



Hiring Manager! Do you know what you can and cannot ask in an interview?

As a Hiring Manager, what do I need to consider?

The most important thing to remember is that you are only interviewing your candidate to determine their ability to do the job.

It is very easy to stray into grey areas when trying to build rapport in an interview situation so, you should be aware of the language you are using and the questions you are asking, to avoid leaving you open to court proceedings. As with most things, preparation is key.

Some of the subjects you will need to approach carefully >

Birth place, ethnicity or religion

Employers should never ask questions about a candidate's birthplace, background or religion. Your only concern here is that they are legally eligible to work in the UK, can speak and write English to the required standard and are available to work the days required for the role.

| DO NOT ASK... | ASK INSTEAD... |
|---|---|
| What country are you from or where were you born? | Are you eligible to work in the UK? |
| What is your native language? | What languages are you fluent in? (if the job requires more than one language) |
| What religion do you practice or which religious holidays do you observe? | Can you work the days required for this role? |

Marital status, children, or sexual preference

Asking about children in an interview setting is not appropriate. Neither is asking if they are planning a family, are pregnant or about childcare arrangements. Asking any of these questions is very personal and could be used to determine a person's sexual orientation, something which has no bearing on a candidate's ability to do the job.

| DO NOT ASK... | ASK INSTEAD... |
|--|--|
| Is this your maiden name? | Are any of your qualifications or references under another name? |
| Do you have childcare arrangements in place if we need you to work out of hours? | What days/hours are you available to work? |
| Do you have, or plan to have, children? | Are you available to work overtime on occasion? Can you travel? |

Gender or age

The only right you have to ask a candidate their age would be to establish that they are over 18 should this be a legal requirement, eg: in order to sell alcohol etc. Any other age related questions should be avoided. Of course, you can ask about their ability to handle the challenges of the role, but never imply that age or gender may affect this.

| DO NOT ASK... | ASK INSTEAD... |
|---|--|
| How old are you? | Are you over the age of 18? |
| How do you feel about managing men/women? | Tell me about your previous experience of managing staff |
| How long do you plan to work before you retire? | What are your long term career goals? |

Disability, illness or health

Sickness, health and disabilities should always be avoided at an interview. Questioning a candidate over a disability and whether it would affect their ability to do the job is grounds for disability discrimination. However, you can ask in relation to whether an assessment needs to be made to determine their suitability for the job or whether adjustments need to be made in order to accommodate a candidate's needs.

| DO NOT ASK... | ASK INSTEAD... |
|---|---|
| How many sick days did you take last year? | How many unscheduled days of work did you miss last year? |
| Does your disability affect your ability to do the job? | Do you have any specific requirements in order to perform this job effectively? |

The above are just some of the subjects you need to consider in relation to interviewing, there are many other questions you should avoid, such as "Do you smoke?", "How much alcohol do you consume?", "How tall are you/How much do you weigh?" etc. Also, you should not ask if a person has a criminal record, any political affiliations or group memberships. These things have no bearing on whether a person is suitable for the job.

Please don't hesitate to contact us if you would like any clarification or advice on any recruitment issues.

We hope you found this brief guide useful and informative



Call us, tweet us, pop in and see us — or we can come and see you

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