of the most suitable candidates to be considered in more detail.

Final selection from the shortlist can be accomplished through a variety of evaluation techniques.

Historically, approaches have typically combined a formal presentation followed by a board interview. Panels find presentations most useful when they test specific attributes such as (but not exclusively) leadership, strategic thinking and communication skills. However, the interview as a selection tool is very effective only if subject to careful planning and conducted by individuals who have received relevant training. It should be used to probe candidate attributes and adds value where it is used to explore actions and reasoning to build up a comprehensive picture, augmenting and checking information already held.

More contemporary forms of candidate evaluation (now commonly used in combination with the above approaches) include psychometric testing, the use of assessment centres and the wider/collective involvement by staff via consultative presentations and forums.

Appropriate records showing the steps taken and the basis of decisions reached must be maintained throughout the process to answer any potential challenge, including justification of international appointments through the points-based system.

Panels are strongly encouraged to adopt a range of complementary approaches to candidate evaluation. Your head of human resources will be well placed to advise on their relative merits.

Appointment and review

Once the final decision has been taken the panel should decide (or remit to the appropriate internal body) the remuneration and performance targets for the new post-holder.

Detailed, trenchant and constructive feedback should be provided to unsuccessful shortlist candidates. This should be undertaken by an appropriate senior person.

Finally, the selection panel should critically review and provide a record of what was done and the lessons to be learned and applied for the next such recruitment process.

Manage the recruitment process as a business-critical project applying proportionate approaches to requirements specification, direction setting and control.

Governance and responsibilities

The higher education sector presents some particular challenges. Institutions vary greatly in their character, but what they share is a strong collegiate ethos, a wide range of stakeholders with an interest in the outcome of the recruitment and a complex structure, both formal and informal. In making the appointment you will need to take account of the various factors, using expertise and experience available.

The arrangements for running the recruitment of a senior member of staff will vary from post to post and from institution to institution, and in some cases will be governed by institutional statutes.

Governors may be required (or wish to be involved) in certain appointments and may in any case be able to offer advice, expertise and guidance based on their own experience in positions of responsibility in a range of different organisations.

While the governance arrangements for senior appointments are more variable and not as clear cut as those for heads of institutions, the institution will need to define a clear structure so that the elements of good governance are in place:

- Those involved in the recruitment must be clear as to who they are and what they are doing.
- Each individual must have a clear understanding of their responsibilities and the scope of their role.
- There are clear policies and guidance to determine the steps of the process at each stage. These will be contained in the institution's procedures or in this resource, but everyone has to know which is being followed.

The sift and interview panels

Whatever the specific arrangements, several people will be involved with the recruitment. The focus will be the human resources department, which will be able to provide the relevant support and expertise in the processes and the legal requirements. It may well be able to offer a strategic view on the appointment in terms of the likely type and source of candidates.

Those closely involved with making selections (the sift and interview panels) must include individuals from a range of backgrounds and be representative of different stakeholder groups and interests. Panels that are composed entirely (or even overwhelmingly) of one group (gender, ethnicity, background etc) are unacceptable. A panel should reflect the diversity of the institution and the community it serves.

The panels should also contain expertise appropriate to the post. For example, where a specialist role is involved, there should be someone who can advise on the requirements of the post.

The sift panel reviews all the applications to identify those who will go forward to the final selection process. It could have the same constitution as the interview panel or it could be smaller and should include people who are able to make assessments of the candidates. This could include someone who knows the role, such as a line manager, and if necessary someone from an appropriate professional background. A senior representative of human resources or the secretary/registrar should also be present.

The interview panel should, where possible, be limited in size so that questioning can be planned and each panel member gets enough time to explore in some depth aspects of the candidate's capability.

Typically the panel will include:

- the head of human resources or the secretary/registrar as an adviser on the process and the application of good practice and legal requirements;
- the line manager of the post;
- another senior manager from the institution;
- a specialist adviser (if the interview is for a functional specialist) who could be external to the institution; and
- where used, the search consultant (as a source of information only).

The recruitment manager

Senior appointments are important events for the institution. The selection of the best individual is essential to the future strength of the institution. Many of the candidates will be senior people from other parts of the sector. They will make judgements about your institution based on their experience of the treatment they receive. If you use outside search consultants you will need a single point of contact with them.

For these reasons it is important to appoint someone to act as the recruitment manager who should have delegated responsibility for managing all aspects of the recruitment process. The most likely person will be a senior member of the human resources department or the secretary/registrar. Their role will be to:

- ensure that the process is moving forward according to the plan and that all the different steps are being delivered according to the timescale;
- monitor the risks and any problems arising, keeping them under review;
- act as a single contact and distribution point for communications with all stakeholders (search consultants, selection panel, governors and so on);
- keep accurate and complete records of all actions and decisions; the knowledge and experience gained during the process provides a very useful resource for the institution[8].

Those involved in the recruitment must maintain the high standards expected of public bodies[9], particularly in relation to the declaration of interests (which may arise at any time during recruitment if a panel member governor discovers a relationship of some sort to one of the candidates, for example). The broader requirements of the seven Nolan principles of standards for public bodies should also be addressed.

Planning

You must allow enough time for the selection process and ideally you should allow contingency time in case the first attempt does not yield a suitable candidate.

Early and systematic planning is crucial given the duration and nature of the process and the commitment demanded of those involved. To help the recruiters fulfil their role, the recruitment manager should draw up a detailed plan that sets out:

- the steps to be achieved, in sequence and with details of any interdependencies;
- timescales and deadlines – how long the process should take and how long should be allowed;
- accountabilities for actions;
- the key risks and actions being taken to mitigate them; and
- the budget and resources for the recruitment process.

You should refer to your institution's written procedures for the recruitment and selection of all staff, which will be based on equal and fair treatment for all applicants.

Checklist

- Have you identified the people who will be involved in the recruitment?
- Have they been thoroughly briefed on their roles, the timetable and the processes (including legal requirements)?
- Have you a plan for the recruitment, including the timetable with milestones and deadlines for actions?
- If you have decided to use a search agency, have you identified a consultancy with which you can work? Have you established that their working methods are satisfactory?

Agreeing the key competences and capabilities required of a role is critical to achieving a successful outcome. This will form the basis of the subsequent search and selection, as well as defining the person who will assume a key role in your top team.

Purpose of the post

The job description and person specification are central to the whole recruitment process. These documents will exist for the previous incumbent (unless you are recruiting to a new or substantially changed post) and can form the basis of the description and specification for the next appointment. In adapting previous specifications you should look at:

- changes in the institution or its direction that affect the post – these could be changes in research strategy or funding for example;
- changes in the nature of the post – over the past few years many posts that were once thought of in purely functional terms in an essentially academic institution, such as finance or human resources, are being recognised as an essential part of the strategic top team in facilitating necessary organisational changes;
- reorganisations or other changes that have altered the scope or purpose of the post – these could include the addition or removal of areas of responsibility or membership of particular groups within or outside the institution;
- the nature of the team that the post-holder will be joining – its strengths and weaknesses. Typically senior staff have to lead a team managing a major part of the institution and also have to play a key part in the senior team.

You will be recruiting to a higher education institution at a time of considerable change. Institutions have to address a number of changes, in funding regimes, in organisation, and in international competition, for example. These will have a considerable impact on the sort of person you will have to recruit.

With a clear view of direction you can also start to think about the performance outcomes that will deliver what you want. From this you will be able to describe the job and the sort of person capable of doing it.

Job description

Once you understand the environment into which you will be recruiting, you can move on to defining the job. First you need to consider the parts of the job that refer to the day-to-day performance in the role. Many of these will be common to a wide range of similar posts in the sector (or beyond, in the case of functional specialists) but you need to ensure you recognise the demands of your own institution and of the higher education sector.

You will also need to include the achievement of any specific outcomes. These will spell out in detail particular goals that will be part of the post-holder's job.

