

Contents

The author	iii
The second edition	iii
GLOSSARY	IV
List of abbreviations	iv
List of legislation cited	vi
Codes and guidance notes	viii
List of case references	ix
1 INTRODUCTION	2
The key changes that are affecting the recruitment process	2
What this Briefing aims to do	6
Structure and content of the Briefing	7
What are the key areas of law for recruitment?.....	8
2 THE LEGAL FRAMEWORK	12
Employment contracts	12
The key elements of a legally binding contract	15
Legislation	19
3 RECRUITMENT NEEDS ANALYSIS	42
Introduction	42
1 Type of employment relationship	42
2 The recruitment process	51
Summary points.....	56
4 PREPARING TO RECRUIT	58
Introduction.....	58
Preparing documentation	58
The job advertisement	59

	The application form	68
	Summary of key issues	75
	Further information	76
5	THE SELECTION PROCESS	80
	Introduction.....	80
	Short-listing.....	80
	Interviews	81
	Selection.....	84
	Disabled applicants.....	85
6	JOB OFFERS, VERIFICATION AND SCREENING	90
	Introduction.....	90
	Making an offer	90
	Conditions of the offer	93
	Accepting offers	96
	Verification	96
	Screening for non-UK nationals	99
	An overview of screening for legislative reasons	99
	References and health screening	99
	Health screening	102
7	RECRUITING NON-EMPLOYEES	106
	Introduction.....	106
	The legal rules that apply	107
	Legislation	109
	The question of employment status.....	112
	Preparing to recruit	114
	The recruitment process	115
	The contracts.....	116
8	THE CONTRACT OF EMPLOYMENT	122
	Introduction.....	122
	Special terms of contract	122

Form of contract	124
Contract or written particulars?	124
Content of written particulars	125
Other matters	128

APPENDICES **130**

Codes of practice and other sources	130
Law reports and secondary literature	130
Useful websites	131