

YOU CAN'T ASK ME THAT, IT'S ILLEGAL!



Discrimination in hiring is illegal. Certain interview questions are illegal because they may be evidence of a possible intent to discriminate. You must be very careful not to ask a question that is out of bounds and be careful of any comments that you may make during the interview that could be misconstrued. For instance, if you ask the Candidate about their plans to have children it could be considered as a sign of gender or pregnancy discrimination. Below are examples of questions that could be considered discriminatory:

You remark on the Candidate's accent and enquire whether he/she is a UK national (national origin discrimination).

You mention to the Candidate that he/she may have to work on a Sunday, you say that if he/she is a fundamentalist Christian it could be a problem (religious discrimination).

You ask whether the Candidate has any major health problems whilst emphasising that the job is very stressful (disability discrimination).

You ask the Candidate how old they are (age discrimination).

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You enquire as to whether the Candidate is married and has children, then ask what their day care situation is (gender discrimination).

To avoid inadvertently asking questions which could be interpreted wrongly, make sure you have a set list of questions for each Candidate. Examine the intent behind your questioning and construct your questions carefully making sure that you cannot be misunderstood in any way.

If you are unsure about the questions you wish to ask, it would be a good idea to get your list of questions checked by a Solicitor or alternatively a recognised recruitment agency.



More information can be found by visiting these websites or contacting the companies directly:

www.alchemy-recruit.co.uk

www.legislation.hmso.gov.uk

www.rec.uk.com/press-centre/publications.htm