The job description will provide a detailed picture of the role the individual performs and will cover areas such as:

- the overall purpose of the role in the context of the institution;
- the specific accountabilities of the role;
- management responsibilities;
- to whom the post-holder is accountable;
- the extent of financial responsibilities and the discretion that can be exercised;
- the stakeholders with whom the post has to engage;
- any representational responsibilities and the delegated authority they carry.

There may also be certain goals that the post-holder will be expected to achieve as a part of the role. These could relate to:

- performance improvement or the pursuit of efficiency savings;
- reorganisation or restructuring of the team;
- system changes;
- either independently or as part of a team, supporting the implementation of organisational change.

Person specification

From the job description you will define the sort of person (in terms of skills, experience and knowledge) who can do the job.

To keep the talent pool open to as many people as possible you should keep the description as general as possible. For example, does it necessarily have to be someone who has worked in the higher education sector, or would more general (but equivalent) experience be suitable?

In assembling the person specification it should be possible to read across from the person specification to the job description. You should be able to say 'attribute X in the person specification is needed to undertake role Y of the job description'.

The description of the attributes should be explicit, allowing the specification to be used as a tool against which to measure the candidates. It should answer questions such as:

- Are any particular qualifications necessary?
- What sort of experience is needed?
- What sort of track record will the individual need?
- Does the post require someone with an academic record?
- How well does the person need to understand the higher education sector?
- What leadership and management attributes will the individual have to demonstrate? How will they relate to the teams they will be managing and be part of?
- What sort of organisations will the appointee have worked for (for example purely higher education or more widely)?
- How much financial and budgetary experience will the individual have had? How much of the budgetary responsibility will have been discretionary?
- Are there other areas of expertise or experience the individual will need such as stakeholder management (including professional groups), outreach, community relations or international experience?
- How much experience will the individual have had at working with other sectors or professional groups?

You will also need to take account of any requirements set out in the statutes of the institution. Some posts, for example, are required to be undertaken by practising members of a particular religion. You may need to seek advice on the precise qualification and what is acceptable in order to establish the criteria to be applied to candidates.

The precise list of attributes in the person specification will depend on the particular requirements of the post. The following examples show some of the requirements a person specification may contain:

- management and leadership
  - the ability to lead teams within a larger organisational context
  - driving through change
  - experience of managing
- financial management
  - effective management of delegated budgets and other resources and a track record of securing value for money
- people management
  - building effective teams and developing people
  - performance management of individuals and groups
  - commitment to equality and diversity
- working with other stakeholders
  - building relationships
  - networking abilities
  - promotion of the institution
- academic standing
  - research record
  - understanding of the higher education sector
  - experience of teaching institutions
- strategic thinking
  - seeing and executing role within a larger organisational context
  - creative problem-solving
  - being results-orientated
- personal attributes
  - verbal and written communication skills
  - interpersonal skills
  - commitment
  - problem-solving
  - ability to cope with pressure.

It is vitally important in setting out the person specification that you do not make it over-restrictive. Every attribute you set out should reflect a genuine requirement. If you are over-prescriptive you will exclude potentially good candidates, restrict the talent pool generally and may open yourself to legal action.

Agreeing the wording and the descriptions used with the line manager for the post will require considerable time. If you are using selection consultants you should certainly expect them to challenge these constructively.

Once agreed, the person specification should not normally be changed after the recruitment process has begun. If a change of circumstances demands adjustment, then normally the process should be restarted.

Encouraging diversity

Institutions seeking to recruit senior staff will want to appoint the person best able to fulfil the essential requirements of the position. Equally they will want to ensure that the vacancy is attractive to the widest possible field of potential candidates. That requires the institution to present a vacancy in the best possible way to attract the most diverse audience.

The key is the job description and the person specification. Each has the potential to attract the best possible candidates, but at the same time can leave the institution open to being challenged to justify a requirement and satisfy the test of legitimacy and proportionality (that is, the requirements are related to the nature of the work and not excessively demanding). These are the common features of legislation dealing with indirect discrimination.

There are codes of practice addressing discrimination in the context of race, disability and sex, and guidance addressing potential discrimination on the grounds of sexual orientation, religion or belief, and age. Each contains advice on best practice in recruitment.

In the context of age discrimination, there is the tension between the need to appeal to the most diverse audience and to attract the person best qualified to fulfil the essential requirements of the job. Institutions will wish to appoint people with the appropriate qualifications and experience, but avoid the allegation that by doing so they are deterring young or older candidates. The most recent advice to employers, entitled *Age diversity at work – A practical guide for business*, published in 2006[10] addresses these issues. The advice applies to all potential areas for discrimination. It advises employers on the key issues from the obvious – avoiding age limits – to the less so – using words and images to attract people of all ages. Avoid specifying a minimum period of experience.

If seeking evidence of qualifications, consider whether such a requirement is necessary or desirable, or whether it may have the effect of deterring applications from good candidates: focus on skills, not stereotypes. Avoid making assumptions based on age: ask job-related questions and be careful not to base decisions on prejudice and stereotypes. In essence ensure that the institution has policies on encouraging diversity, that all staff are aware of and committed to the policies, and that the institution monitors how successful those policies have been in attracting a diverse workforce.

The appendix provides more information on relevant legal provisions.

Confidentiality

On occasions candidates (or potential candidates) will ask that their candidacy be kept secret. This may be because, for example, they do not want their current employers to know they are exploring other opportunities. The panel must determine and consistently apply policy and procedures for determining how they will respond to requests for confidentiality. Whatever decisions are taken must result in equitable treatment of all candidates. The approach to be used should be transparent to all involved in the process.

At no point should a candidate be allowed to exempt themselves from an agreed part of the selection process that other candidates will be undertaking.

Checklist

- Do you understand what you will expect the post-holder to do and the organisational environment in which they will be expected to work?
- Have you defined the role of the individual in clear terms?
- Have you set out any particular achievements you will expect from the post-holder?
- Have you identified the personal attributes and experience the individual will need?
- Have you avoided being too specific or including an unnecessary requirement that could unfairly disadvantage certain candidates or groups of candidates?

Having identified the attributes and qualities you are seeking you will need to decide how you are going to identify and measure them in the candidates. There are many methods, some more reliable than others.

Assessing candidate attributes

The process of selection is one of securing evidence to build up a rounded picture of the candidate. As the person specification is to be used to assess the applicants and measure their suitability, it is important to work out clearly how you propose to measure the attributes. Decisions on methods of selection need to be taken early so that you can plan them carefully and ensure that all those involved with the recruitment are properly briefed and trained for their roles in the process.

As it is unlikely that a candidate will come forward who excels in all areas, it is also important to ascertain what weighting will be given to the different areas. Such weighting should be relative and should not imply that any criterion is purely optional.

You should choose to assess attributes by using methods that:

- are **valid** – the method is a fair predictor of eventual performance
- are **fair** – free from unfair discrimination and bias
- do not have an adverse **impact** on the candidate
- have a reasonable **cost**.

Typical methods are:

- CV
- application letter/form
- selection interviews
- presentations
- assessment centres
- psychometric testing
- references.

No single method is in itself particularly effective, in terms of validity, but when different methods are used in combination the overall validity of the process is improved.

The CV

The CV will give details of the experience the candidate has had. Conscientious candidates will tailor the CV to the person specification of the post for which they are applying. They will also set out their achievements in each post they have held rather than just providing a list of (predictable) responses.

Although the CV is a key document, it is most useful as a selection tool at the long list stage. It allows the selection panel to identify suitable experience and what the candidate has achieved. The panel will be able to assess and compare candidates and identify areas where it will later need to probe for more information.

It is the practice of some ESAs to eliminate candidates they see as obviously unsuitable (according to the brief they have been given) before presenting a list to the institution. Sometimes the agency will discuss all applicants with the institution, pointing out those who fail to meet basic criteria. The selection panel must agree in advance the approach to be used.

