



# NVP

NETWERK VOOR HR-PROFESSIONALS

## RECRUITMENT CODE

THE CODE OF CONDUCT FOR RECRUITMENT & SELECTION

**The NVP Recruitment Code (hereinafter referred to as 'the code') is a code of conduct and contains the basic rules that, in the opinion of NVP, Network for HR-professionals, should be observed by organizations and applicants during the recruitment and selection process. The purpose of the code is to provide a standard for transparent and fair recruitment and selection procedures.**

The organization may adapt the code and/or application thereof to meet its own specific requirements if there is a reason to do so.

NVP will monitor the recruitment and selection practice of organizations and use their influence to ensure that the recruitment and selection practice is improved and maintained at the desired level. The code has been drawn up in consultation with the Labour Foundation (Stichting van de Arbeid).



# 1. Underlying principles

**1.1** The code is based on the following underlying principles:

- The applicant has a fair chance at the appointment, this means equal opportunity for equal ability and the organization will choose on the basis of suitability with respect to the position;
- The applicant will be fully informed of the application procedure, the details of the vacant position and the level thereof within the organization;
- The organization will request and use only that information that is needed to assess suitability for the position;
- The applicant will provide the organization with the information that it needs to form a true picture of the applicant's suitability for the vacant position and of the applicant's professional competence (education, knowledge and experience) and will not withhold information that the applicant knows or ought to know is important to the fulfilment of the vacancy for which the applicant is applying; a payslip from the current or previous employer will not be required from the applicant;
- The organization will truthfully provide the applicant with all information that the applicant needs in order to be able to form a complete picture of the job vacancy, working in the Netherlands and of the organization;
- All information provided by the applicant will be treated confidentially and with due care and the applicant's privacy will be respected in accordance with legal provisions;
- Both the applicant and organization are aware that information available from open sources such as the internet and information obtained from third parties is not always reliable. The information that is obtained will be discussed with the applicant with reference to the source and the organization is transparent about the obtained information;
- If an applicant submits a written complaint to the organization about the recruitment and selection process in violation with the code, the organization will respond to that complaint in writing.

**1.2** The code applies to a procedure that is directed towards filling a vacancy within an organization and for which the recruitment of candidates takes place.

**1.3** The code is in line with current European legislation.

## 2. Recruitment

- 2.1** Should the organization decide that a vacancy exists or will exist, it will prepare a recruitment profile in which the relevant details of the vacant position are set out. This will, in any event, include the duties and responsibilities relevant to the position, the level/place of the position within the organization, the nature of the employment, working hours and duration and work location.
- 2.2** Job requirements may relate to professional competence (education, knowledge and experience), conduct and personal skills. Requirements with regard to personal characteristics should be avoided because they may be in conflict with equal treatment legislation. In exceptional cases, personal characteristics may be necessary for the proper performance of the position, provided that this is legally permissible.
- 2.3** In addition to the relevant job description, the recruitment profile will state the method of application and the term within which the application must be submitted, the information to be provided by the applicant (such as education, diplomas, employment history and experience) and if applicable: any additional selection procedures and/or methods (such as psychological tests and/or assessment), a pre-employment medical examination insofar as this is in accordance with the Medical Examinations Act, and / or a mandatory background check.
- 2.4** The organization will give the applicant clarity of the application procedure to be followed. This means that if the organization deviates from the originally chosen procedure, these changes must be communicated and explained to the applicant. The applicant may request a deviation from the procedure if there is a well-founded reason to do so.
- 2.5** External intermediary agencies and organizations that make use of data obtained from job sites and/or the internet must inform the person(s) in question when using this information in databases or for mediation purposes and they must comply with the legal provisions.

**2.6** Setting an age limit or pursuing a preferential policy for the benefit of certain groups is only permitted if this is permitted by law. If this is the case, this is explicitly stated in the vacancy and the reason for this is stated (I – footnote).

