



Think Business, Think Equality

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INTRODUCTION

This guidance is for small and medium businesses who want to improve gender equality and diversity in their workplace. You can use it alongside our other *Think Business, Think Equality* resources to make a positive change in your business.

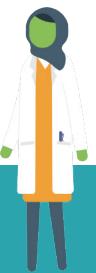
Delivering workplace equality makes good business sense. Having fairer working practices allows you to attract and retain the best talent, reduce recruitment and training costs, and makes your business more productive, more innovative, and more profitable.

This resource provides information and advice on how gender inequality affects recruitment, promotion, and retention. It sets out what you need to do to ensure your own process is as fair and robust as possible, enabling you to reap the benefits of increased diversity and equality in your business.

The *Think Business, Think Equality* resources are designed to be used together to enable you to create change in your business. The action you take in each area will reinforce actions in the others.

The Think Business, Think Equality online tool is available at:

www.thinkbusinessthinkequality.org.uk



LEGAL DISCLAIMER

While every effort has been made to ensure that the explanations given here are accurate, only the courts or tribunals can give authoritative interpretations of the law.



KEY MESSAGES

These key messages are where you should begin. You can use them as a starting point to think about what you need to do in your business to deliver fairness and equality in recruitment and promotion, or include in training for staff involved in your recruitment process.

1. Biases and stereotypes about women still influence hiring decisions.

Assumptions about what women can or want to do – especially around age, childcare, or leadership – can affect who gets hired or promoted.

2. Discrimination is a legal and reputational risk.

If women are treated unfairly during recruitment or promotion, it can lead to costly tribunal claims and damage your business's reputation.

3. Prospective candidates are looking for inclusive employers.

More candidates – especially women – are choosing employers that show a clear commitment to gender equality, diversity and inclusion.

4. A clear recruitment policy supports fairer outcomes.

It helps ensure all candidates are assessed equally and reduces the risk of women being unfairly overlooked.

5. Show that your business values women.

Include a statement in your recruitment materials that highlights your commitment to gender equality, and the value you place on a diverse workforce.



6. Inclusive job adverts attract more women.

Use gender-neutral language, reflect diversity in imagery, and advertise in networks and spaces that actively reach women and underrepresented groups.

7. Structured recruitment helps reduce bias.

Using standardised application forms and agreed scoring criteria supports more consistent shortlisting and interviews.

8. Train hiring managers to spot and avoid bias.

Recruitment training should help staff understand how discrimination and assumptions about women can impact decisions.

9. Keep records to support your decision-making.

Storing interview notes and scoring sheets helps show that your hiring decisions were fair and evidence-based – especially if challenged.

10. Support women to succeed from day one.

A good induction and trained, supportive line managers send a clear message to women that they're welcomed, valued, and supported to grow.



HOW GENDER INEQUALITY AFFECTS RECRUITMENT AND RETENTION

Women face a range of barriers in securing employment and gaining promotion, driven by behaviours and attitudes within organisations. These influence decisions that are made throughout the recruitment and promotion process that disadvantage women, especially the most marginalised women, e.g. women who are disabled or from racially minoritised communities. This is exacerbated by recruitment and promotion practice that isn't based on clear, objective and transparent processes, which allows bias to creep in.

This section sets out what you need to know about the drivers of gender inequality in recruitment, promotion, and retention.

GENDER STEREOTYPES

Stereotypical attitudes about men and women still influence recruitment and promotion decisions. This may be intentional or unintentional – but whichever it is, if it impacts on decisions, it's a problem for your business.

Assumptions about women's capabilities and preferences can lead to the wrong decision being made about whether they are right for a particular job. This can result in gender inequality in your business, and risks costly and reputationally damaging discrimination claims.

For example, because women do the majority of childcare, many people assume they are 'naturally suited' to jobs involving care, while men aren't. Jobs that are female-dominated are



frequently those seen as ‘women’s work’, which are often much lower-paid than jobs typically done by men. This is driven by bias that places a lower value on women’s skills and talents. If your business has more women than men in lower-paid roles, this bias might be affecting your recruitment and promotion decisions.

CARING ROLES

Having responsibilities for childcare or unpaid care for adults makes it harder for women to access and stay in work. Women often need to work part-time, but part-time work is less common in better-paid jobs – particularly the most senior roles – meaning women end up in the only part-time jobs they can find, where they’re over-skilled and under-paid.