Application letters/forms

The selection panel can specify what should be included in an application letter, or the institution may require applicants to complete its own application form. Typically it will ask the candidate in what way they are suitable for the post, what they will bring, how they see the institution developing, and so on.

The application letter/form is useful at the long list stage. It gives an insight into the candidate's understanding of the role, their written communication skills and their vision (personal and for the institution).

Interviews

Interviews are the most commonly used method of selection. They can be highly cost-effective and, if conducted properly, have a low impact on candidates (in terms of the stress, preparation and other demands they make). How valid they are depends very much on the way they are planned and carried out. When conducted in an unstructured way, with limited planning and little tailoring of the questions to elicit specific information, they can be one of the least effective means of differentiating between candidates. Clearly it is not sufficient to meet a few minutes before the interview and parcel out a series of topics around the interview panel.

It is a myth that to be fair or to comply with equal opportunity practice an interview panel must ask all candidates the same questions in the same order. This is not to say that there will not be generic topics to be covered, for which a common starting question will be used. To give each candidate the chance to show their best, however, it is necessary to adapt subsequent questioning to previous responses in a structured interview.

Start with a consideration of the person specification and the information already to hand about the candidate and identify the areas you wish to explore further. These will be critical areas of the performance of the role. Interviews are particularly effective at exploring experience and job knowledge.

Develop questions to explore the candidate's experience from having done similar things in the past (past behaviour is the best predictor of future performance). For example, to explore leadership issues and styles an opening question might be along the lines of:

'Tell me about a time you had to drive through a major change.'

This could be followed by questions that start to probe further, and looking at particular aspects such as:

'What were the main challenges?'

'How did you deal with reluctance to change?'

'How did you measure your success?'

The idea is to build up a picture of the candidate's approach to the area in question. Using this approach, the interview becomes more of a dialogue. The candidates feel more relaxed and are more likely to open up and be honest.

Avoid hypothetical questions (of the form *'How would you...'*). They invite the candidate to speculate and to say what they think you wish to hear. They give little insight into real behaviour.

Although interviews are usually conducted by the interview panel as a whole, there is an increasing practice elsewhere in the public sector to use 'split boards'. For this, the interview panel splits into a number of smaller units for all or part of the interview. Each sub-panel will tackle a particular area with each candidate. They will then come together to pool the results.

This method allows the board to see several candidates at once and to spend more time on each area than would be possible in a full panel. The interviews need to be carefully timetabled and the timing must be rigorously observed.

Presentations

Requiring candidates to make a presentation, usually of 10–20 minutes, with or without visual aids, on a chosen topic gives the selection panel the opportunity to test a candidate's analytical skills, as well as their vision and communication skills. There is a number of ways in which the presentation can be set up:

- The candidate is given a subject in advance of visits to the institution so they can use the meetings they will have as an opportunity to explore issues and present a considered manifesto.
- The candidate is given a subject only a short time (possibly the day before if the selection takes place over two days) so that a more spontaneous reaction is given.

The audience for the presentations can also vary. It may consist of members of the interview panel only or it may be expanded to bring in other stakeholders (academic or other staff, students etc). If the selection committee has acceded to confidentiality requests from the candidates, this may affect the potential audience for the presentation but all candidates should have the same audience.

A variation on the presentation is to ask the candidates to provide a short paper (bear in mind the demands you are making on the candidate) on a particular, relevant topic. This should be circulated to the interview panel ahead of the interview so that they have time to read it and to plan and prepare some questions during the interview.

Assessment centres

An assessment centre provides a means of testing candidates in work-simulation type exercises. Candidates are given a series of tasks similar to those the post-holder might be expected to undertake. The activities are designed specifically to the role by a qualified practitioner against a series of competences and personal characteristics appropriate to the level of the role. Properly designed and run, assessment centres are relatively good predictors of performance.

Assessment centres are being increasingly used for senior appointments in the higher education sector as the benefits become more widely understood.

Psychometric testing

Psychometric testing is widely used in other sectors and there are many instances of its use in the higher education sector for senior positions.

Psychometric tests are of two types. **Cognitive skills tests** measure the ability to exercise certain skills, such as linguistic or numerical ability. They are not usually suitable at the most senior levels. The candidates will often have demonstrated that they have these skills in rising to a position such that they can aspire to the senior positions being discussed in this guidance. They may, however, be relevant when someone is moving across to a different area, for example when the post requires financial management skills and the likely applicants have come from areas where these skills were not so much in demand.

Personality questionnaires are more relevant to appointment at very senior levels. A range of tests that assess personality traits are generally effective as predictors of behaviour and performance. You may wish to consider the use of personality tests as an additional tool in the selection process. In general you will find that the tests do not reveal information that is totally unexpected but the tests will confirm other assessment methods and provide a framework for the other findings. If they do not (in other words, there is a material discrepancy in the findings) this can be a useful basis for exploration in the course of a later interview.

In all cases psychometric testing must only be undertaken by a qualified practitioner. Because of the nature of the tests and the outputs from them, it is important that the results are set into a context and a balanced view presented. Therefore the tester should present the results in the form of a report; the selection panel should not be given the raw results.

References

While not strictly a selection method, references are an important part of the recruitment process. Their purpose is to obtain external validation of the candidates' claims about who they are and what they have done.

Following up references is essential. You will have to decide how you will do this and inform your applicants how you intend to proceed. You may decide to ask for references in writing or through speaking directly to the referee. In some cases, for confidentiality reasons, candidates may ask that you only seek references if the candidate makes the shortlist or even the final offer stage.

In recent years there has been a tendency for references from some organisations to be limited to confirmation that the individual worked for the organisation and the period of their employment.

For a final reference it is important that the references are taken by a member of the selection team and not delegated to the search agency, if used. If you are not seeking written references but instead speaking to referees, you should have a clear structure to the conversation and should record what is said.

Informal references about individuals are problematic as they are often hearsay and should consequently be used with great care as a basis for further examination rather than taken in their own right and without verification.

Collecting the information

To help the use of the person specification as a selection tool, it is useful to set out the attributes in tabular form. The table below includes some reference to the weighting to be given to particular attributes. These may alternatively be expressed as 'essential/desirable'.

For each attribute (or sub-attribute if they are broken down) examples of how they might be evidenced or demonstrated are stated. This could be in terms of experience, of particular achievements or of qualifications. These criteria will, of course, be indicative rather than absolute. They will provide an indication of the sort of level that can be expected.

The table can also list how the attribute will be identified. This will help ensure you can manage the selection methods and focus on particular attributes. It can be counterproductive to expect to get too much information from a particular method.

Attribute	Weighting	Descriptors	Assessment method	Stage (Shortlisting/final selection)
Management experience	High	Experience of managing a large team Evidence of having driven through a significant change	CV/application form	Shortlisting
Financial management	High	Accountancy qualification Ability to read and interpret financial information	CV/application letter Assessment centre	Shortlisting Final selection
Working in higher education	Medium	Holding a responsible post in a higher education institution Demonstrating an understanding of higher education	CV/application letter Interview	Shortlisting Final selection

Checklist

- Have you thoroughly planned the methods you will use for selection?
- Have you ensured they do not introduce any element of unfairness or illegal discrimination?
- Have you briefed those carrying out the process on what will be expected of them?
- Have you an appropriate means of recording the process and the decisions you take?

5 Search

The search stage of the recruitment process involves going out and looking for suitable candidates. There is a number of ways of doing this but at all times you should be asking yourself if you are reaching all the people who could do the job. You may use:

- media advertising
- executive search agencies (ESAs)
- direct methods.

