



**NVP**

# **RECRUITMENT CODE**

THE CODE OF CONDUCT  
FOR RECRUITMENT & SELECTION

**NVP**

NETWERK VOOR HR-PROFESSIONALS

The **NVP Recruitment Code** (hereinafter referred to as: 'the code') is a code of conduct with basic principles that organisations and applicants should follow during the recruitment and selection process, according to the **NVP - Network for HR Professionals**.

The aim of the code is to provide a standard for a transparent and fair recruitment and selection process. The organisation will follow the principles of the code and apply them within its own recruitment and selection process.

The authors of the code are following recruitment and selection practice in the Netherlands to keep the code up to date. The code has been drawn up in consultation with the Labour Foundation (Stichting van de Arbeid). The code complies with existing European laws and regulations.

**The code is intended for recruitment and selection processes** (l/page 11).

## 1. The principles

### **For the organisation**

- **Fair opportunity:** Equal opportunities when there is equal suitability, the organisation makes its choice based on suitability for the role.
- **Relevant information:** The organisation will only request and use information that is relevant in order to assess an applicant's suitability for the role.
- **Transparent information:** The organisation will provide the applicant with clear and reliable information about the vacancy and the organisation.

- **Confidentiality:** The organisation will handle all information obtained confidentially and with care, respecting the applicant's statutory privacy rights.
- **Reliable sources:** The organisation knows that information from public sources is not always reliable. The organisation will discuss the information obtained citing the source, and is transparent.

### For the applicant

- **Full information:** The applicant will be given full information about the application process and the role.
- **Providing information:** The applicant will provide the organisation with information needed to determine whether the applicant is suitable for the role. The applicant will not omit information that is important for the role.

For example: if travel distance is a selection requirement, and the applicant has plans to move further away, they must not withhold this information.
- **Reliable sources:** The applicant is aware that information from public sources is not always reliable. The applicant will discuss the information obtained citing the source, and is transparent.
- **Informing honestly:** The applicant will inform the organisation of any relevant changes during the application process.

## 2. Recruitment

**2.1** If the organisation decides there is or will be a vacancy, a recruitment profile will be drawn up for the role. This profile includes the key features of the role, such as:

- Role requirements
- Terms of employment (including starting salary or salary scale and the availability of any pension scheme)
- Main tasks
- Responsibilities and powers
- Position within the organisation
- Type of employment contract (fixed term / permanent / internship / etc.)
- Working hours (part-time/full-time)
- Location

**2.2** Role requirements relate to:

- Professional competence (such as level of working and thinking, education, knowledge and experience)
- Behaviour
- Personal qualities

### Equal treatment legislation

Avoid requirements based on personal characteristics, since they may breach equal treatment legislation. Only when personal characteristics are essential to the role and permitted by law can they be included in exceptional cases.

### 2.3 The organisation is transparent about the application process and will specify, as a minimum:

- how to apply
- the response time (when can the applicant expect a response)
- the closing date (latest date when the application must be received)
- any additional selection processes (such as psychological test, assessment, medical examination or background check)
- the reason (if the organisation wants to apply a preferential policy) (II/page 11)

If the organisation deviates from the chosen process, the applicant will be informed of this. The applicant can request a deviation from the process, giving well-founded reasons.

If, as an organisation, you are not using a closing date because you will remove the vacancy as soon as you have found a suitable candidate, you must state this clearly.

## 3. Selection

### 3.1 Informing the applicant

Inform the applicant about the next steps in the process no later than two weeks from the time of application.

## 3.2 Selection tools and AI

It is important to guarantee diligence and confidentiality during the process. For example, if the organisation wants to use video applications or group selection days, the applicant may ask to deviate from the process for reasons of confidentiality.




If the organisation uses Artificial Intelligence (AI), it must be clear to the applicant when the organisation is using it. An AI selection tool must also comply with the AI Regulation (“the AI Act”) and the rules, requirements and frameworks for the development and use of AI in the European Union (EU) which have been drawn up. The use of AI in recruitment and selection is classified as “high risk” and comes with stringent conditions attached. Organisations must demonstrably log the system’s activities, set up adequate data management and ensure that human oversight is possible, among other things.

The organisation is responsible for the final decision. The AI Act is designed to prevent AI from discriminating and ensure that the potential risks are clear.

## 3.3 Salary

The organisation will not ask applicants about their current or previous salary. An appropriate salary proposal will be determined based on the role requirements, experience, qualifications and what is customary within the organisation.

What you can/cannot ask:

-  Health questions
-  The applicant’s ID  
Level of current
-  salary (payslip)

## 4. Further investigation

### 4.1 Searching for information

If the organisation seeks information about an applicant through social media, for example, the organisation is aware that this information is not always reliable or relevant. The organisation will discuss this information with the applicant and cite the source. The applicant will have a chance to respond to this.

### 4.2 Requesting references

If the organisation wishes to request a reference, the organisation will seek the applicant's permission in advance, unless such permission is not required by law or other regulations.

### 4.3 Orientation day

The purpose of a shadowing day is for both sides to determine the expectations about the role and the applicant's fit with the organisation. A shadowing day may not lead to disguised labour with wage value.

