

# Merit-based Recruitment Monitoring Framework

KOSOVO: Strengthening Good Governance,  
Transparency and Accountability of Government  
Institutions - FCO CSSF

British Embassy Senior Recruitment Project

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## Background

Building public trust and confidence in how public institutions within Kosovo carry out recruitment is key to addressing historic instances and allegations of corruption and nepotism. There are a range of organisational and bodies involved in providing independent monitoring for these processes. This is important and valuable work.

## Aims of Recruitment Monitoring Framework

The purpose of this framework is to support different monitoring organisations to monitor, observe, comment and report on processes more consistently. This framework does not seek to interfere with the independence of those bodies in any manner. The framework is intended to support and be used flexibly by those engaged in monitoring. It has been designed to ensure it has broad relevance across recruitment at different levels and in instances where different legal requirements may apply.

## Who might use the Monitoring Framework

The framework may be used by any organisation or individual monitoring or reviewing recruitment practices. It can be applied to a specific recruitment process or an organisations overall approach to recruiting.

The framework may be relevant to the work of Civil Society organisations, HR managers, internal and external auditors - or others seeking to review the appropriateness and effectiveness of recruiting practices.

## Framework Design

This framework is the result of a collaborative co-design approach between Kosovo Civil Society Organisations and the British Embassy Project on Senior Recruitment. It is made freely available to any individual, organisation or body with a role in monitoring, scrutinising or commenting on the quality and merit-based practices used in recruitment. While it is primarily intended for use within public sector employment (e.g. civil service, publicly owned enterprises, agencies, etc), it has the potential to be used within private sector companies too - for example, within audit and review of company practice.

## Merit-based Recruitment Principles

There are three principles underpinning merit-based recruitment. Only when the first two principles are fulfilled can the appointment of the highest performing candidate(s) be considered to be merit-based. Put another way,

even the appointment of the highest performing candidate cannot be considered to be based on merit if the first two principles are not met.

Principle 1: Criteria are objective and justifiable requirements for the role.

Principle 2: The assessment methods and practices provide a sufficient and accurate measure of the criteria.

Principle 3: Highest performer is appointed.

## Integrity

The integrity of those who are appointed to roles is of great concern. Integrity is a widely used term with many subjective interpretations. It is important to differentiate between proven, convicted and evidenced cases, and those which are unproven or under investigation. Sometimes concerns about integrity can arise from unevidenced reports, allegations or apparent associations. It is important to take care not to disadvantage someone inappropriately and must remain compliant with any relevant laws, policy or procedures.

Some areas that may benefit from further scrutiny may include:

- Conflicts of interest
- Previous convictions
- Cases of inappropriate actions and behaviour
- Removal from previous roles
- Current or previous roles, relationships and political involvement

In exploring areas of integrity it may be necessary to use a variety of sources, these could include but are not limited to:

- Employer's records
- Court records
- Media records or databases
- Civil society databases
- Social media

Integrity is not only limited to candidates but could also apply to commission members.

## Sections

The framework seeks to reflect the chronology of a recruitment process and contains sections on:

- Vacancies
- Advertising
- Applicant and Applicant List Research
- Composition of Commission
- Shortlisting
- Further Eligibility Checking
- Shortlisting Appeals
- Assessment Process Structure and Approach
- Commission Observance of Merit-based Practices
- Decision Making
- Appointment
- Appointment Appeals and Complaints
- Monitoring and Review

Section	Areas of Scrutiny	Potential Sources of Evidence
Vacancies	<ul style="list-style-type: none"> <li>○ What led to the current role(s) being vacant?</li> <li>○ Is there any evidence of the previous role holder being inappropriately (illegally or unethically) removed to create a vacancy?</li> <li>○ Who took the decision/action that has led to there being a vacancy?</li> <li>○ Is there any evidence this vacancy or role has been created to favour or benefit a particular person or group?</li> </ul>	
Advertising	<ul style="list-style-type: none"> <li>○ Are the requirements of the advert reflective of the relevant law relating to the vacancy?</li> <li>○ Are the timescales referred to in the advert reflective of the legal requirements?</li> <li>○ Does the advert accurately reflect the legal requirements for eligibility for the role?</li> <li>○ Are there any eligibility requirements in the advert that do not reflect the legal requirements for the role?</li> <li>○ Are there additional eligibility criteria that are appropriate and legitimate (i.e. have</li> </ul>	

	<p>been through an appropriate design or approval process to demonstrate objective relevance to the role)?</p> <ul style="list-style-type: none"> <li>○ Are there any eligibility requirements that may overly restrict the number of applicants that can apply in a way that is not proportionate, legitimate or objective?</li> <li>○ Does the advert contain any criteria or requirements that may be unable to be met equally by women and men (i.e. indirectly discriminatory)?</li> <li>○ Has the advert been published in a way that would restrict who is likely to see it and therefore apply?</li> <li>○ Has the advert been placed at a time, or with timescales, that are likely to restrict the opportunity to apply?</li> <li>○ Has the advert been published in the range of official languages?</li> </ul>	
<b>Proactive engagement of CSOs/monitoring organisations</b>	<ul style="list-style-type: none"> <li>○ Has the recruiting institution, secretariat and/or commission proactively sought the involvement of monitoring organisations?</li> </ul>	
<b>Applicant and Applicant List Research</b>	<ul style="list-style-type: none"> <li>○ Any applicant on the list who has close political connections that may suggest they could be a preferred/favoured candidate?</li> </ul>	