Principles for searching

In undertaking your search, whether you undertake the work yourself or contract parts of it to a search agency, there are certain points you should bear in mind:

- the purpose of your search is to obtain the best candidates for the post;
- you should have a clear idea of what you are looking for and stick to it. If you find something that changes your views on what you are looking for during the search you will need to readdress the process from the beginning;
- your search should cover as wide a range as possible to ensure inclusion of all likely candidates;
- do not do anything that is likely to exclude (either directly or indirectly) any potential candidate, such as over-specification or setting irrelevant requirements;
- where the role involves a specialist skill (such as finance or human resources) you should ensure you have sought advice on what particular criteria are required and where people with those skills will look for vacancies;
- document your search so that you can demonstrate that you have undertaken all reasonable measures to ensure that your talent pool represents the diversity of potential candidates;
- ensure that a search agency is following these principles and is able to demonstrate its own processes for diversity and equality; ask for this demonstration before it is appointed.

Advertising

The importance of advertising

Advertising is an essential part of recruitment, no matter what other approaches are used. While at head of institution level there is a tendency for candidates to wait to be asked rather than to respond to advertisements, there is little evidence to suggest that this happens for other positions. Consequently advertising can be a fruitful source of candidates, if it is properly planned and executed.

An advertisement is at best an invitation to potential candidates to seek further information. You will not be able to give more than notice of your intention to appoint, the basic details of the post and how to get further information. It follows therefore that your advertising campaign should be closely integrated with other activities so that when the enquiries come in you can respond immediately. You should have information packs (whether hard copy or web-based) ready to distribute as soon as you receive enquiries. Potential candidates may be put off if they have to wait.

You should also remember that any advertisement you place will send messages to a wider readership about the institution. It is therefore an opportunity to promote the institution.

Placing advertisements

Advertising in recognised national media tends to be expensive, so it is important to consider how best to use your budget.

For general posts, such as Pro-Vice-Chancellor or registrar, the obvious places will be the usual higher education focused media. While you could also advertise for more functionally specialised posts in these, you would be restricting yourself largely to those already in the sector. To develop as wide a talent pool as possible you should actively consider the use of media associated with the particular specialism.

Take advice from stakeholder groups about media that will be appropriate, such as relevant professional journals or the regional press (especially in the devolved administrations). You should also ensure that respondents to advertisements are treated in the same way as those from other sources.

Information for candidates

At all times you need to remember that recruitment is as much about selling your institution to the candidate – making them want to join with you in taking the institution forward – as it is about the candidates selling themselves to you. Providing candidates with comprehensive, concise and, above all, honest information is an essential part of recruitment. While most candidates will undertake some research, the collection and presentation of information in a single place will save a them lot of time and gives a good impression of the institution.

Of course, you will not necessarily want to release all the possible information to all the candidates at once. There may be matters you would prefer to discuss with selected candidates once you have been through the first selection stage.

If you employ an ESA, it will help you with the preparation and presentation of the information. However, you should be prepared for a certain amount of work to provide material in a suitable form. The ESA will be able to help with presentation, possibly as a single brochure (rather than a collection of documents) or increasingly as a web-based presence.

Information for candidates should provide relevant information regarding the institution, the job itself and the location. You may wish to include details about:

- the institution
  - a pen picture of the institution, giving an overview
  - the place of the advertised post within the institution
- the role
  - the responsibilities
  - the person specification, setting out essential and desirable attributes
  - the management structure into which the post-holder will be introduced
- the appointment process
  - the overall process, including the sequence of events and how decisions will be taken (for example what the final interview will consist of)
  - opportunities to gather more information (visits, phone contacts and so on)
  - the key dates, for receipt of applications and for the selection interviews
  - when a decision will be made
  - how to make an application – CVs, content of application letter, process for submitting and closing date

- the locality
  - as the appointee will be expected to move to the area, they will want to know something about the environment; this could include a general view of the area, the economic aspects, facilities for recreation (sport, culture other leisure activities), employment prospects for partners and children, local education, health and so on
- the terms and conditions of the appointment
  - the salary – you may wish to leave this open as it may depend on the candidate, but an indicative figure could be helpful in sending a signal to potential candidates
  - other employment conditions that may help the potential candidates decide whether they wish to apply, such as health insurance, car allowance and other benefits.

Executive search

It is not for this guidance to recommend the use of the services of executive search agencies (ESAs). Their presence in the higher education sector is a relatively recent phenomenon and is increasingly prevalent for senior roles. However, some searches may be better performed by the institution itself – or you may just prefer to manage all aspects of the process directly.

As many institutions are now making regular use of ESAs in supporting key parts of the recruitment process, this section provides advice on how to get the most out of such a relationship by establishing a common foundation of shared objectives and effective communication. Many institutions have secured such relationships and have shared their insights for this guidance – as have the agencies themselves.

Agencies are probably most appropriate when the search requires an additional dimension. This may occur if you actively wish to explore bringing someone in from outside the sector or for searching internationally. It may also be helpful if you have had difficulty in appointing to a particular post by helping you explore new possibilities.

On the other hand, if you have a good understanding of the likely field and the support of a proactive and strategic human resources department, you may find that you can undertake the recruitment without additional support. Additionally, to be effective ESAs need to be given a very honest picture of the institution, warts and all, and will feed back an objective external view, which may be uncomfortable.

The amount an ESA charges will be significant in relation to the annual salary of the appointee. You will also create an overhead, through the need to manage the relationship with ESAs and provide them with information.

Using ESAs – points to consider

The following factors have driven the growth in consultant use:

- ESAs undertake much of the groundwork, such as phoning candidates, undertaking research, conducting preliminary meetings and compiling reports on candidates.
- ESAs have access to many markets and lines of research as a matter of routine. ESAs undertake tasks such as compiling information for candidates and presenting it as a document or micro-site, designing and placing advertisements and feeding back to unsuccessful candidates.
- Using ESAs imposes a discipline on the process. You will need to have a very clear idea of your strategic direction and the sort of candidate you are looking for. A good consultancy will expect to challenge the institution and will expose any uncertainties. You must be ready to accept this.
- By acting as intermediaries, ESAs will allow the institution to put some distance between itself and potential candidates in the early stages of engagement. This makes it easier to disengage if the institution does not want to pursue the candidature.

Where the field is limited in some way and the institution knows the eligible field (as may happen with certain specialist institutions) there may be no benefit in using an ESA.

Selecting an ESA

There is an increasing number of ESAs with a track record of supporting recruitment in the higher education sector. As with many procurement decisions it is probably true that several of the organisations from which you invite proposals will be able to undertake your recruitment satisfactorily.

This is not the place for a handbook on procurement, but the following points may help in thinking about whom to choose, assuming that a number of organisations is invited to make proposals:

- Some agencies have their own in-house research facilities that develop expertise with the sector in which they operate. Others will outsource the research function.
- An agency should be able to explain the strategy it will adopt for the search. Importantly, it should be able to demonstrate that it will be undertaking original work rather than relying predominantly on a pre-existing database of possible candidates.
- The agency should show in the way it proposes to research the field, as far as it can at an early stage, that it has an understanding of the institution and any features that will determine the field (for example particular professional requirements).
- Assurance should be sought that, where necessary, the ESA will undertake a new search for each assignment and not draw solely on an established (and possibly recycled) database of possible candidates.
- It is important that the agency representatives who 'pitch' to the institution are those who direct the work. There should above all be a feeling that the approach and ethos of the consultants match those of your institution.
- Because the field is dominated by a relatively small number of agencies, they will each work with a large number of clients in the sector. You should discuss with potential agencies any conflicts of interest that may arise through work for other clients and any limitations this may place on the extent of their search services.

Working with ESAs

The relationship between the agency and the institution should be a close one. The agency will be working on its behalf and in the name of the institution. Like all relationships, both sides will have to work at it and abide by certain understandings.