If your business is hesitant on part-time or flexible working, this could deter women from applying to work for you, reducing your talent pool and making it harder to fill vacancies.

CAREER PROGRESSION

Women tend to work in more junior roles than men across all occupations and sectors, and are usually concentrated in the lower grades of most organisations. The invisible barrier that prevents women from progressing to senior levels, despite seemingly fair recruitment and promotion procedures, is known as the ‘glass ceiling’

Stereotypical attitudes mean that women are still seen as less suited to senior roles than men. Even in female-dominated jobs and sectors such as care, retail and cleaning, women are less likely to progress, and men are overrepresented in management positions.



This means you can't be sure you have the right person for the role, and it's likely that you're not making the most of your talent.

PRESENTEEISM AND WORK-LIFE BALANCE

Evidence shows that working longer hours does not mean increased productivity. A culture of presenteeism, which sees long hours equated with greater commitment or capability, discourages women with caring roles from applying for promotion, particularly for senior roles.

Work-life balance isn't only important to women. In today's workplace there is a much greater desire for flexibility in working hours and location from all employees – current and potential. Younger people see flexible working as one of their highest priorities when looking for jobs, so improving your flexibility now will pay dividends for future recruitment and retention.

ACCESS TO OPPORTUNITIES

Many recruitment and promotion opportunities are accessed through informal networks, which women have less access to, particularly those that are based on after-work socialising. These informal networks are frequently where promotion or development opportunities are discussed, and this can result in these opportunities going to the same groups of people. Informal discussion of such opportunities can also mean jobs are not formally advertised, or the recruitment process is not followed as the successful candidate has already been 'shoulder tapped'.

SHOULDER-TAPPING

It's not uncommon for businesses to have internal candidates in mind when advertising promoted posts. There's nothing wrong with recognising your internal talent. However, where it appears



that staff have been ‘shoulder tapped’ for promotion, or the formal process hasn’t been followed, it can create a perception of unfairness and have an impact on employee morale. Where process isn’t followed, this also means you can’t be certain you’re getting the best person for the role, and could be exposing your business to risk, e.g. a discrimination claim.

FROM RECRUITMENT TO RETENTION

Poor workplace practices can significantly hinder your ability to retain staff, particularly talented and experienced employees. Discrimination, pay disparities, and a lack of inclusive policies create environments where employees, particularly women and other marginalised groups, feel undervalued or unsupported.

When your workplace culture doesn’t feel inclusive this can also damage your business’s reputation, making it less attractive to potential hires. High turnover rates caused by poor workplace practices lead to increased recruitment and training costs, lower productivity, and a loss of organisational knowledge and expertise. By failing to prioritise equality and diversity businesses not only risk losing valuable staff but also miss out on the benefits of diverse perspectives and the innovation that comes with them.

The evidence shows that current and prospective employees have a greater awareness of these issues, and candidates are increasingly prioritising employers with clear commitments to diversity, equality, and inclusion. Think Business, Think Equality can help you to understand how to embrace equality across our business. You can visit [our website](#) to access our self-assessments and guidance on a range of different themes and take your first step to positive change.



HOW TO GET RECRUITMENT RIGHT

Good recruitment practice is an investment in your business. Understanding whether your recruitment and promotion practice affects men and women differently can help you to ensure fairness, avoid costly mistakes, and widen your talent pool. Taking action to tackle presenteeism, widen access to networking, and ensure hiring decisions are based on skills and competencies, and not stereotypes, will help you to reap the benefits of greater equality and diversity in your business.

This section sets out what you need to do to get it right.

RECRUITMENT POLICY

A formal recruitment and selection policy will enable you to demonstrate fairness, and ensure you are getting the right person for the job. Ensuring a consistent and transparent process is followed will also help to protect your business from costly employment tribunal claims.

Your recruitment and promotion policy should include the following:

- Clear, written recruitment processes for developing job description and person specifications, advertising, shortlisting, and interviewing.
- A requirement that all staff involved in the recruitment process be trained, and that this training covers non-discrimination and fair treatment in recruitment.
- A requirement to advertise all vacancies, and ensure adverts reach the widest possible talent pool.



- A requirement to include a statement that your business is happy to discuss flexible working options in all adverts.
- A requirement to keep records of all decisions made during the recruitment process, including all notes from shortlisting and interview processes.

Your policy should also set out how you will make sure that the most suitable person for a job is selected. You can find more on this in the section on decision making on [page 33-38](#).

