

A candidate's "Bill of Rights"

By Sandra Burmeister

With the leadership and skills shortage currently facing South Africa, experienced professionals frequently find themselves on the receiving end of numerous approaches to consider new career opportunities. Many executives we speak to receive as many as one call a week, many from recruiters calling themselves "head-hunters," who do not necessarily abide by the code of ethics and conduct of executive search professionals. So what are your rights and what should you be looking for before taking up an approach from an executive search firm?

More concerned with confidentiality than most other types of senior-level recruitment, executive search organisations must maintain a high sense of ethics in today's transparency-focused business environment.

So, if you are approached by a search firm to consider an opportunity with one of its clients, it's important to know that the executive search industry has for the past four decades been regulating itself through the globally-based Association of Executive Search Consultants (AESC) with a strict code of conduct and the development, among other instruments, of a "candidate bill of rights".

In other words, you have certain entitlements during an executive search process, and you should insist that the firm approaching you abides by them. If they don't, you're not dealing with professionals and may therefore be exposing your career and your personal integrity to potential damage.

Some of the candidate rights and entitlements are obvious. For instance, the search firm and its client are obliged to protect your current employment situation by keeping the fact that you've been approached – and any information you give them – absolutely confidential.

Also, once having met you, the search firm must not submit your name or a report on you to its client without your authorisation. The firm's consultants must contact you directly and not through your assistant or any other channel within your current organisation. They must not contact any references provided by you, unless you give them permission to do so. And they must not discuss your candidacy with anyone outside their own firm – ensuring that all their employees abide by all the confidentiality requirements.

It goes without saying, of course, that the search firm must also caution its client to abide by the same requirements.

So far so obvious. More subtle is the fact that that you cannot become a candidate unless the search firm's consultant has conducted an initial evaluation of your suitability for the position, and you've expressed an interest in the position.

Of course, you are free to discuss the position with the consultant even though it doesn't appeal to you or you're not right for it. You can get – and are entitled to – valuable market insights from such discussions.

Then there's the fact that search firms succeed or fail on their relationships. Candidates and executive posts are not commodities.

Search firms are not buying and selling skills or people. They're partnering, on the one hand, with the client who requires a leader to drive specific strategic or organisational objectives, and on the other, with the candidate – whom they may advise several times over a successful career. In many cases, the candidate may over time become a client of the search firm.

That means that search firms must build and nurture long-term relationships with both its clients and a pool of high-level and talented candidates. And that's only possible if the search firm ensures that its clients and candidates understand that all three parties (candidate, search firm, and client) to an executive search have their own rights as well as duties and obligations one to the other.

For instance, in the opening discussions about the position, you can't expect much information about the search firm's client. But once you commit to becoming a candidate, you're entitled to know as much as possible about the search firm that has contacted you and the client organisation wanting to fill the position. At the very least, you should know the nature and challenges of the organisation and requirements of the position, the compensation package, whether you'll need to relocate, and whether the search firm has been formally retained by the client.

Retained search firms have an exclusive contract with their client and therefore have the full and committed attention of that client. There's no chance of your time being wasted.

Also, executive search assignments can sometimes take several months to complete. As an active candidate, you're entitled to proactive progress reports and timely responses to any queries you initiate, as well as clear information on the processes that affect you. Whom will you have to meet and when? What timeframe is the client working on? What's the next step?

You're also entitled to an honest appraisal from the search consultant – on the ways in which you do and don't fit the position. And if you don't get the position, the consultant must give you a cogent, complete report on why not.

Most crucial of all, perhaps, is your right to objectivity and equal treatment by the search firm. The drafters of the AESC's 1977 code of ethics were visionaries. They understood that there are no boundaries between business and society, and so they stipulated that executive search firms must "conduct their activities with respect for the public interest". That means, in South Africa, not just acknowledging but acting constructively to address issues such as gender equality, broad-based black economic empowerment, executive fast-tracking and development of talent relevant to the needs of the economy. **P**

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