From you, the ESA will need:

- a clear exposition of the candidate specification required to fulfil the role
- a dialogue in which it can challenge your assumptions and expectations
- the opportunity to meet people from the institution who relate to the role being sought, such as colleagues, the role's manager and possibly some of the staff
- the nomination of a single point of contact to act as a channel for communications in both directions; typical tasks include:
  - receiving reports and ensuring they are forwarded to the right people and followed up where necessary
  - arranging diaries and setting up meetings
  - securing and forwarding information from the institution to the search consultants
- an ongoing dialogue throughout the process to ensure progress and resolve emerging issues and any problems

- consistency of approach throughout (for example not revising specifications as the process progresses)
- honest and constructive feedback on rejected candidates (especially if you want the agency to give the feedback)
- trust.

In return the panel should expect the search consultants to provide:

- regular reports on progress
- a clear rationale for their actions and what they offer you
- consistency of personnel – barring events outside their control, the people who pitch for the business should in the main be the people who deliver
- the time to get to know your institution
- challenge to your assumptions and honestly expressed opinions
- their best endeavours to ensure that they undertake a comprehensive and largely original search to find you candidates
- rejection outright of any attempt by you to get them to take decisions that are properly yours; you may expect them to help you formulate the questions you need to ask yourselves to make the decision
- trust.

Research

Research, which involves directly identifying potential candidates, is an important way of building up candidate lists. It is the principal method used by the ESAs and their ability in this area is one of the reasons why they are used. The process is resource intensive and requires a large investment of time by people who have a significant amount of background knowledge.

In many, if not most, cases research will not be necessary as other means of securing candidates will attract a suitable field. It is likely that you may only wish to conduct research if you have a post which is hard to fill.

The quality of the research is highly dependent on:

- the person specification – is it an accurate description of the qualities required to fulfil the institution's particular requirements?
- the briefing that the person conducting the research (whether internally or within the consultancy's research facility) has been given about the institution before the start of the research
- the capability and planning of the person undertaking the research.

The routes to potential candidates include (depending on the nature of the post):

- contacts known to the institution itself
- contacts generated by the networks within the sector
- significant stakeholders in the institution's activities
- professional groups.

If the work is undertaken by a search consultancy, the researcher will spend two to three weeks full-time on a search for suitable candidates. If you expect that a great deal of research is going to be needed to find a candidate then this may be one of the factors favouring the use of an ESA. It will have both the staff (where there is an in-house facility) and the external contacts to undertake this work as well as access to other sectors and to international contacts.

There may be internal candidates in the institution. Increasingly, institutions are developing formal succession plans and development plans to groom senior managers as potential future leaders.

Once potential candidates are identified they have to be approached and sounded out. This is clearly something that has to be done with great sensitivity and tact. It is equally important to be clear on the nature of the contact at this stage to avoid raising any expectations. What is said to the potential candidate at this stage has to be carefully thought through.

Broadening the talent pool

Your aim is to appoint the best person possible for your institution. It follows therefore that you will wish to have the greatest number of eligible candidates from whom to choose. There is a number of steps the panel can take to ensure as wide a range for the selection as possible:

- Having set your requirements, do not change them.
- Secure agreement from all those with an interest before finalising your person specification.
- In researching to build up your applicant list, consult (or ensure your search consultants consult) appropriate professional bodies and other interest groups related to your institution to ensure that potential applicants can be identified in less obvious places.
- Work constructively and strategically with your search consultant (if you are using one). Their experience with the mechanics of research and with other sectors will be helpful in exploring options.
- Think about using targeted advertising to reach particular groups you have identified. This may not produce any applicants directly but it will support searches made in other ways by alerting the target community to the opportunity.

Applications

Information from the candidate

The material you ask for in the application will provide the information on which you are making your shortlisting decisions. It is important therefore that you consider carefully what you ask for at this stage. While you were compiling your person specification you will have considered the particular areas on which you would be shortlisting. You need to ensure that what you ask for, apart from the basic personal information and career history, focuses on these areas.

You also need to think about how much work you ask the candidate to do at this stage. Conscientious candidates (the sort you want to attract) will spend a lot of time and care in preparing for a post they are seriously interested in. It is not reasonable to ask for more than you really need at this stage. If you do, you may well deter promising but busy candidates. You have time later to probe more deeply the candidates you select for the next stage.

You will need to be very clear about exactly what you are asking for and what submissions you consider acceptable. Some less experienced candidates (and because many people rise within an institution there may be more than you think with little experience of applying for jobs externally) may, for example, attach a CV rather than complete the relevant sections of a form. This is not usually acceptable.

Format

If you have an application form in a suitable format, you may ask applicants to complete this as the means of expressing interest in the post. This will ask for personal details, career history, qualifications and (as a separate section) equal opportunity monitoring information.

If you have the opportunity to either create a new form or adapt an existing one, you can seek more information about the candidate by asking for:

- evidence relating to some of the key competences, such as real examples of work they have undertaken and the results they have achieved;
- a short, written piece on a topic relevant to the role, which will allow a judgement to be made (but beware of making it so specific that it acts as an unnecessary barrier to those from outside the institution or sector).

A common practice at more senior levels is for respondents to advertisements to provide a full CV and a covering letter setting out why they are interested in the post. In the application pack the content of this letter should be spelled out explicitly. Typically this should ask:

- specific qualifications (where relevant) for the post;
- why the applicant is interested in the post;
- how the applicant meets the person specification;
- what they would bring to the post.

If you do not use a form with an equal opportunity monitoring section you will have to gather this information separately.

Whatever means your institution uses, you should ensure that you do not discriminate between candidates depending on the source of their application (whether they responded to advertisements or were identified by an ESA, for example).

Candidate list

By the end of the application and research stage you should have a list of candidates about whom you have information through:

- a detailed career history (CV or on an application form);
- the information you have asked for about specific areas relevant to the next selection stage;
- any reports produced by an ESA.

The next stage will be to work towards the shortlist.

If you are working with an ESA you must insist on seeing full information about all the candidates. They may have identified some candidates as unsuitable but you should validate their decisions as it is you who must be accountable for these rejections. The ultimate product at this stage will be a candidate long list.

Checklist

- Have you planned your search campaign?
- Are you equipped to send out information in response to enquiries and to manage the applications as they arrive?
- If you are using a search agency, have you briefed it thoroughly? Do you have arrangements in place for regular reports?
- Will your candidates know as much about your institution as you know about them?

Moving from a long list to a shortlist involves the use of relevant information (including application letters, CVs and consultant's reports) and evaluating these against agreed characteristics and criteria to arrive at a shortlist of candidates to call for interview.

The long list

So far your recruitment process has generated a list of people who are interested in taking up your post – the candidate list. If this list is of a manageable length you may decide that your candidate list becomes your long list.

Otherwise, you may decide to go through a preliminary sift to eliminate obviously unsuitable candidates by referral to the essential criteria in the person specification. You must focus on those attributes for which you have definite information in the documentation you have been sent. At this stage the selection panel eliminates candidates who fail to meet particular criteria, such as evidence of leadership experience, particular requirements in statutes and so on.

You will probably not have a target number to achieve as you will when you are shortlisting (though 12–15 should be your long list maximum). If your applicants have been self-critical, you may find that your entire candidate list has the basic qualifications to enter your long list.

Whichever approach you adopt you will at the end be able to move to the more detailed probing to identify a shortlist.

Identifying the shortlist

The object of the first selection is to take the total pool of candidates and identify those who will go forward to the final selection (often no more than four to five in number).

This is typically a paper exercise conducted by a sift panel made up of people with knowledge of the job and a representative from the secretary/registrar or the human resources department. If a search agency is used, then the consultant may also participate in an advisory capacity, but with no input to final decisions.

The first sift will be made on the basis of a defined sub-set of the person specification. This will ideally have been identified at the drafting of that specification, along with some criteria about the level expected (such as examples of what would be required) and an indication of weighting (such as 'high/medium/low' or 'essential/desirable').

The criteria chosen for the first sift should be based on that which can reasonably be assessed from the information available (CV, application letter, consultant's report) and will therefore be factual. Typical criteria are:

- management experience in a comparable setting;
- relevant professional qualifications;
- experience of or appreciation of higher education;
- track record of leadership through change.