It's important to make sure that hiring for internal vacancies follows the formal recruitment process, and that all staff involved are aware of this.

EQUALITY, DIVERSITY AND INCLUSION

Your recruitment and selection policy should include a statement that your business is committed to equality, diversity, and inclusion, and aims to ensure that:

- The most suitable person for any job will be selected on the basis of their skills and experience;
- No applicant will be unfairly treated or discriminated against on any grounds, including gender; and
- You particularly welcome applicants from groups that are currently underrepresented in your workforce.



EXAMPLE STATEMENT:

“[Organisation name] is committed to creating a diverse and inclusive workforce and welcomes applications from all members of the community. We encourage applicants from underrepresented groups including women, LGBTQI+ people, racially minoritised groups and disabled people.”

You can also use targeted statements if you have identified if particular groups are underrepresented in your business, or part of your business. If you are recruiting for a role which is predominantly done by men, you could use the following statement in the advert: ‘We particularly encourage applications from women, who are currently underrepresented.’ Similarly, if you are recruiting for a role which is typically done by women, you could use the following statement: ‘We particularly encourage applications from men who are currently under-represented.’

You should regularly review your policy to ensure it remains consistent with the law and best practice.

ACCESSIBILITY

It’s important that your recruitment process is accessible to all applicants. There are a range of actions you can take to improve accessibility at each stage of the recruitment process.



Inclusive job adverts

- Use clear, jargon-free language and avoid unnecessary technical terms.
- State essential criteria only to avoid discouraging candidates who may meet the role's needs in different ways.
- Include an accessibility statement inviting candidates to let you know which adjustments they need.
- Use accessible formats (e.g. larger fonts, screen-reader-friendly PDFs, and alternative formats like audio or Braille if requested).
- Highlight that you welcome applications from disabled women and women with long-term health conditions and that reasonable adjustments are available.

Accessible application process

- Offer multiple application formats (e.g. online, email, video, paper).
- Ensure online application portals are compatible with screen readers and other assistive technologies.
- Allow candidates to submit responses in different ways, such as written answers, voice recordings, or video submissions.
- Keep application forms simple and easy to navigate, with clear instructions.
- Ensure that application deadlines allow enough time for candidates who may need adjustments, such as extra time to complete written tasks or support in preparing applications.



Adjustments for interviews

- Employers have a legal duty under the Equality Act 2010 to provide reasonable adjustments for disabled applicants during the recruitment process.
- Ask candidates if they need reasonable adjustments in advance.
- Offer alternative interview formats, such as remote interviews, written responses, or work trials instead of traditional interviews.
- Choose accessible venues with step-free access, accessible toilets, and hearing loops.
- Allow extra time for assessments or provide alternative ways to demonstrate skills.

Onboarding

- Proactively ask staff what support they need as part of your onboarding process, rather than waiting for them to request reasonable adjustments.
- Have in place easy access to workplace adjustments, such as:
 - Assistive technology (e.g. screen readers, voice-to-text software)
 - Flexible working arrangements (e.g. remote work, adjusted hours)
 - Ergonomic furniture or adapted workspaces
- Regularly review adjustments to ensure they remain effective as employees' needs change.

By embedding accessibility and reasonable adjustments into your recruitment and onboarding processes, you can ensure that disabled women and those with long-term health conditions, and disabled people more broadly, can fully participate in the workplace and contribute their skills and experience effectively.



JOB DESCRIPTIONS

A written job description, or job summary, which details job purpose, tasks, and responsibilities should be in place for every job in your business.

Job descriptions help ensure you recruit the person with the right skills, competencies, and experience for the job. Ensuring job descriptions and adverts are written in clear, gender-neutral language also helps you to recruit from the widest possible talent pool.

WHY JOB DESCRIPTIONS?

Job descriptions can be used for a variety of purposes.

As a recruitment tool – they can be used as a basis for job advertisements, and should be sent to applicants with application forms.

As a basis for employment contracts – specific reference to job descriptions can be made in contracts of employment.

As a defence against a discrimination claim – they can help demonstrate selection decisions were objective.



PERSON SPECIFICATIONS

Having person specifications can also help you to control for hiring bias in the recruitment process.

A person specification is a valuable tool used to profile the ideal person to do a particular job. A job description will set out what you need your candidate to be able to do, while a person specification sets out the skills and attributes the candidates need to do the job well.

