

PRINCIPLES OF PROPERLY AND QUALIFIED STAFF RECRUITING (GOPB)

Editor: Federal Association of German Business Consultants

Resolved by the Fachverband Personalberatung on March 9, 2016 | Version 2.0

CONTENT

page

Preamble	3
1. General principles of cooperation	3
2. Presentation of an ideal qualified personnel consulting project	3
2.1 Initial discussion with the client, presentation of the service offer by the recruitment consultant and clarification of the framework conditions of the consulting assignment	3
2.2 Contract design	3
2.3 Preparation of the search and selection process	4
2.4 Carrying out the search and selection process	4
2.5 Evaluation of candidate documents	4
2.6 Personal candidate interview	5
2.7 Confidential Candidate Reports	5
2.8 Presentation of the candidates to the client	5
2.9 Obtaining References	5
3. Post-contractual arrangements	5
4. Information obligations of the personnel consultant	6
5. Legal framework	6

Preamble

The support of a client in his Search, selection and recruitment of specialists and executives is a consulting service of high operational and economic benefit requires of Personalberater a maximum Competence and responsibility.

The Federal Association of German Management Consultants BDU e.V. has therefore set itself the goal of promoting the professionalism of the industry and ensuring its members as a national professional representation of recruitment consultancies. For this reason, the BDU has formulated the following principles of proper and qualified personnel consulting. They serve the BDU member companies as guidelines in their work as personnel consultants. At the same time, these principles help clients and candidates gain an idea of the professionalism and qualifications of a recruitment consultant. The principles of proper and qualified personnel consultation in the BDU (GoPB) therefore define how work is professionally carried out for all parties involved - clients, candidates, personnel consultants.

1. General principles of cooperation

Personnel consultants are the partners of their clients in a comprehensive consultation process with the objective to support and advise them in the search, selection and acquisition of qualified specialists and executives. Such a partnership can only succeed if both sides assure mutual care, trust and openness, as well as a mutual exchange of information throughout the project. The professional principles for Business Consultants set out in the Annex, adopted by the German Association of Business Consultants BDU e.V., therefore constitute an essential basis for the work of the recruitment consultant in the BDU.

2. Representation of an ideal qualified person Consultancy project

In the following, the typical process of a personnel consulting project will be described as part of the GoPB from the initial discussion with the (potential) client until the completion of the project.

2.1 Initial discussion with the client, presentation of the service offer by the recruitment consultant and clarification of the framework conditions of the consulting assignment

(1) An essential prerequisite for professional and efficient consulting is understanding the overall situation and the business objectives of the contracting company as well as a precise knowledge of the requirements associated with the vacant position.

(2) The personal initial discussion between the client and the recruitment consultant serves the comprehensive exchange of information. In addition to the representation of the professional and personal competence of the personnel consultant, this also includes a representation of the consulting firm and the general procedure in the context of a personnel consulting project.

(3) The starting position of the project and the expectations of the client are analyzed in detail by the recruitment consultant taking into account the overall situation of the company. As part of this, the recruitment consultant also supports the client in personnel strategic issues, such as the employer branding, the competitive environment or market positioning, the cultural fit and diversity.

(4) The recruitment consultant will contact the client about which detailed information about the position to be filled can be forwarded in which form to third parties involved in the candidates and in the search process.

2.2 Contracting

(1) In order to avoid misunderstandings, the agreements between the client and the recruitment consultant in connection with the consulting contract are written out. If this is not possible due to the circumstances, a written confirmation will be sent promptly.

(2) Agreements on the fee are clearly and unambiguously formulated. The fee, which is typically based on the target income of the position to be filled or on the expected effort for the cast, is invoiced according to time or performance progress (for example, placing an order, written presentation of the candidate and completion of the project). This ensures that the recruitment consultant can act in the depth of service described in the GoPB. In the event of premature termination of the consulting assignment, the performance of the recruitment consultant already rendered will be remunerated pro rata. Subsequent significant changes in the candidate profile or the search environment and resulting additional expenses lead to a corresponding fee adjustment.