The chosen criteria and the weighting given to them should represent attributes that are important to success in the role and to achieving the expectations and targets that will be set for the individual.

It is important that all those attending the selection panel have seen the application materials in advance and thoroughly understand the criteria that they are expected to apply. If these criteria have not been previously discussed, the first part of the meeting should be a discussion to ensure a common understanding of the task in hand.

Probably the best approach is for the applications to be sent to those who will attend the sift panel well before the meeting. People need to read through all the documentation at a time of their own choosing. The members should be briefed and given a standard means of grading the candidates according to the agreed criteria and recording those grades. They should come to the meeting already familiar with the candidates and with clear ideas about them which can then be shared and discussed.

If this preparation has been done thoroughly, members will be able to make speedy judgements where there is agreement, so that discussion can focus on the differences of view. The process takes place in three stages:

- elimination of obviously unsuitable candidates;
- assessment of candidates against the highly weighted or essential attributes;
- assessment against lower weighted or desirable attributes.

At the end of the process the meeting should have achieved a shortlist of candidates who will be called to interview.

If the panel has confidence in the validity of the person specification and the close relation of this to the needs of the institution then it should be possible to identify a relatively small shortlist. You should not have anyone on your list who does not appear, on the basis of the available evidence, to be a serious contender.

Final selection

Final selection continues the process of collecting and evaluating evidence of candidate suitability and this can be done in several ways.

Getting to know the candidate

Recruitment is as much about the institution selling itself to the candidate as it is about the institution making its choice. It will help the candidate make a decision about continuing with their application if they know as much as possible about the institution and the job. Apart from the information pack, you should think about the other ways you can help the candidate learn more.

The degree of commitment you make to this process (or expect from the candidate) will vary, perhaps with the seniority of the post, but may include:

- an opportunity to visit the institution;
- meetings with relevant staff, including the present incumbent of the post (if appropriate);
- meetings with senior staff, including the opportunity to discuss specific issues.

A visit may provide the opportunity to address any contentious issues that have not previously been raised, such as any problems the new incumbent will be expected to tackle. The candidates should be given the chance to discuss these in some depth so they know what they could be taking on.

The extent to which these visits are treated in isolation from the selection process varies in practice. They should not be used as a major determinant in the final selection process because they take place under uncontrolled conditions. One method is for those who have met the candidates to provide a confidential briefing for the chair of the selection panel.

Making the selection

Ideally you will have planned the final selection process when you were drawing up the person specification. You will have decided the methods you will employ at this stage, as outlined in the earlier section.

This final stage should not be managed in isolation from what has gone before; it provides an opportunity to augment what has been learned so far about the candidates, to fill in any gaps and to test attributes that have not yet been assessed. For this reason you should ensure that anyone involved in final selection understands what has gone before. The interview panel should have access to material generated by any earlier selection processes. This includes the reports from psychometric tests written by a qualified tester and reports from any assessment centre or other work test process. These are discussed in section 4 of this guidance.

Interview panel planning and briefing

It is important that the interview panel is properly briefed. This may be a contentious area as panel members sometimes consider that their interviewing skills are in no further need of development. While in some cases this will be the case, success in this area should not be left to chance.

To be effective you must plan the interview. The structured interview carried out by people who have received some training has one of the highest predictive validities of any method of selection.

One approach is to hold a briefing meeting, facilitated by the secretary/registrar or head of human resources, in which panel members can discuss their experiences in interviewing and their knowledge and understanding of equal opportunities and diversity, as well as techniques for formulating and asking questions. By sharing experience in this way the members can come to a common level of understanding.

Monitoring

Monitoring for equality is an essential part of the recruitment process, but separate from the selection. As you move through the processes eliminating candidates, someone should be delegated to keep track of the composition of the pool. You should be prepared to examine any shifts that seem to be changing the characteristics of the pool in order to determine the causes, such as if one of your methods has introduced bias.

Problems with appointment

No suitable candidate

While working through the recruitment process in a systematic and rigorous manner will go a long way to ensuring success, it is possible that you cannot find a suitable candidate, for a variety of reasons. There may have been changes in circumstances which render the initial specification inappropriate (in which case you should restart the process as soon as the change occurs). Sometimes candidates who appear strong on paper fail to deliver when you probe them more deeply. It may also be that the approach taken to candidate search was ill-suited to your requirements.

In these circumstances all you can do is start again. In doing so you should review:

- your original expectations in the light of the recruitment experience;
- the person specification;
- the criteria and means used for search and subsequent selection.

Candidate turns down the offer

Sometimes when you have chosen your candidate and made the offer they decide they do not wish to take up the appointment. This may be because at the end of the process they decide that this post is not for them or that they are not the person you are looking for. They may have had what they perceive as a better offer.

It is not uncommon to find that more than one of the candidates could be suitable for the post according to your criteria. As a precaution, therefore, it is important that the selection panel should, as well as choosing their preferred candidate, rank any candidates considered suitable for the post. This will give you a reserve.

Checklist

- Have you a properly defined strategy for identifying the shortlist?
- Have you planned the final stages of selection?
- Are the people who will be making the selection thoroughly trained and briefed in the methods?
- Is the process being thoroughly recorded and monitored?

Once the selection has been made there are several steps to wind up the process properly.

Salary

The question of salary, including any performance element, may have been determined at the outset and so not be a matter for consideration. Some posts will fall within the remit of the institution's remuneration committee. This will be clearly defined in the institution's statutes. Observations on the role of remuneration committees are examined in the recently published guidance to governors issued by the Leadership Foundation for Higher Education.[11]

In setting the remuneration you will need to consider the performance requirements for the post. These should have been discussed very early in the process, during the compilation of the specification for the candidate, but may have been readjusted in the light of the final selection.

Legislation on pay parity

The law does not require employers to pay employees 'the rate for the job'. It does require employers to pay men and women the same where either:

- the man and the woman are employed on like work in the same employment; or
- the man's job and the woman's job are of 'equal value', based on an evaluation of the demands made of them by reference to effort, skill and decision making; or
- their jobs have been rated as equivalent in a job evaluation exercise.

The Equal Pay Act 1970 and the extensive case law since then set out both the parameters of the ways in which a woman can seek to establish the right to equal pay and how an employer may be able to defend such a claim. Assuming that the woman can establish the obligation to ensure pay equality, and for these purposes she can compare herself with an existing or previous post-holder, it is for the employer to establish that if there are pay differentials, they are attributable to a genuine (as opposed to a sham or pretence) material factor that is not tainted by sex discrimination.

The most usual factors relied on, though each case will depend on its facts, are length and level of experience, level of service, the degree of skills acquired and the responsibilities undertaken, or that the individuals are at different points in the grading structure. Additionally it may be possible to point to different economic circumstances affecting the institution where the comparator was working at a different time from the appointee, or that market forces have dictated that a later appointee is paid more (or less) than a person already established in the post.

The Equal Pay Act covers all aspects of the remuneration package: pay, non-discretionary bonuses, performance-related remuneration, pension benefits and a wide range of pay-related benefits. The Equal Opportunities Commission (now part of the Equality and Human Rights Commission) code of practice[12], published in 2003, sets out extensive guidance to employers on how to comply with the law on equal pay and ensure best practice. In particular, institutions can best consider carrying out an equal pay review in five stages:

- deciding the scope of the review and identifying the data required;
- determining where men and women are doing equal work;
- collecting pay data to identify pay gaps;
- establishing the causes of significant pay gaps and the reasons for those gaps;
- developing an equal pay action plan that should encompass a mechanism to review and monitor action.

Health

Health is a sensitive area because of privacy and data protection issues. However, you will wish to ensure that you are not exposing your candidate to any risk that could affect their health and ability to do the job (subject to any adjustments you will make for disability). You also need to protect the institution from any liability as a result of a health condition that subsequently emerges.