A person specification should detail the criteria to be used in shortlisting and in selecting candidates to fill a vacancy. It can also be used as a basis for interview questions.

Person specifications should be kept simple and very tightly referenced to the job description. They can include information under a number of headings, such as skills, knowledge and experience.

WHAT DOES A GOOD PERSON SPECIFICATION LOOK LIKE?

You should use **gender-neutral language**, and ensure no assumptions are made about stereotypically male or female qualities and traits.

Qualifications specified must be necessary to do the job, unless candidates are being recruited on the basis of future potential (for example, graduates).



You should check all **essential criteria** are genuinely essential. Evidence shows that women are less likely to apply for jobs for which they do not have all the essential and desirable criteria, whereas men will apply for jobs even if they only meet some of the criteria specified.

Similarly, it is essential that the specified **experience** relates closely to the actual requirements of the job. This will help you to avoid indirect discrimination.

All of the criteria included must be applied equally to all applicants and you should be able, if challenged, to justify why certain criteria are necessary.

Indirect discrimination

The law says that when recruiting, you must not do something that would impact negatively on someone on the basis of a protected characteristic. The protected characteristics in law are as follows:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief



- Sex
- Sexual orientation

Unless you can demonstrate that your actions or requirements are **objectively justified** (that is, that your actions are a proportionate way of achieving a legitimate aim), any specified requirements that have a disproportionately negative impact on one group over another could be viewed as **indirect discrimination**.

EXAMPLE

Having a requirement that candidates must be over 6 feet tall may be considered indirect sex discrimination, since considerably fewer women than men would meet this. You'd have to demonstrate that this requirement couldn't be met by, for example, providing equipment that would allow shorter people to reach heights, or the requirement might not be justified.

Similarly, having a requirement for candidates to have x number of years' experience, or 'recent experience', could potentially discriminate against women, who are more likely to take career breaks to care for children or relatives.

Requirements for 'recent experience' would also need to be justified. You might consider whether industry practices have changed drastically in recent years, or could new staff be easily upskilled. You might also think about whether appropriate experience could be gained in a non-working environment, such as the home or through voluntary work.



EXCEPTIONS

The Equality Act 2010 does, in limited circumstances, allow advertisements aimed specifically at one sex. One reason for this is in cases where there is a genuine occupational requirement for an employee to be a particular sex. This might, for example, apply to caring roles, where personal care is delivered to clients of one sex or another.

The Equality and Human Rights Commission website provides full guidance on when a genuine occupational requirement may apply.

APPLICATION FORMS

When advertising a vacancy, it makes sense to use the best method of gathering information from applicants to help you shortlist, and appoint, the best person for the job.

Why not CVs?

CVs may seem a useful option. They allow applicants to tailor their application to their own preferences, but they can make shortlisting difficult. **Varying degrees of information** may be supplied by applicants while important details may be omitted. CVs can also include information which is **not relevant to the job**, or include details which may allow negative and discriminatory opinions about an applicant to be formed. For example, information about hobbies, or marital status, and numbers and ages of children and so on.



Job application forms, on the other hand, allow applications to be scored or ranked for shortlisting across an **agreed set of criteria**, and help ensure applicants provide **consistently structured information** which can be expanded on at interview. In addition, application forms can provide evidence of why a candidate has or has not been selected for interview, if a claim of unfair selection is taken to tribunal.

UNLAWFUL DISCRIMINATION

Job application forms and interviews should not include questions which are not relevant to the applicant's ability to do the job as this may amount to unlawful discrimination.

Examples of questions which may lead to unlawful discrimination include:

- asking whether a woman has or intends to have children,
- asking whether a woman is married,
- asking a question about a Muslim woman's hijab, and
- asking a woman who is from a racially minoritised community where she is 'originally' from.

ADVERTISING VACANCIES

Recruitment practice that encourages applications from as the widest possible pool will attract the best talent, and will be better able to recruit non-traditional candidates.



If jobs aren't formally advertised then women, who tend to have less access to informal workplace networks, are less likely to be aware of opportunities, and less likely to apply. This will limit your pool of applicants.

Here are some important things to consider when advertising a job.

Wording

You should avoid using gender-specific terms in your advert (such as for 'handyman' or 'waitress'), which may imply only one gender is suitable for the job. This can amount to direct sex discrimination, which is unlawful. Adverts should use gender-neutral terms that can be applied equally to women or men.