(3) The recruitment consultant may make an agreement with the client in which conditions for a search are regulated. It is also advisable to make it clear that in the event of premature termination of the consulting assignment, the work already performed by the recruitment consultant will be remunerated pro rata. It is also useful to note that the client may be liable for a fee if he hires one or more candidates presented by the recruitment consultant for positions that are not initially mandated.

(4) The recruitment consultant will usually reach an agreement with the client to resume the project in the event that the selected candidate leaves or leaves the company within the trial period, usually six months. Excluded are reasons for which the recruitment consultant is not responsible, such as reorganization of the affected areas or change of location or line manager.

(5) The client is liable for a fee if he hires one or more candidates presented by the recruitment consultant for further positions.

2.3 Preparation of the search and selection process

(1) For the best possible occupation of a position, the recruitment consultant needs comprehensive information about the client. This information is used to prepare a position profile underlying the consulting service. It forms the crucial basis for successful cooperation. Recommended criteria are in particular

- the representation of the searching company,
- the economic situation including
- important business key figures,
- the corporate and value culture,
- a description of the relevant subsidiary(s), division(s) or company(s) or department(s) that may be relevant to the search
- a presentation of the main tasks and Responsibilities of the vacant position,
- a recording of the required professional and personal experience background and
- the professional, methodological and social competence relevant to the position,
- the framework conditions of the employment contract (for example, time limits, bonus payments, working time models)

(2) The recruitment consultant should develop the position profile in close cooperation with the client. It is advisable to inform the client at an early stage about unrealistic requirements in the position profile as well as corresponding expectations of potential candidates and the expiration of the consulting assignment.

(3) The recruitment consultant should be given the opportunity to have a personal interview with the future supervisor of the desired position owner.

2.4 Carrying out the search and selection process

The most precise determination of the search and selection strategy between the client and the recruitment consultant is an integral part of the consulting assignment. The appropriate search method depends on the requirements of the candidate search for the position to be filled and the market conditions and framework conditions underlying the search. First, it is clarified who is to report on the client's side and who determines changes to the search and selection process. Clients and personnel consultants determine how potential candidates can be found. This is done in addition to the direct approach through measures such as own database or social media searches, advertisements or via the network of the personnel consultant.

a) Search in print and online media

The recruitment consultant creates a professionally designed advertisement in a position appropriate format, layout and typography. From a textual point of view, no information should be given which would give the reader a misleading impression of the position and the company seeking it. This includes in particular the objective presentation of the vacant position, the requirements of the candidate and the application documents to be submitted.

b) Direct search

When approaching potential candidates directly, the recruitment consultant strictly adhere to the provisions of the case law on their admissibility under competition law. He will make the calls with the (potential) candidates with the aim of following a brief account of his person and the nature of the call, if necessary to have a further discussion outside the workplace or working time of the (potential) candidate. If necessary, the recruitment consultant will appoint subcontractors depending on the contract. The HR consultant expressly informs the subcontractor of the GoPB.

2.5 Evaluation of candidate documents

(1) For media-based searches informed the Recruitment consultants about the receipt of his application. Blocking notices are already specially marked and taken into account.

(2) If the candidate is not aware of who the searching client is, his documents may only be forwarded to him or her anonymously.

(3) The recruitment consultant is required to check submitted application documents for plausibility of the information provided. For the suitability of the Candidates will be required to provide evidence of required qualifications or other documents from the candidate. It matches curriculum vitae with accompanying certificates and attestations. The HR consultant will check the correctness of the information provided in an appropriate manner. This is especially true if the submitted documents of a suitable appearing candidate have concrete evidence of a manipulation.

2.6 Personal Candidate Interview

(1) Due to its professionalism, experience and neutrality, the employment of a recruitment consultant guarantees a maximum of objectivity in the assessment of candidates. The extensive in-depth interview with candidates is therefore conducted with care. The interview is prepared by the personnel consultant, in particular the documents are reviewed. For a discussion, only candidates are invited who offer a sufficient match with the requirements of the position profile or bring with them special qualities or qualifications and who make a continuation of the search and selection process in the interest of the client make sense. Should the client already want to participate in this conversation, the candidate will be informed about this at an early stage.