Checks may consist of a health questionnaire, followed by an interview with an occupational nursing adviser if there are any points for clarification. A referral to a physician may be necessary if there are further checks required. Your human resources department will have access to appropriate people and procedures.

International appointments

If you intend to appoint a non-EU national to a post you have the responsibility to ensure that they are eligible to work in the UK. The human resources department will provide the information you need on criteria and processes. Information is available on the website of Global Permits (the company contracted by the UK Border Agency to provide advice and guidance).[13]

Performance

The institution will have clear ideas on expected performance. These should be explained to all candidates who are invited for interview. It may affect their decision to continue their candidacy or to accept the post if offered. It is thus important that they understand what will be expected of them.

Before confirming the appointment you should go through these again with the successful candidate to ensure they are fully aware of the commitment they are making. Performance requirements will vary from post to post and may include:

- institutional targets, such as reorganisations;
- new projects, such as the overhaul of particular systems;
- activities related to major changes or improvements, including in aspects of performance.

It is important to have realistic expectations of the new appointment and not to create an unattainable list.

The new appointee's line manager should provide a high degree of support for the appointee during the settling-in period. Regular meetings will provide an opportunity to discuss how the new role is progressing and to sort out any difficulties (on either side) at an early opportunity and before they become major problems. The new appointee and their manager may wish to agree a period after which a more formal appraisal is given, over and above any regular assessment. It is important that the line manager discusses the appointee's progress against set objectives and identifies any areas of concern, keeping notes of the discussions and informing the appointee in writing.

Induction

To give the new post-holder the best start you will need to plan very carefully how they take over from their predecessor. Because of the wide range of circumstances it is not possible to lay down a definitive process for the handover. It will depend on geography, relations with the incumbent, the demands of the successful candidate's present job during the notice period and so on. However, working out an ordered handover, with adequate briefing, will help ensure the successful deployment of the new post-holder.

If you have recruited someone from outside the sector, you will need to provide more detailed support. One approach is to offer the new post-holder the option of a mentor within the institution or in another, similar, institution. You will find that the professional bodies representing the sector, such as Universities Human Resources or the British Universities Finance Directors Group, are helpful in this respect. The mentor will be able to provide practical support and guidance from the point of view of someone already doing the job.

Probationary periods

Probationary periods are common at all levels. They give the institution the opportunity to test out the appointee and to ensure that the selection process has been effective in identifying a suitable candidate. In setting expectations for probation you will have to consider a number of factors, such as specific actions to be undertaken during the period, levels of performance of the post-holder and of their team, and expected achievements. Probation can be more problematic if the post-holder has some difficult or unpopular actions to take. Arrangements should be made to provide sufficient support, with clear signals that they are doing the job they were taken on to do. The probationary period should be carefully and flexibly monitored by the individual's line manager and any concerns raised in writing at an early stage with the appointee.

Finally, it may be that, despite everything, the new appointee is not delivering the expected level of performance and all attempts at remedial action have proved unsuccessful. In this eventuality it is necessary to arrange a dignified and sensitive exit. The human resources department will be able to provide advice and guidance on procedures. In such cases institutions must take due account of relevant guidance on severance, such as the recent HEFCE guidance.[14]

Feedback to unsuccessful candidates

Feedback to unsuccessful candidates is an essential part of the recruitment process:

- All the candidates will have invested a great deal of time and commitment in participating and will be entitled to hear an honest account of how you perceived them.
- Constructive feedback that helps an individual develop will enrich the talent pool of good leaders available to the sector. This will help sustain the UK's reputation for world-class higher education, benefiting the whole sector.
- The reputation of your institution will be affected by how you handle the feedback process.

Even if an ESA is used, there is a strong case for having the feedback delivered by someone within the institution, who can set the feedback within the context of the competences. This might be the secretary/registrar or head of human resources (provided they were involved in the recruitment process) or the chair of the interview panel.

Unsuccessful candidates value direct contact and will usually hold the institution in higher esteem if they get it. People who have undertaken this task themselves find that there is almost always a positive response from unsuccessful candidates, provided they feel that the information is honest and constructive.

If it is felt appropriate to delegate this task to the ESA, the agency should be given clear briefing and the detailed content of each individual's feedback should be discussed.

In general, feedback should be set against the requirements of the person specification rather than relative to other candidates. It may be necessary, however, to refer to the successful candidate who will have shown a more complete fulfilment of the criteria when an unsuccessful candidate nonetheless could realistically also have taken on the role.

The feedback should cover:

- the strengths displayed by the candidate, including aspects of their application that led to their shortlisting;
- the areas (if any) where their performance was judged below the level of the person specification;
- areas for development, including possible ways in which the individual might build their capability, for example by further training or gaining different work experience;
- any advice about possible career paths.

It should be made clear at the outset that any information given about judgements made by the selection panel is not up for discussion. It is a very rare experience for a candidate to raise any objections, but if necessary this should be made clear and you should not enter into any debate or justification.

There is a tendency, by way of intended consolation, to suggest that candidates were near misses. This cannot be true for all candidates and any attempt to mislead in this way tends to be discovered. It is better not to enter into discussion about any final ranking.

Review

While you will undoubtedly feel a sense of relief at the successful appointment, you should not forget the importance of a review of the process.

The review should cover:

- what the process was (the recruitment manager will have kept a record of detail);
- what worked well;
- what worked less well;
- what did not work;
- lessons learned: how would you do it differently in future?

Checklist

- Have you explained to the successful candidate what you expect of them in terms of achievement and timetable?
- Have you planned an orderly induction for the new post-holder to help them assume their new responsibilities?
- Have you given feedback to the unsuccessful candidates?
- Have you left unsuccessful candidates with a positive impression of your institution?
- Have you reviewed the process and identified lessons learned?

Legal requirements

The law prohibits discrimination in an increasing number of areas. The common themes, with a number of important differences in the context of disability which has a free-standing obligation that requires an employer to make a reasonable adjustment to accommodate the needs of a disabled person, are a prohibition of direct and indirect discrimination, harassment and victimisation.

In the field of recruitment the most likely form of potential discrimination is indirect discrimination. Indirect discrimination can exist where an employer, for example for the purposes of the age discrimination legislation:

- applies a provision, criterion or practice to the job applicant (for example possession of a degree or higher academic qualification); which
- is applied equally to all job applicants including those from a different age group to the particular job applicant; but which
- the job applicant can demonstrate either puts or would put him or her or others of the same age group at a particular disadvantage by comparison; and
- puts that person at a disadvantage.

If it does put that person at a disadvantage then the employer must show that the provision, criterion or practice is a proportionate means of achieving a legitimate aim.

The requirement to demonstrate the aim's legitimacy as well as 'proportionality' (that is, the stated requirements are closely related to the demands of the post) will require institutions to demonstrate an awareness of how a job description or person specification might be affected by age discrimination law and be able to produce evidence that the requirement in question is essential or adds value and does not deter potential applicants.

The table below sets out the areas of potential discrimination and the legislation that covers them. Discrimination related to a person's disability uses a different model to the other strands of discrimination law. In particular, it does not encompass indirect discrimination: instead it potentially requires the employer to make a reasonable adjustment to avoid discrimination against a person with a disability, as clarified in the next section.

Ways of avoiding potential discrimination in a recruitment exercise are addressed in the various codes of practice and guidance notes published under the relevant legislative themes. It is envisaged that legislation will be enacted in 2009 or 2010 unifying the various strands of discrimination, defining a consistent standard of what amounts to unjustified discrimination, and unifying guidance to employers on how best to avoid discrimination and encourage diversity.