EXCEPTIONS

The Equality Act 2010 does, in limited circumstances, allow advertisements aimed specifically at one sex.

The Equality and Human Rights Commission website provides full guidance on when a genuine occupational requirement may apply.



Flexible working

Employees have the right to request flexible working from day one of their employment. However, advertising that you're open to flexible working also makes good business sense. It lets prospective employees know that you'll deal with requests positively and fairly, and look for ways to make flexible working work for both parties. This helps you to attract and retain the best talent, and get the most out of your people.

You should advertise vacancies as able to be considered on a flexible or part-time basis, wherever possible. To find out more about how to make the most of a flexible workforce, read our [flexible working resource](#).

Images

You should make sure that images used in adverts don't appear to favour or suggest a particular type of person for the post (for example, white, male, young). Images that show a diverse range of people will broaden the appeal of your advert and attract a wider pool of talent.

Location

Vacancies should be advertised as widely as possible by using a variety of media, for example:

- Online recruitment sites
- Social media, e.g. LinkedIn
- Company website
- Trade and professional journals
- Job centres



- Workplace notice boards
- Organisations and networks representing specific groups, e.g. women, racially minoritised people, or disabled people

Information sessions

A great way to increase the number of applicants and expand your talent pool is holding information sessions for potential employees. These short sessions can be held online or in-person. They're not just about sharing information about your business, the role and the skills required. They're a way for you to let candidates know about your recruitment process, what a good application looks like, and how you conduct interviews.

This will send a clear message to potential employees that your business is inclusive. It will also help candidates to be better prepared, enabling you to get the best out of them. It's particularly helpful to applicants who may be making their first job application in the UK, and may be unfamiliar with the process, for example recent migrants.

Positive action in recruitment

The law says that if you've identified that certain groups of people are underrepresented in a particular role within your business, you can take targeted action to try to address this. This is known as **positive action** and is lawful under the Equality Act 2010.

Positive action can be used to mitigate a disadvantage a particular group might experience, or to increase their representation in a workplace. In recruitment, this can be done before, or at, the application and/or interview stage. For example, you could offer pre-interview information



or training sessions for potential applicants to learn about the skills required for the vacant post, including sessions targeted specifically at women from racially minoritised groups.

In order to take positive action, you must be able to show that it's an appropriate way for you to improve equality in your organisation. For example, if your employee data shows that racially minoritised women are underrepresented in your organisation, positive action may be appropriate to help increase their representation.

Positive action doesn't mean giving someone an unfair advantage. It's mitigating the disadvantage caused by inequality, to put them on a level playing field with their counterparts.

Positive action can also be used in a 'tie break' situation, where two applicants are equally well qualified, but one has a relevant protected characteristic and the other doesn't. For example, if women are underrepresented in a particular business, that business could select a female candidate over a male candidate, providing she was equally well qualified, in furtherance of their efforts to have a more representative workforce.

This is not the same as 'positive discrimination', which is unlawful. If, in this example, the man was better qualified than the woman, the business would have to offer the job to him, even if they were targeting women in an effort to redress the gender imbalance in their workforce. To offer a post to a less well-qualified person because they share a protected characteristic is discriminatory.

The following are examples of positive action in recruitment.



CASE STUDY ONE: POSITIVE ACTION IN RECRUITMENT – INNOVATE TECHNOLOGY

Company: Innovate Technology

Sector: Tech (Software Development)

Business size: Tech startup (38 employees)

Challenge: Neurodivergent women tend to be underrepresented in the tech sector and face specific barriers that are less recognised in standard recruitment practices. These include:

- Later or missed diagnoses, often due to gendered expectations and masking behaviours.
- Communication styles (for example being direct and literal) being perceived as being rude or abrasive, and therefore not conforming to gendered expectations of “feminine” communication (for example being polite or expressive).
- Neurodivergent women may have difficulty expressing or recognising emotions in a way that aligns with gendered norms (for example being nurturing or empathetic). They might be perceived as distant or unemotional
- Biased assumptions around ‘culture fit’ or teamwork, which may overlook technical strengths.