### 4.4 Psychological test and selection assessment

A psychological test or selection assessment may only be carried out in accordance with the conditions of the NIP (Dutch Institute of Psychologists) and only if this has been announced in advance in the vacancy advertisement. The applicant must give prior permission to share the report with the organisation.

#### 4.5 A medical examination (pre-employment examination)

- must be mentioned in the recruitment and selection process;
- may only take place at the end of the selection process;
- may only take place on the advice of the company doctor in the case of special role requirements for medical fitness for the role. The examination is carried out by an examining doctor (III/page 11).

Such as:  
firefighters,  
pilots,  
professional  
soldiers.

## 5. Final selection and decision

### 5.1 Rejection of applicant

If the applicant is not selected for the role, the organisation will inform the applicant as soon as possible and no later than within two weeks of the decision, also providing reasons for the decision. The content of that explanation depends on the stage in the application process which the applicant has reached.

### 5.2 Completion of application process

The application process is completed as soon as the vacancy is filled or when the organisation decides to withdraw it. All applicants still in the process at that time will be informed of this within two weeks.



## 6. Privacy

### 6.1 Information from the applicant

- The organisation will handle all the applicant's information confidentially, with care and in accordance with the legal provisions.
- The applicant's information will be destroyed within four weeks of rejection in accordance with the GDPR, unless agreed otherwise.
- The applicant must always renew their consent for data retention after one year.

## 7. Complaint handling

### 7.1 Filing a complaint

If an applicant believes that the organisation has acted in breach of this code, a complaint can be filed with that organisation. The organisation will handle this complaint with care and will provide the applicant with a written and reasoned response within one month.

## 7.2 Recruitment Code Complaints Authority (Klachteninstantie van de Sollicitatiecode).

If an applicant has submitted a written complaint about the recruitment and selection process and does not receive a response or finds the response unsatisfactory, the applicant can submit the complaint to the Recruitment Code Complaints Authority (Klachteninstantie van de Sollicitatiecode). The body assesses the complaint on the basis of the Recruitment Code complaints procedure.

If you have a complaint, please use the NVP Recruitment Code complaint form

[Click here for the NVP Recruitment Code complaint form](#)

## 7.3 Complaints outside the scope of the Recruitment Code (IV/page 11)

- The Netherlands Institute for Human Rights for complaints about discrimination ([www.mensenrechten.nl](http://www.mensenrechten.nl)).
- Pre-Employment Examinations Complaints Committee (The Commissie Klachtenbehandeling Aanstellingskeuringen) for complaints about pre-employment examinations ([www.aanstellingskeuringen.nl](http://www.aanstellingskeuringen.nl)).
- The Dutch Data Protection Authority for complaints about the protection of personal data ([www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl)).

## 7.4 Monitoring complaints

The organisation will evaluate the number of complaints filed annually, their nature and how they were dealt with. This information is shared with the works council or employee representation. Any recommendations from the Recruitment Code Complaints Authority (Klachteninstantie van de Sollicitatiecode) will thereby be taken into account.

- I. Recruitment and selection processes conducted through agencies are governed by the Recruiter Code. For further information, please see the Recruiter Code website at [www.recruitercode.nl](http://www.recruitercode.nl).
- II. The implementation of a preferential policy is only permitted within legal limits. The Netherlands Institute for Human Rights can provide further information about this through the website [www.mensenrechten.nl](http://www.mensenrechten.nl)
- III. In the case of a pre-employment medical examination, these will be subject to the guidelines of the Wet op de Medische Keuringen (Medical Examinations Act) and the Besluit aanstellingskeuringen (Pre-Employment Examinations Decree) of 23 November 2001. There is an option for the applicant to file a complaint with the Commissie Klachtenbehandeling Aanstellingskeuringen (Pre-Employment Examinations Complaints Committee). For further information, please see the website [www.ser.nl/nl/thema/aanstellingskeuringen](http://www.ser.nl/nl/thema/aanstellingskeuringen).
- IV. This concerns the Algemene wet gelijke behandeling (General Equal Treatment Act) (relating to religion, personal beliefs, political affiliation, race, gender, nationality, sexual orientation or marital status), the Wet gelijke behandeling van mannen en vrouwen (Equal Treatment of Men and Women Act) and also the Wet medische keuringen (Medical Examinations Act) with the Besluit aanstellingskeuringen (Pre-Employment Examinations Decree) and the Besluit klachtenbehandeling aanstellingskeuringen (Pre-Employment Examinations Complaints Procedure Decree) based on it. Reference can also be made to the Wet gelijke behandeling op grond van handicap of chronische ziekte (Equal Treatment on the Basis of Disability or Chronic Illness Act) and the Wet gelijke behandeling op grond van leeftijd bij de arbeid (Equal Treatment on the Basis of Age in Employment Act). The Netherlands Institute for Human Rights can provide further information about this through the website ([www.mensenrechten.nl](http://www.mensenrechten.nl))

For information about personal data protection, please visit Dutch Data Protection Authority at the website [www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl).

NVP - Network for HR Professionals is the organisation that publishes the Recruitment Code. The authors of the Recruitment Code are Mr. M.J. Draaisma, Ir. R.J.B. van Groenestijn, Ms. E.J.I. Knopf, Mr. D.J. Kolk, Ms. M. Mol, Drs. M.P. Ringers, Ms. I. Verweij.

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