(2) In the interview, the required and existing professional and personal qualifications and understand the mutual expectations and perspectives. The recruitment consultant becomes the searching company towards the candidate adequately represent. This includes an accurate and open explanation of the advertised position.

(3) Should it emerge that no suitable candidates can be presented or that the execution of the contract will take much longer than agreed upon, it is advisable to inform the client immediately and give him alternatives, for example with regard to the procedure or the position profile show.

(4) If a candidate has been shown to provide false information of material importance to the counselor or to the contracting authority (for example, about their qualifications, previous employers or certificate content), they shall be excluded from the further proceedings.

2.7 Confidential candidate reports

(1) Upon completion of the candidate interviews, the recruitment consultant shall prepare a confidential candidate report of candidates that he recommends to the searching company for a shortlist. The recruitment consultant gives an estimate with regard to the "fit accuracy" of the respective personally interviewed candidate with regard to the position to be filled. In addition to assessing the professional and personal qualifications, this report also contains facial points

that require further clarification and could be in the way of a contractual agreement.

(2) The consultant informs the client of the special confidentiality of the report. Information from this may be made available only to those involved in the project.

2.8 Presentation of the candidates to the client

(1) The recruitment consultant recommends to the client only those candidates for an invitation to the presentation who are interested and qualified to fill in the relevant position.

(2) The recruitment consultant takes part in the presentation of the candidate during the typical course of the project. He can take on a moderating function. He is taking this opportunity to clarify possible, unanswered questions. The recruitment consultant will assist the client and the candidates as advisors in the phase of decision-making.

2.9 Obtaining references

(1) Obtaining references is of particular importance when filling management positions, since with their help, in addition to the professional qualification, personal competence and other possibly indispensable characteristics can be explored.

(2) It is the task of the recruitment consultant to ask candidates for suitable reference providers. Without the consent of the candidate, the recruitment consultant may not carry out a reference review.

3. Post-contractual arrangements

(1) Upon termination of the consultative assistance, documents containing business or trade secrets of the Client shall be returned or destroyed, as the Client so wishes. An exception applies, for example, in the case of an impending or already existing civil law dispute.

With the exception of tax and accounting documents, application documents may only be kept without the consent of the candidate as long as a claim under the General Equal Treatment Act (AGG) is conceivable, i.e. approximately six months after receipt of the rejection by the candidate.

(2) Candidates presented to the client by the recruitment consultant and subsequently hired will no longer be addressed according to the contractual client protection agreement.

4. Information duties of the recruitment consultant

(1) The recruitment consultant will inform the client during the entire mandate regularly in writing or verbal about important points of the project status.

(2) The recruitment consultant will also inform candidates of the progress of the procedure at appropriate intervals. If candidates are eliminated from the search and selection process, they will be informed promptly. A justification for this is not provided in principle.

5. Legal framework

(1) When drawing up the position profile as well as in the entire subsequent search and selection process, the recruitment consultant observes the provisions of the General Equal Treatment Act, so that unjustified disadvantages based on race, ethnic origin, sex, religion or belief, disability, age or sexual identity within its sphere of influence.

(2) The recruitment consultant ensures that the provisions of the federal and state data protection laws are adhered to by him and his employees. Personal data obtained by the candidate as part of a search process from the candidate and not based on an unsolicited application will only be saved by the consultant after the end of the project if the candidate has given his consent; Tax and other statutory retention periods remain unaffected. The business and trade secrets of the client communicated to him or become known are treated strictly confidentially. These obligations apply in particular to the involvement of a cooperation partner or subcontractor.

(3) The recruitment consultant complies with the requirements of competition law, in particular the Unfair Competition Act (UWG).

(4) The recruitment consultant will immediately terminate the advisory mandate within the framework of what is contractually possible if he determines that the client has deliberately made false or misleading information about his company or the position to be filled and is unwilling to correct it; the rights of termination under § 627 (BGB/Civil Code) remain unaffected.