Innovate Technology recognised these issues after reviewing feedback from past recruitment cycles, which revealed that while some neurodivergent men had successfully been recruited, they were receiving significantly fewer applications from neurodivergent women, and those who did apply weren't progressing through shortlisting or interview stages. To address this imbalance, the business implements the following positive action measures:

- 1. Guaranteed interview scheme** – Neurodivergent women who met the essential criteria were guaranteed an interview. This is permitted because neurodivergence is recognised as a disability under the Equality Act 2010. This helped remove barriers at the application and shortlisting stages and encouraged applications from candidates who might otherwise self-select out.
- 2. Targeted outreach & job advertising** – The business promoted vacancies through specialist networks, such as **Women in Tech**, **Diversity in Tech**, and **The Wedge**. This widened the talent pool and made the roles more visible to underrepresented groups.
- 3. Pre-application support** – The company ran informal online Q&A sessions tailored to neurodivergent women interested in applying, including:
 - A walkthrough of the recruitment process, with a focus on what to expect during interviews.



- One-to-one support for understanding the job description and role requirements.
- The option to request adjustments in advance, including extra processing time or alternative interview formats.

4. Neuroinclusive job design – Job descriptions were reviewed for potential barriers to neurodivergent applicants. For example:

- Removing vague or subjective criteria like ‘excellent interpersonal skills’ unless directly relevant to the role.
- Offering the choice between verbal or written communication in team settings.
- Making it clear that flexible, remote, and asynchronous work options were available.

5. Interview adjustments – The interview process was adapted to be more neuroinclusive, including:

- Sharing interview questions in advance where appropriate.
- Allowing written responses or additional time for processing complex questions.
- Providing clear structure and expectations for interviews.



Why is this lawful?

- This is lawful positive action under Section 158 of the Equality Act 2010, as it seeks to reduce disadvantage faced by disabled women, including neurodivergent individuals.
- It does not involve automatic hiring based on disability or gender. Instead, it ensures fairer access to the recruitment process and removes unnecessary barriers.

Outcome:

- Applications from disabled women, including neurodivergent candidates, increased.
- Two neurodivergent women were recruited to junior developer roles in the next hiring round.
- The company benefited from more diverse perspectives, particularly in areas like UX design and accessibility testing.
- The business began a broader review of its recruitment processes to identify other potential adjustments that could increase diversity in their workforce.



CASE STUDY TWO: POSITIVE ACTION IN RECRUITMENT – INNOVATE TECHNOLOGY

Company: Insight Legal Solutions

Sector: Professional Services (Legal Consultancy)

Business size: Small business (32 employees)

Challenge: Racially minoritised women were underrepresented in mid- and senior-level roles, despite being well-represented in junior positions. Racially minoritised women reported feeling unclear about how to progress, and a lack of visible role models affected their confidence in applying for promotions. To address this imbalance, the business implements the following positive action measures:

- 1. Clear progression pathways** – The business developed and shared transparent criteria for development and promotion. This reduced reliance on informal sponsorship by colleagues and made expectations clearer to all staff.
- 2. Access to women's professional networks** – The business partnered with professional networks aimed at supporting racially minoritised women in law including **The BAME Woman in Law**. Staff were encouraged and supported to attend networking events, helping them build skills, visibility, and connections for career progression.



3. **Mentoring scheme** – A mentoring programme was introduced to support racially-minoritised women with career planning and development. Senior staff were trained as mentors, and external racially minoritised professionals were invited to take part in the pilot.
4. **Leadership skills workshops** – Optional development workshops were offered on leadership-related skills, including client presentation, negotiation, and business development.
5. **Bias review of recruitment and appraisal** – Recruitment materials and performance appraisal criteria were reviewed to identify and remove unintentionally biased language, such as vague requirements for ‘cultural fit’. Hiring managers also received training in gender and racial equality in recruitment and decision making.
6. **Staff feedback mechanisms** – Leadership introduced quarterly ‘culture check-ins’ to listen to staff experiences, with a focus on inclusion and access to opportunity.

Why is this lawful?

- This is legal positive action under Section 158 of the Equality Act 2010, which allows steps to reduce disadvantage experienced by people with protected characteristics such as race and gender.
- The business did not reserve promotions or jobs for racially minoritised women; rather, it improved access to development opportunities for a group that was underrepresented and disadvantaged.



Outcome:

- Racially minoritised women reported having a better understanding of the opportunities available for development, and what they needed to do to progress.
- Within a year, two racially minoritised women progressed into more senior roles.
- Staff feedback highlighted an improved sense of inclusion and fairness.
- The business saw increased retention and was recognised for inclusive practice by a local business award scheme.