## 3. Selection

**3.1** The organization will notify the applicant in writing as soon as possible, but no later than two weeks after the expiry of the closing date:

- if the applicant has been rejected;
- if the applicant is being invited for an interview;
- if the application is being put on hold including an indication of the time period within which further notice will follow.

If the applicant is invited for an interview or if the application has been put on hold, the applicant will be notified by the organization and they will include their current selection procedure and state the expected duration.

**3.2** If an organization chooses to use the internet, video applications or other means of selection, it ensures accuracy and confidentiality. In the event of a confrontation with other applicants or when video applications are used, the applicant may request a deviation from the procedure in the context of confidentiality.

**3.3** During the recruitment process the organization may require that the applicant identifies himself/herself by means of valid identification.

**3.4** If the organization uses data recruitment during a pre-selection, such as a digital assessment, Artificial Intelligence (A.I.) or algorithms, these must be validated and transparent. For the organization that uses A.I and algorithms, the potential risks and shortcomings thereof must be clear. Care and confidentiality must be guaranteed at all times and no questions may be asked regarding health. The applicant will receive a motivated result after participation on request.

**3.5** If an organization is prepared to reimburse the applicant's reasonable incurred expenses in the course of the proceedings, the organization will announce this in advance.

## 4. Further information

- 4.1** The organization that acquires information regarding the applicant via the internet and/or social media is aware that this information is not always correct, accurate and/or relevant.

The acquired public information will, if relevant, be discussed with the applicant with explicit reference to the source. The applicant is given the opportunity to respond to this. If the organization requires further information from third parties or further research is necessary, it will request the applicant's prior consent, unless this is not required pursuant to a statutory or generally binding provision.

- 4.2** It is permitted to use a (part) day internship in the final stages of the selection, to mutually determine expectations with regard to the position and affiliation of the applicant thereto, provided that there is a mutual interest in this and this does not reasonably lead to disguised work with wage value.
- 4.3** A psychological test or assessment may be conducted by or under the aegis of a psychologist with due observance of the professional code set by the Dutch Professional Association of Psychologists (NIP). The psychologist may only provide the client (the organization) with the results of the test/assessment with the applicant's prior consent.
- 4.4** A medical examination in connection with the appointment may take place, on the advice of the medical officer, only if special requirements must be set concerning the medical suitability with respect to the job performance and only at the end of the selection procedure after all other assessments of suitability have taken place. The examination will be carried out by a medical examiner with due observance of the currently applicable legal rules for such an examination (II- footnote).



## 5. End selection and decision

- 5.1** If in any phase of the application procedure, the organization decides that an applicant will no longer be considered for the vacancy, the applicant will receive a written and motivated notice within in two weeks of this decision. The content of that motivation can depend on the phase the application is in.
- 5.2** The application procedure is considered to be concluded if the job vacancy has been filled by one or more applicants or if the organization has decided that the vacancy should be withdrawn. All persons who at that time are still participating in the procedure will receive notice of this fact within two weeks.
- 5.3** Where applicable, all information received from an applicant will either be returned or destroyed within four weeks following a rejection unless explicitly otherwise agreed with the applicant. If otherwise agreed, then within one year, the applicant must be contacted in order to extend his/her explicit consent to keep the information on file and to update his/her information. External employment agencies may ask the applicant's consent to keep the application information during the mediation period. After the mediation period has ended, by finding of a job or at the request of the applicant this data must be destroyed.

## 6. Complaint procedure

- 6.1** The organization will inspect complaints from applicants who believe that the organization has acted in violation of the provisions of this code. The applicant will receive a written motivated response from the organization within one month.
- 6.2** The organization will annually inform the Works Council (OR), or respectively, the employee representative body (PVT), of the number, nature and the method of settlement of complaints submitted, and any recommendations made by the Recruitment Code's Complaints Committee (Klachteninstantie).

