

Promoting diversity in recruitment

To help you start thinking about diversity in your firm, we have set out a few questions which you might ask yourself.

Recruitment

By comparing your firm's diversity with that of similar firms, you might identify under representation for some groups which should prompt you to review your approach. There is no magic formula to attract a diverse range of candidates when you are recruiting, but there are a few questions you can ask yourself to understand how to widen your approach to recruitment.

How do you advertise your vacancies?

Might this affect the type of person applying for positions at your firm? If the readers who view the publication or website where you are advertising are not very diverse, this will be reflected in the candidates who apply.

What types of schools, colleges and universities do you have contact with?

Consider how this might affect the type of student you engage with and who might apply to work at your firm. Students who attended state schools are significantly under-represented at some universities. For example, just under 57% of students at the University of Oxford went to state schools – Facts and Figures, University of Oxford, 2014 [<https://www.ox.ac.uk/about/facts-and-figures?wssl=1>] .

By what criteria do you judge your applicants?

Think carefully about the skills and experience candidates will need to perform the role. Exclude factors which are not really required and might limit the range of people who can apply. Do you need to insist on certain 'A' level grades? Do you recognise other equivalent qualifications?

Contextual recruitment will help you select the most able candidates by understanding the context of their achievements. This is particularly useful when you are faced with a large number of candidates with the same high level of qualifications or experience.

Ernst and Young has just reviewed its academic requirements [<https://www.timeshighereducation.com/news/ernst-and-young-drops-degree-classification-threshold-graduate-recruitment>] – EY will no longer require students to have a 2:1 degree and the equivalent of three B grades at A level to be considered for its graduate programmes.



Are you aware of your unconscious biases?

We sometimes make decisions unconsciously informed by stereotypes. For example research has shown that many employers are unintentionally less likely to invite applicants to interview if they have a typically African or Asian name. (Syal, R – Undercover job hunters reveal huge race bias in Britain's workplaces, The Guardian, 2009)

Training on unconscious bias can make your recruitment processes fairer. Free resources are available, such as the Five (5) Points for Progress Toolkit- Know Yourself Unconscious Bias Tool, produced by Business in the Community. 'CV blind' recruitment will help you judge candidates on merit without making assumptions.

What other factors could be creating bias in your recruitment process?

Research has shown that men are more likely to 'self-promote' than women. If your recruitment process places high value on this trait, you may deter or disadvantage female candidates (Yakowicz, W – How to remove gender bias from the hiring process, Inc Magazine, 2014

[<http://www.inc.com/will-yakowicz/how-to-help-end-gender-bias-while-hiring.html>]).

How do you decide on initial salaries and might this disadvantage certain groups?

There has been a lot of research into the gender pay gap in the legal profession. It is a sensitive area but a transparent approach which is applied consistently will help your staff understand what they have to do to secure a pay rise. If you base initial salary on a person's previous salary, and their individual negotiating power, you may be introducing unfairness and reinforcing existing pay discrepancies, based on gender or ethnicity.

Development and progression

Without clear and objective systems for assessing performance and promoting staff, managers may assess different people in different ways, giving some an unfair advantage.

- Do you have clear criteria for assessing performance?
- Have you thought about whether these criteria might favour some people over others?
- Have you provided training to your managers to raise awareness of unconscious bias?

For more information about bias in performance appraisal, and how to address it, see Traub, L – Bias in performance management review

process, Cook Ross, 2013

[<http://www.cookross.com/docs/unconsciousbiasinperformance2013.pdf>] .

Work/life balance

Many women leave their jobs in legal services because they cannot work flexibly (International Women in Law Summit 2012: legacy report with recommendations, Law Society, 2012).

A significant proportion of women do not ask for flexible working believing they would be seen as less serious about their careers and it would harm their promotion prospects (Barriers to the legal profession, Legal Services Board, 2010 [<https://www.legalservicesboard.org.uk/wp-content/media/2010-Diversity-literature-review.pdf>]).

- Are you following the statutory requirements regarding the right to request flexible working?
- Are you aware of the benefits of offering flexible working?
- Is work/life balance viewed positively in your firm?

Recent research from Vodaphone shows that flexible working makes good business sense:

“Respondents stated – to a striking extent – that they believed performance had been enhanced as a result of flexible working:

- 61 per cent of respondents said their company’s profits increased;
- 83 per cent reported an improvement in productivity; and
- 58 per cent believed that flexible working policies had a positive impact on their organisation’s reputation.”

Useful guidance can be seen in the Law Society’s practice note on this:

Flexible working, Law Society, 2014 [<http://www.lawsociety.org.uk/support-services/advice/practice-notes/flexible-working/>] .