	<ul style="list-style-type: none"> <li>○ Any applicant on the list who has close familial, personal or business connections that may suggest they could be a preferred/favoured candidate?</li> <li>○ Any applicant for whom there is evidence of a breach of law, ethics or integrity?</li> <li>○ Any applicant on list for whom there may be a conflict of interest?</li> </ul>	
<p><b>Composition of Commission</b></p>	<ul style="list-style-type: none"> <li>○ Have the Commission been appointed/identified in line with the legal requirements?</li> <li>○ Have the Commission themselves been appointed using merit based practices?</li> <li>○ How well does the Commission reflect a balanced group (e.g. gender, minority groups, across political parties where relevant)?</li> <li>○ Is there reason to believe that the composition of the Commission has been contrived to create influence on the recruitment outcome? (e.g. balance of representation, individuals with known affiliations or agendas, etc)</li> <li>○ Has the Commission been put together with consideration about potential conflicts of</li> </ul>	

	interest (related to the organisation, role being appointed or candidates)?	
<b>Shortlisting</b>	<ul style="list-style-type: none"> <li>○ Have those completing shortlisting received training in the approach to applying the eligibility requirements, their interpretation and sources of evidence?</li> <li>○ Are any requirements about who needs to be present when applications are opened been observed?</li> <li>○ Are those conducting shortlisting working in pairs or larger groups (ensuring there is no opportunity for someone to individually either intentionally or unintentionally miss candidate eligibility evidence)?</li> <li>○ Are criteria/evidence or interpretation of criteria/evidence applied to applicants in a way that is consistent?</li> <li>○ If any commission members are missing - does the commission remain quorate and are those absent in agreement to abide by the decisions and outcomes reached by the remaining members?</li> <li>○ Do the secretariat take a full record of whether applicants have or have not met the eligibility requirements. Where applicants do not meet the criteria, is there</li> </ul>	

	<p>a full and comprehensive record of all criteria that have not been met?</p> <ul style="list-style-type: none"> <li>○ Do the secretariat write to all candidates explaining whether they were successful or not? In instances where applicants are unsuccessful do the secretariat provide an explanation of exactly which criteria were not met and why?</li> </ul>	
Further Eligibility Checking	<ul style="list-style-type: none"> <li>○ Where there is a need to clarify applicant's eligibility further (e.g. conflicts of interest, political involvement) have the secretariat written to the relevant public bodies (e.g. Anti-corruption agency, Central Election Commission, Treasury, etc).</li> <li>○ Have the requirements to further check eligibility been applied to all applicants equally and consistently?</li> </ul>	
Shortlisting Appeals	<ul style="list-style-type: none"> <li>○ Does the process have a clear appeals procedure with clear requirements on the timescale for accepting appeals, who will review the appeal and timescale for processing appeals?</li> <li>○ Are appeals considered by a separate and independent group to those involved in shortlisting? (It is noted that sometimes this has to be the same group due to requirements in law however, this still does not constitute an effective appeals</li> </ul>	

	<p>mechanism with appropriate levels of independence to reach a new and separate decision)</p> <ul style="list-style-type: none"> <li>○ In considering appeals, have the appeals committee fully considered the evidence (available at the time of application - new evidence should not be accepted after the closing date as part of an appeal) and reviewed this against the criteria and any legal requirements to ensure they provide a new, independent and fully considered decision?</li> <li>○ Are decisions across appeals decided upon consistently (i.e. same or similar appeals resulting in the same outcome)?</li> </ul>	
<p>Assessment Process Structure and Approach</p>	<ul style="list-style-type: none"> <li>○ Have the commission received training in recruitment assessment practices and the specific techniques (e.g. essay assessments, presentations, interviews, etc) being used in the process?</li> <li>○ Are the commission quorate - and the same commission members present during all interviews?</li> <li>○ Have the commission decided on assessment contents (e.g. competency areas, interview questions, presentation topics etc) based on what is most important to delivering performance in the role and organisation</li> </ul>	