- 6.3** An applicant, who has lodged a written complaint with respect to the application procedure with the organization concerned and has received either no response or an unsatisfactory response, may address the Recruitment Code's Complaints Committee with a written complaint. The Recruitment Code's Complaints Committee will then test this written complaint against this code, subject to the provisions of the complaints procedure. The Recruitment Code's Complaints Committee will allow the organization against which the complaint has been lodged, the opportunity to respond to that which the applicant has put forward. The ruling of the Recruitment Code's Complaints Committee will be sent to the applicant and a copy will be sent to the organization in question.
- 6.4** The Recruitment Code's Complaints Committee will send its ruling to the organization together with a recommendation, in order to contribute to prudent recruitment and selection policies. The Recruitment Code's Complaints Committee will annually inform the Labor Foundation on the basis of anonymous data about the number, nature and method of handling the complaints submitted.
- 6.5** Complaints concerning a violation of statutory regulation (III – footnote) will not be processed by the Recruitment Code's Complaints Committee. The applicant will be informed that he/she may bring his complaint before the College of Human Rights ([www.mensenrechten.nl](http://www.mensenrechten.nl)) or before the court in the event of discrimination prohibited by law, in the event of a pre-employment medical examination, before the Commission for Complaints Procedure for Pre-employment Medical Examinations ([www.aanstellingskeuringen.nl](http://www.aanstellingskeuringen.nl)) and in case of complaints about the protection of personal data, the Authority for Personal Data ([www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl)).

# Should you require information on the code or wish to lodge a complaint, please contact the:

Secretariat Committee Recruitment Code / Complaints Committee  
Recruitment Code: [info@nvp-hrnetwerk.nl](mailto:info@nvp-hrnetwerk.nl) T 033 247 34 81

Or via [www.nvp-hrnetwerk.nl/sollicitatiecode](http://www.nvp-hrnetwerk.nl/sollicitatiecode)

I. An affirmative action policy may only be pursued within the statutory limitations. Please consult (the website of) the College of Human Rights for further information ([www.mensenrechten.nl](http://www.mensenrechten.nl) or tel. +31(0)30 – 888 38 88).

II. The Medical Examinations Act and the Pre-employment Medical Examinations Decree of 23 November 2001 form the guideline for pre-employment medical examinations. The applicant can submit a complaint to the Commission for Complaints Procedure Pre-employment Medical Examinations on the basis of a complaint form which can be downloaded from the website ([www.aanstellingskeuringen.nl](http://www.aanstellingskeuringen.nl)). The Commission for Complaints Procedure Pre-employment Medical Examinations can be reached at telephone number +31 (0)70 34 99 573.

III. This concerns the Equal Treatment Act (relating to religion, personal beliefs, political opinion, race, gender, nationality, sexual orientation or civil status), the Equal Treatment (Men & Women) Act, and also the Medical Examinations Act, including the Pre-employment Medical Examinations Decree and the Complaints Procedure in Pre-Employment Medical Examinations Decree based on this Act. Also included are the Act on Equal Treatment of Disabled and Chronically Ill People and the Equal Treatment in Employment (Age Discrimination) Act. The College of Human Rights can be reached at telephone number +31 (0)30 888 38 88 at working days between 10 am and 4 pm. Or send an email to [info@mensenrechten.nl](mailto:info@mensenrechten.nl).

For information on the protection of personal data, please contact the Dutch Data Protection Authority ([www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl)). If you have a question about the protection of personal data, please contact the Dutch Data Protection Authority at telephone number 0900 2001 201 on Monday, Tuesday, Thursday and Friday between 10.00 and 12.00.

NVP, HR-network in the Netherlands – January 2020 is the organization that issues the Application Code. The authors of the Application Code are Mrs Ir. R.J.B. van Groenestijn, Mrs E. Knopf, Mrs Mr. D.J. Kolk, Mrs I. Verweij, Mr Mr. M.J. Draaisma, Mr J.M. de Groot, Mr Drs. M.P. Ringers.

*All contents of publications of NVP, HR-Network in the Netherlands are intellectual property of the association.*