Chapter 12 of the [Equality and Human Rights Commission employer code of practice](#) contains detailed information on positive action measures.

Communication with staff

The law says you must let staff know about any promotion opportunities or other information relating to their job that they would normally be made aware of if they were working. This is particularly important for staff who are on long-term sick leave, or maternity or other parental leave, who may have a claim for discrimination if they are not kept up to date.

MAKING DECISIONS

Assumptions about women's capabilities and preferences can lead to the wrong decision being made about whether they are right for a particular job. This can hamper equality and diversity in your business, and risks costly and reputationally damaging discrimination claims.



Taking a fair, systematic, and consistent approach helps ensure decision makers do not discriminate unfairly, whether consciously or subconsciously. Staff involved in recruitment decisions should be clear on how a successful applicant should be considered and selected. It's best practice for these staff to receive recruitment training, which should include information on understanding and preventing discrimination in recruitment.

SHORTLISTING APPLICATIONS

When the job has been advertised and applications received, a shortlist of candidates to invite for interview should be drawn up. You should take any identifying information out of applications prior to shortlisting, including but not limited to name, age, and gender, to avoid the potential for these to influence decisions.

Here are the key features of a best practice approach to shortlisting

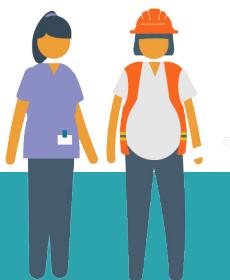
SHORTLISTING INTERVIEW CANDIDATES

Set criteria for selecting candidates

- Criteria should be based closely on the person specification drawn up for the job.

Have a scoring system to assist decision making

- Examine each application and award points to each applicant, depending on how the individual criteria agreed for the job are met by each applicant.



Involve two or more people in the shortlisting process

- Where possible, at least two people collaborate in deciding the shortlist of interview candidates. Where possible, there should be a gender balance.
- For internal applicants, you should try to ensure that staff involved in recruiting do not know any of the candidates. This can be difficult in smaller businesses. If it isn't possible, they should declare if they know or have a relation to any candidate.
- Each draws up their own list of potential candidates, then meet and agree a final list, based on scores from their individual lists.
- Scores are totalled, and applicants with the highest scores are invited to interview.

INTERVIEWS

When you have your shortlist, you should let successful candidates know as soon as possible. Giving plenty of time to prepare will help candidates present themselves at their best, and will help those who have caring roles to build preparation time into their schedule.

Below are the key features of a best practice approach to interviews.



INTERVIEWING JOB APPLICANTS

Where possible, at least two people should conduct interviews.

- These should be those who did the shortlisting.
- One-to-one interviews can increase the potential for discrimination to occur. Panel interviews, conducted by two or more people, lessen the potential for discrimination. For internal applicants, you should try to ensure that panellists do not know any of the candidates. This can be difficult in smaller businesses. If it isn't possible, panellists should declare if they know or have a relation to any candidate.

Keep records of interviews.

- Each interviewer should note every candidate's answers to the interview questions.
- Scoring sheets and notes should be stored for future reference.

All interview candidates are asked the same questions.

- All candidates should be asked the same set of questions that have been decided beforehand.
- Where candidates are asked different questions, inconsistency and unfairness can result.
- If an unsuccessful candidate takes a complaint to an employment tribunal, this type of questioning can be difficult to defend.



Interview panels should be gender balanced.

- Where possible, both men and women should be on interview panels.
- Panels should also be diverse in other ways, for example including panellists of different ethnicities, as far as possible.

Questions are relevant to the vacant job.

- Ensure only questions related to the job in question are asked.
- Never ask questions about childcare arrangements and marital status. Even if such questions are asked of both men and women, this may amount to indirect sex discrimination.
- You should consider sharing questions with candidates in advance of the interview. This can make your process more accessible, particularly for people with specific access needs, to whom you may offer additional time to prepare.

Each candidate is scored against the same set of criteria.

- Scores should be allocated for each answer given by candidates, according to an agreed rating system.
- The successful candidate is the person who has achieved the highest overall score.



Feedback

Unstructured recruitment processes make it difficult to be clear on why you've selected or rejected a particular candidate. This isn't helpful for you, or your applicants, especially unsuccessful candidates who may want to understand how they can do better next time.