Areas for potential discrimination	Relevant legislation
Sex, marital status, pregnancy and related areas, gender reassignment	Equal Pay Act 1970 Sex Discrimination Act 1975 Employment Rights Act 1996 Maternity and Parental Leave Regulations 2006 Part-Time Workers Regulations 2000 Flexible Working Regulations 2003 and 2009
Race, colour, nationality, ethnic or national origin	Race Relations Act 1976 Race Relations Amendment Act 2000
Disability	Disability Discrimination Acts 1995 and 2005
Sexual orientation	Employment Equality (Sexual Orientation) Regulations 2003
Religion or belief	Employment Equality (Religion or Belief) Regulations 2003
Age	Employment Equality (Age) Regulations 2006

Other legal considerations

There are other legal considerations you need to bear in mind from the outset in conducting your research. These concern:

- people with criminal records;
- the right to work in the UK;
- the provisions for accommodating people with disabilities.

Criminal records

Under the Rehabilitation of Offenders Act 1974 a person convicted of prescribed criminal offences set out in tables in the legislation is able, depending on the category of offence, whether or not the person was a young offender, and on the sentence imposed, to treat that conviction as being 'spent' after a specified length of time.

A candidate would not be required to disclose a 'spent' conviction on an application form and it might be illegal either not to recruit, or to decline to confirm an appointment, where it was discovered that a candidate had not disclosed a 'spent' conviction.

The right to work in the UK

Under the Asylum and Immigration Act 1996, and since its amendment the Immigration, Asylum and Nationality Act 2006, employers commit a criminal offence if they employ a person who is subject to immigration control and who under section 21 of the 2006 legislation has either not been granted leave to enter or remain in the UK, has been invalidly granted leave to enter or remain, whose leave has been curtailed, cancelled or revoked, or whose leave is governed by a condition with restrictions on employment.

In practice employers seek to avoid this by asking job applicants to provide a national insurance number or to provide passport evidence. As this step is normally taken after appointment and employers may sometimes wish to explore the question before that stage, there is a potential area of difficulty and the risk for employers of an allegation that, in seeking to establish a candidate's right to work in the UK, they are guilty of discrimination.

To address this issue the UK Border Agency has published a code of practice[15] 'to give you practical guidance on how to avoid unlawful racial discrimination whilst also complying with the law to prevent illegal migrant working'. The code sets out in section 7 practical advice to ensure that employers do not consciously or unconsciously discriminate.

Making reasonable adjustments for persons with a disability

In planning your recruitment campaign you should bear in mind that there may be among potential candidates disabled people for whom you will have to make suitable accommodation. You should include this in your early planning.

The Disability Discrimination Act 1995 requires an employer to make adjustments to accommodate an employee or prospective employee with a disability. In particular section 4a of the Act imposes that obligation where a provision, criterion or practice places a disabled person at a substantial disadvantage when compared with a person without a disability. In such a case the employer is required to take such steps as are reasonable to prevent that provision, criterion or practice from having that effect. Section 18b then sets out factors to be taken into account when determining that question of reasonableness:

- the extent to which taking the step would prevent the effect in relation to which the duty is imposed;
- the extent to which it is practicable to take the step;
- the financial and other costs that would be incurred in taking the step;
- the extent of the employer's financial and other resources;
- the availability to the employer of financial or other assistance with respect to taking the step;
- the nature of the employer's activities and the size of the undertaking.

Section 18b(2) then lists 12 examples of practical steps that an employer might need to consider, among them acquiring or modifying equipment and modifying procedures for testing or assessment.

Making reasonable adjustments when recruiting

There is guidance for employers on actions to ensure that recruitment practices comply with the legislation on the Equality and Human Rights Commission website.[16] In 2004 the Disability Rights Commission published its statutory code of practice[17]: the code, and in particular section 7 addressing discrimination in recruitment, can be taken into account by employment tribunals when determining whether an employer has been guilty of discrimination. Making adjustments to accommodate the needs of disabled employees is promoted by government as common sense and sound business practice. Specifically in these areas best practice contemplates the following:

Advertising The job advertisement should expressly make it clear that the employer is committed to a diverse workforce and welcomes applications from disabled people. The advert should make clear that information about the vacancy can be supplied in various formats, and that applications can be received in a similar fashion.

Job descriptions and person specifications The job description and person specification must avoid specifying requirements that are not related to the position and might discourage a disabled person from applying. The focus should be on what the job is to accomplish and avoiding including unnecessary or marginal requirements.

Application forms A disabled person may need to be enabled to submit an application in an alternative format. Good practice is where an employer – through standard questions in the job application – gives the candidate the opportunity to say whether there are any special provisions or facilities required at interview. It is permissible to ask candidates on the application form if they have a disability and whether there are any adjustments that will need to be made at assessment or interview stage.

Selection processes Whether the employer uses assessment testing, psychometric testing or other methods of selection will depend on the institution and the level of appointment. In all instances the code recommends that employers are alive to the potential of the process to discriminate and to demonstrate potential bias. The emphasis must be on identifying the potential for adverse impact on the person and, where possible and reasonable, modifying the technique to avoid disadvantage.

Notes

1 Whether they have institution-wide responsibilities or not (for example, executive deans)

2 Equality Challenge Unit (2008) *Equality in higher education: Statistical report 2008* online at http://www.ecu.ac.uk/publications/equality-in-he-stats-08

3 The terms 'governing body' and 'board' encompass: the governing bodies of post-1992 institutions; the councils of pre-1992 universities; and courts in Scotland. 'Governor' indicates a member of these different bodies; 'chair' is used for the person convening governing body meetings and 'head of institution' for the Vice-Chancellor or Principal. 'HEI' is used for 'higher education institution'

4 Universities UK (2004) *Appointing senior managers in higher education: a guide to best practice*, London: Universities UK

5 Equality Challenge Unit (2008) *Equality in higher education: Statistical report 2008* online at http://www.ecu.ac.uk/publications/equality-in-he-stats-08

6 The chair should ensure panel members are well versed in all aspects of senior staff recruitment and the application of equality and diversity legislation. Formal briefing/training sessions in these fields are strongly recommended

7 Professional advisers will add significant value to the process (for example, the head of HR and or the secretary/registrar). It is also important to ensure that individuals with relevant functional expertise (for example, finance, if appointing a director of finance) are involved (whether as a member of the board or an independent external adviser)

8 The records may be also required in the event of a 'freedom of information' request

9 These can be found in the introduction to the first report of the Nolan Committee: www.archive.official-documents.co.uk/document/parlment/nolan/nolan.htm

10 This guidance can be found at http://www.stop-discrimination.info/fileadmin/pdfs/Nationale_Inhalte/UK/documents/AgeDiversityAtWork.pdf
The ACAS guidance *Age and the workplace: Putting the Employment Equality (Age) Regulations 2006 into practice* covers this issue and can be found at http://www.acas.org.uk/CHttpHandler.ashx?id=588&p=0

11 Hall, A (2009) *Getting to grips with human resource management,* Leadership Foundation for Higher Education

12 Equal Opportunities Commission (2003) *Code of practice on equal pay.* http://www.equalityhumanrights.com/uploaded_files/code_of_practice_equalpay.pdf

13 http://www.globalpermits.co.uk/companies.php

14 HEFCE (2009) *Severance payments to senior staff in higher education institutions* (Circular 06/2009) available online at www.hefce.ac.uk/pubs/circlets/2009/cl06_09/

15 UK Border Agency (2008) *Guidance for employers on the avoidance of unlawful discrimination in employment practice while seeking to prevent illegal working,* UKBA
http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/preventingillegalworking/currentguidanceandcodes/antidiscriminationcode2008.pdf?view=Binary

16 http://www.equalityhumanrights.com/your-rights/disability/disability-in-employment/recruitment-and-promotion/

17 Disability Rights Commission (2004) *Code of practice: Employment and occupation,* Equality and Human Rights Commission http://www.equalityhumanrights.com/advice-and-guidance/information-for-advisers/codes-of-practice/

About Universities UK

This publication has been produced by Universities UK, which is the representative body for the executive heads of UK universities and is recognised as the umbrella group for the university sector. It works to advance the interests of universities and to spread good practice throughout the higher education sector.

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