THE SELECTION PROCESS

After you’ve advertised your vacancy and received the applications the next stage is the selection process.

When deciding on the successful candidate you should take into account three things:

- Data collection
- Candidate assessment
- Comparison

The key document here is your person specification. When you assess candidates’ suitability always compare the candidates against the essential criteria and desirable criteria of the person specification. Avoid simply comparing the candidates against each other: this is likely highly subjective!

Data collection

Information can be gathered about candidates via:

- Application forms and/or Curricula Vitae and covering letters
- Interview performance
- References
- Essays (or extended questions within application forms)
- Some larger organisations may wish to use other more advanced techniques (psychometric testing, assessment centres)
- Any mitigating circumstances

Your aim is to recruit the person or people who best fit your person specification. As above, you should ensure that you only collect relevant information.

The first stage of the selection process – shortlisting (or deciding who to invite for interview) – generally takes place using information provided by either (i) an application form or (ii) curricula vitae and covering letters.

Shortlisting should take place as soon as possible after the closing date. If at all possible it is useful to have at least two people involved in this process. It also gives the first real indication of the success (or not) of the recruitment and advertising stages of the process. If the application form has been well-designed – and based around your person specification and job description – it should be relatively easy to filter out those candidates who do not meet the essential criteria.

If you still have a large number of potentially suitable candidates after considering the essential requirements, you may shortlist further by producing a list of candidates who appear to possess a number of the desirable requirements as well.
A good rule of thumb is to interview between 4 and 6 candidates for a job.

Interviewing

The next stage, after the short-listing, is the interview stage. Interviews are useful for:

- Verifying information
- Exploring any omissions
- Checking assumptions
- Providing the candidate with information

**Top tip for interview structure**

Welcome
Acquire – what information do you need?
Supply – What information do you need to impart?
Part

Interviews are often poor predictors of job performance. Many organisations tend to hire people who perform well at interview rather than on their application and their performance at interview. This is – to an extent - understandable but it may mean we pick people who are good at interviews rather than people who are best for the job.

As well as this – as outlined in the section on unconscious bias below – we often hire people who are similar to us rather than people who are objectively going to do the job well.

It is possible to improve the efficacy of interviews by preparing thoroughly and ensuring that you are evaluating the interviewees against the person specification and job description.
Interview checklist

Before the interview:
- Re-familiarise yourself with the job description and person specification
- Read the application form or CV and covering letter
- Arrange the interview at an appropriate time/place
- Inform the applicant
- Ask if particular arrangements or reasonable adjustments need to be made
- Confirm the arrangements with any panel members
- Notify reception of the arrangements
- Ensure that the venue is private and that interruptions will not occur
- Allow enough time between interviews for breaks, discussions or contemplation, completion of any assessment forms, and – at the end of all interviews – for a full review.

During the interview:
- Start on time and start with a welcome
- Seek to establish rapport
- Explain the purpose of the interview, the stage of the process and that notes will be taken to provide a record of the interview
- Ask relevant questions
- Allow the applicant to do most of the talking
- Listen actively
- Do not seek to fill silences
- Observe non-verbal behaviour
- Check gaps, omissions or contradictions
- Check claim re: level and type of experience
- Use a logical sequence of questions and provide links between sections (e.g. it may make sense to have a section on “education”, “experience”, ”competency-based questions”, etc)
- Provide information about the job and the organisation
- Allow time for questions at the end
- Ensure that the candidate’s responses are noted
- Keep control of content and of timing
- Summarise
- Close on a positive note. Reiterate the next stage of the process

Afterwards
- Compare the information gained about the applicant with the Essential and Desirable criteria
- Complete the assessment form after reaching agreement with any panel members
- Follow up the interview with appropriate documentation
**Interview questions**

We recommend a “funnelling” approach. Start with an open question, followed by progressively narrower probing questions. At the end of a section of questioning you should use a closed question.

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**The funnel approach**

Start with **open questions**: These should encourage fuller responses (e.g. *tell us about a time...*)

Then move to **probing questions**: These are used to check information provided (e.g. *what? Why? How? Explain?*). Probing questions can also include competency-based or situational questions to elicit practical experience or personal judgement. They can also be used to check assumptions about the candidate as you seek evidence to the contrary.

And then **closed questions**: These demand a ‘yes’ or ‘no’ response. They should be used for clarification or control (e.g. bring a line of questioning to a close).

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For instance, you may start with an open question: *Tell me about your most recent work experience.* This should be followed by progressively probing questions *‘So in the role, what experience do you have of working face-to-face with clients?’*. At the end of the section use a closed question: *‘So would it be accurate to say that you have some face-to-face client experience in a non-legal setting?’*. The candidate is very likely to say ‘yes’ which allows you to move to the next section.