	<p>applied for - and is consistent with the original advert?</p> <ul style="list-style-type: none"> <li>○ Have all candidates been notified with sufficient time to prepare and attend (e.g. not less than 5 days if a pre-prepared presentation is required)?</li> <li>○ Have all candidates received information about the selection process and how to prepare?</li> <li>○ Have all candidates received the same information?</li> <li>○ Does the assessment timetable provide the same time to all candidates for each aspect of the assessment?</li> <li>○ Are all commission members aware of their obligation not to provide any information to anyone about the selection process either directly or indirectly?</li> <li>○ Do commission members have pre-prepared materials that encourage them to apply the merit-based principles of the Observe Record Classify and Evaluate Model of assessment?</li> <li>○ Are individual candidate scores collated in a systematic manner with checking to ensure no errors occur?</li> </ul>	
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<p><b>Commission Observance of Merit-based Practices</b></p>	<ul style="list-style-type: none"> <li>○ Do all candidates receive a consistent briefing about what will happen during the assessment process?</li> <li>○ Do all commission members apply the practices of the Observe, Record, Classify and Evaluate model of assessment? Including: taking consistent, continuous and thorough notes throughout all part of the assessment and across all candidates?</li> <li>○ Are candidates asked the same core questions during the assessment process?</li> <li>○ Are probing questions asked in an appropriate manner across candidates based on their responses? Whilst probing, do questions remain focused on the assessment area (e.g. competency area) being explored?</li> <li>○ Once candidates complete the process, do commission members complete their assessments individually and independently without discussing the candidate's performance first?</li> <li>○ Do commission members complete an assessment that outlines what each candidate did well, did not so well and is relevant to the level of the role applied for?</li> </ul>	

	<ul style="list-style-type: none"> <li>○ While assessment scores do vary to some extent, are commission members able to provide a coherent and rational explanation of how they reached their personal ratings in each instance?</li> <li>○ Is there any evidence of candidates being unduly rated significantly more highly or lowly than the evidence would justify?</li> </ul>	
<b>Decision Making</b>	<ul style="list-style-type: none"> <li>○ Are candidate performances rank ordered to create a merit-based list?</li> <li>○ Are the requirements of relevant laws complied with when making a decision about the list of potential appointable candidates (e.g. gender equality)?</li> <li>○ Are the commission and secretariat clear about whose responsibility the appointment decision is - and what is required of them in providing a list of candidates for appointment (where relevant)?</li> </ul>	
<b>Appointment</b>	<ul style="list-style-type: none"> <li>○ Do the commission provide a clear merit-based list that includes candidate scores to demonstrate the ordering and difference between candidates?</li> <li>○ Is the appointment process progressed by the relevant body within a reasonable and</li> </ul>	

	<p>appropriate timescale (i.e. is there any evidence to suggest this is being delayed inappropriately or scheduled in a manner that would support a particular outcome)?</p> <ul style="list-style-type: none"> <li>○ Is the person appointed the highest performing candidate?</li> </ul>	
<p>Appointment Appeals and Complaints</p>	<ul style="list-style-type: none"> <li>○ Is there a clear complaint and appeals process open to candidates who feel they have been unfairly disadvantaged in some way?</li> <li>○ Is there a clear complaint and appeals deadline (receiving and considering appeals)?</li> <li>○ Is there clarity on who complaints and appeals should be submitted to and who reviews these (it would be good practice if this is a separate group to the assessment commission - although this may not be possible depending on the legal requirements in some processes)?</li> <li>○ Are complaints and appeals concluded prior to appointment decisions being made?</li> <li>○ Are candidates aware of their right to progress with a complaint beyond the appeals process (ie. via court) even if an appointment has been made?</li> </ul>	

<p><b>Monitoring and Review</b></p>	<ul style="list-style-type: none"> <li>○ Is there a process to review and capture learning from the assessment overall?</li> <li>○ Is learning shared with other relevant bodies or institutions involved in recruiting?</li> <li>○ Are the number of applicants and candidates from minority and majority groups systematically recorded and reported? (Please note this may be by individual process or across a number of related processes).</li> <li>○ Is gender equality systematically monitored and reported? (Please note this may be by individual process or across a number of related processes).</li> </ul>	

## Approach to Raising Concerns

Civil Society and monitoring bodies have a variety of ways they can choose to raise concerns with Commissions or other relevant officials. It is for each individual and organisation to decide on the right approach for them and what they are seeking to achieve in raising concerns. This guidance seeks to provide an approach where issues and concerns can be raised in a way that provides the secretariat and commission the opportunity to address them first where possible and appropriate.

It is recommended that:

- Where possible, the concern is raised directly and in person with the Commission Chair, Commission Members and where appropriate Secretariat. It is helpful to be clear and specific about the nature of the concern and any evidence supporting it. Obtaining proposed actions with associated timescales is recommended.
- The verbal concern is sent to the Commission Chair, Commission Members and where appropriate Secretariat in writing (e.g. email) as a way to confirm the concern and commitment by the Commission to address this when it was raised in person.
- If the matter is not addressed with appropriate concern then escalating this further to the appropriate official (e.g. Secretary General, government representative, Minister) could be considered prior to making a public announcement or media article.

## About the Monitoring Framework Tool

This Monitoring Framework was initially developed by BDO in consultation with a wide range of Kosovo Civil Society Organisations. There were more specific meetings and input from:

- BIRN
- Kosovo Law Institute
- FOL
- Democracy plus