If you've followed a structured scoring process to assess interview candidates, it will be clear who your successful appointee is. It will also allow you to identify why the other candidates were not successful. This will enable you to provide unsuccessful candidates with meaningful feedback so they understand the decision, and the steps they can take to improve their chances of future success.

SETTING PAY

Any element of discretion in deciding pay can be highly vulnerable to gender bias. Stereotypical views and attitudes to the value of different types of work and staff may influence decisions, whether consciously or not.

Employers and managers are often unaware of the impact their decisions may have on pay equality, and any consequent effect on staff morale. All staff who are involved in making decisions on pay and reward should receive equality training, and should understand the law on providing equal pay between men and women.

To find out more about fairness in pay setting, take the [pay and reward test](#) or read our [guidance on pay equality](#).



KEEPING RECORDS AND EVIDENCING DECISIONS

Discrimination during recruitment and selection can result in an employment tribunal claim, which not only costs time and money, but can also present a serious risk to reputation.

It's important to record how you arrived at a decision to select a particular candidate over another, for example the criteria upon which the selection was based, and the scoring against those criteria. This will enable you to evidence and justify your decision, and make sure you're making your selection based only on the criteria for the job, and therefore selecting the best candidate. This will also help to protect your organisation in the event of a tribunal claim.

It's important to be able to make the best use of your data. Gathering recruitment data, by gender, will enable you to identify patterns, for example, departments, roles, or grades where women are underrepresented in appointments, or stages in the recruitment process where women appear to drop-off. You should also review your data gathering processes to ensure you can collect and analyse data in an intersectional way. This means being able to examine multiple characteristics simultaneously – such as gender and age – to identify trends, such as whether women are more likely than men to leave at a particular age.



DATA PROTECTION

You must ensure that recruitment data is collected, processed, and stored in compliance with UK data protection obligations by:

- Only collecting necessary data for recruitment purposes and ensuring candidates know how their data will be used.
- Storing data securely, restricting access to authorised personnel only, and implementing appropriate technical safeguards.
- Deleting or anonymising data when no longer needed, in line with the business's retention policy.
- Providing candidates with their data rights, including access, correction, and deletion requests.

FROM RECRUITMENT TO RETENTION

Onboarding new staff, and promotion of existing staff, are key opportunities to set the tone for your future working relationship. This is a critical factor in retention, as it sends a clear message on how you value and support your staff.



Inductions

All new employees should receive an induction. It's not only about introducing them to the team, setting expectations for the role, and completing paperwork – it's a crucial first step in demonstrating an inclusive workplace culture, and how you value your employees.

Whether you're supporting new recruits or promoted colleagues, this is the time to talk about flexible working and trial new working patterns, discuss training and development needs and options, and make sure you're aware of any support they might need to perform at their best. If they're returning to work after a career break, for example due to caring responsibilities, their induction will help you to identify any training or support they might need to bring their skills up to date.

Line managers

Building a good relationship with a line manager is a key factor in how likely an employee is to stay in an organisation – evidence shows it's as important as pay. Line managers are important gatekeepers when it comes to flexible working requests and access to training and development, so it's essential they are well trained and able to support staff.

If an employee feels supported by their line manager, they're more likely to feel able to raise any issues or concerns at work. This is especially important for situations involving sexist comments or sexual harassment. These issues have a significant impact on women's safety and wellbeing in the workplace and can result in them leaving a role if not dealt with properly. You can find more information this in our [resources on workplace sexual harassment](#).



Workplace culture

A good induction sets the tone for how your new employee will feel about working for your business. Setting out on the right foot is important, but making sure your business has an inclusive workplace culture is the key to long-term staff retention.

Workplace culture can be difficult to define, but it's generally considered to be a combination of the processes, attitudes, values, and behaviours that exist within a workplace, and that impact upon the organisation and its staff. Workplace cultures that don't feel inclusive are a leading reason for staff leaving an organisation.

It's hard to 'see' workplace culture in your own business because you work in it every day and it just becomes the norm. However, while there may never be any intention to exclude particular groups or individuals, cultural norms at work can result in some people being put at a disadvantage.

You can find more information on how to create and sustain an inclusive workplace culture in our [guidance](#) on this topic.

The factors that influence retention and workplace culture go far beyond the recruitment and promotion process, covered by the wide range of thematic self-assessments and guidance on the [Think Business, Think Equality](#) website.



Close the Gap works in Scotland on women's labour market participation. We work with policymakers, employers and unions to influence and enable action that will address the causes of women's inequality at work.

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