It is recommended that you avoid leading questions and multiple questions (*Tell us about your educational background, your work experience and your extra-curricular activities*). The only exceptions to this ‘rule’ may be something like *‘Tell us about why you’d like to be a commercial solicitor with Gage Whitney Pace?’*. This requires them to answer why they’d like to be a commercial solicitor and, also, specifically why with the firm in particular.

**Competency-based interviewing**

Competency-based interviewing should be used in line with the competencies you think are essential for a candidate to exhibit in their application and interview.

Those who favour competency-based interviewing think that the best way to predict future job performance – or even the appropriateness of a candidate for a job – is to understand a candidate’s past performance in job-related situations. A strength of competency-based interviewing is that it allows candidates with limited job experience to compete on equal terms with more experienced candidates.
Three steps:

- Develop a competency profile based on the behaviour necessary to be a trainee solicitor at your organisation (This can be your person specification).
- Develop appropriate “benchmark” behaviour-based questions against which the interviewers measure each candidate’s response to a specific question. Competency-based questions are open-ended questions which focus on the candidate describing critical incidents in their current and previous roles and in their life experience (e.g. academic life, extra-curricular activities etc).
- Scoring the responses by measuring each candidate’s answer against each of the profile statements.

### Some examples of competency-based questions

- Describe a situation in which you were able to use persuasion to successfully convince someone else to your point of view
- Give me a specific example of a time you demonstrated your commercial awareness
- Tell me about a time when you had to use your presentation skills to influence someone’s opinion
- Please discuss an important written document you were required to complete
- Tell me about a time when you had too many tasks to do and you were required to prioritise those tasks
- What is your typical way of dealing with conflict? Give me an example
- Tell me about a recent situation in which you had to deal with a very upset customer or co-worker.
- Give me an example of a time when you used your fact-finding skills to solve a problem.
- Tell me about a time when you missed an obvious solution to a problem
- Describe a time when you anticipated potential problems and developed preventive measures
- Tell me about a time when you were forced to make an unpopular decision
- Describe a time when you set your sights too high (or too low).

**How do candidates answer these questions?**

Many careers advisors at universities suggest to students to use one of two mnemonics to help answer competency-based questions – the STAR technique and the BACK technique. Both are broadly similar. Candidates who adopt these techniques make it easier for interviewers!

STAR stands for **Situation, Task, Action, Result**. BACK stands for **Background, Actions, Consequences, Knowledge**.

Generally an interview should last between 30-45 minutes. We would suggest asking between 8 and 12 questions and that these cover the following (i) the candidate’s motivation (why law? Why the law your organisation practises? Why your organisation?) (ii) the candidate’s commercial awareness and knowledge of the legal sector (iii) the candidate’s skills and competencies (iv) the candidate’s application.
Situational interviewing

Situational interviewing is similar to competency-based interviewing but rather than focus on past events it focuses on hypothetical future behaviour. The situations are based around the sorts of situations, or dilemmas, a candidate may face whilst in the job. Such questions usually start with "what if..." or "what would you do...".

The responses are then assessed against a prepared scoring guide covering the possible range of responses (very poor 1, poor 2, average 3, good 4, very good 5).

Situational interviewing has strengths and weaknesses. Those who believe it to be useful suggest that it is predictive, valid and reliable. Those who do not believe it to be useful question whether a candidate would truly act as they say they would (e.g. a bright mind can probably craft what the interviewer wants to hear in an interview but may not act in such a way in the future). If you are to use this technique, we would recommend combining this with competency-based questions.

Some examples include:

- What would you do if a partner made a demand of your time that you felt was unreasonable?
- A major client asks you to do something that you believe to be unethical. What would you do?
- You have spent a significant amount of time working on a document for a partner. When she sees the work she is unhappy with the quality and tells you this in no uncertain terms. How would you react to such a setback?
- What would you do if it became apparent you weren’t going to meet a deadline?

Candidate assessment

When assessing candidates it is vital to evaluate each candidate against the relevant criteria detailed in the person specification and reach an objective judgement in each case.

Your skills in defining those criteria in specific and measurable terms will be extremely helpful. For instance, if your person specification says the candidate needs to have ‘excellent communication skills’ what does that mean? That you want an excellent writer? An excellent speaker? Or both? Better criteria may be to say “Excellent written work using plain English” and “Proven ability to speak in public”.

Comparison

It is important to remember that you are comparing the candidate assessment with the person specification and looking for the closest ‘match’. The candidate who most closely matches the ideal person specification should be offered the vacancy.

You are aiming to select the right person for the job and the right job for the person.