

THE CLIENT'S BILL OF RIGHTS

WHAT TO EXPECT FROM YOUR EXECUTIVE SEARCH FIRM

An executive search involves a complex process that requires a substantial investment of your time and resources. When you hire a retained executive search firm, you're entitled to receive a high level of service. But what is the difference between a professional, reliable service and a lower quality of service? What are your rights and obligations as a client? Above all, how do you know when you have received excellence in client service?

Search firms will answer most — but not all — of these questions in the consulting contract. Therefore, the more you know about the ins and outs of working with search firms, the better your chances of achieving a successful search and receiving full value for your investment. In the belief that well-educated clients always lead to better client/consultant relationships, the Association of Executive Search Consultants (AESC) offers the following “Client's Bill of Rights.”

I. The executive search firm shall provide you with an accurate and candid assessment of its capabilities to perform your search.

Not all search firms offer the same services, but they should all operate in line with the highest professional standards. In addition to the obvious differences in size and manpower, search firms also vary in their areas of expertise, their knowledge of and contacts within various industries, and the skills and experience levels of their search consultants.

Before agreeing to undertake any search, the executive search consulting firm should:

- Verify that it has the resources, time, knowledge and expertise to handle your specific assignment.
- Disclose any and all information with regard to relationships or circumstances that might create actual or potential conflicts of interest.
- Disclose limitations arising through service with other clients that may affect its

ability to perform the search assignment.

- Define with you which part of your organization is the “client” (i.e., which subsidiary, division, department, etc.) and agree upon the period, if any, during which the firm will not recruit from the defined client organization.
- Define the scope and character of the services to be provided and the fees and expenses to be charged for the services rendered.

This requires that you provide a full and accurate description of your organization, its business needs and culture, the position to be filled, and your criteria for the ideal candidate. If the search firm cannot handle your assignment, it should explain why and then refer you to another firm better equipped to meet your needs.

II. The executive search firm shall tell you who will conduct the search.

In addition to the consultant who generates the business relationship, there may be a team of professionals who will handle the search assignment.

It is certainly within your rights to ask for and to receive full and open disclosure regarding the consultants and their ability to successfully handle the assignment, as well as the resources the firm has available to support the consultant/team working on your project.

III. The executive search firm shall provide a high-level consultative relationship.

“Retained executive search consulting” is defined as a specialized form of management consulting, conducted through an exclusive engagement. Its purpose is to assist your organization in defining executive positions, identifying well-qualified and motivated candidates, and selecting those best suited through comprehensive, quality assured search processes.

In addition to locating high quality candidates, your search firm should also provide information and feedback that not only

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helps direct your search for executive talent but can also be used to run your business more effectively. This feedback includes:

- Knowledge of the industry in which the search will be conducted, including availability of candidates, comparative assessments of those candidates, and remuneration levels.
- General market research regarding how your organization is perceived in the market, what your competitors are doing, and what kind of recruiting strategies may or may not be working at any given point in time.

Do not expect a 50-page market research report. However, the search firm should give you a reasonable overview of market conditions and the general perception of your organization in the marketplace for talent.

IV. The executive search firm shall hold your information in strict confidentiality.

By its very nature, an executive search requires you to divulge highly sensitive information about your organization. The search consultant must treat any and all information you give them with the utmost confidentiality.

At the same time, the consultant cannot conduct an effective search without making some information available to potential candidates. To protect your interests, however, the search consultant should guarantee that he or she will:

- Use confidential client information only for the purposes of conducting the assignment.
- Disclose client information only to others within the search firm (who may be supporting the consultant on this assignment) or potential candidates who have a need to know the information.
- Never use confidential information for personal gain or provide that information to third parties for their personal gain.

V. The executive search firm shall demonstrate a clear understanding of the position, the company and the objectives of the search.

In order to conduct a successful search, the consultant must have a crystal clear understanding of the position to be filled, the requirements of the job and your company's culture. Accordingly, you should insist on receiving a report that details the consultant's understanding of:

- Your desired level and type of experience
- The background, education and technical skills needed to successfully perform the position
- Responsibilities of the position
- Any interpersonal skills needed

Good search firms will do more than just feed back the job description you present them. They will proactively help you develop, modify and refine your own understanding of the position. To help with this critical step, give your search consultant access to all those who participate in the selection process and encourage them to provide full disclosure regarding the position to be filled.

Because the job description represents the bedrock of a successful search, you have a reciprocal obligation to notify the consultant any time circumstances (either internal or external) require a change in the position or the type of person you're looking for. Be aware that a major change in search specifications may require a change in fees.

VI. The executive search firm shall provide you with regular, detailed status reports on the progress of the search.

Depending on the position to be filled, the availability of talent and a host of other factors, a successful search can take anywhere from a few weeks to several months. To keep you up-to-date, the search firm should provide ongoing progress reports that include:

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- The companies at which the consultant has tried to target candidates
- The market response to the search
- Obstacles to identifying or attracting candidates
- Candidates currently being developed

The search firm should update you regularly, either by phone, fax, e-mail, written report or some combination of all four. Let your consultant know your preferences.

VII. The executive search firm shall present qualified candidates who fit the position and the culture of your organization.

The consultant should present you with a range of qualified potential candidates, whom he or she has thoroughly assessed and interviewed. The consultant should be able to discuss each candidate's:

- Experience level and significant achievements relative to the position to be filled
- Education and background
- Intellectual, interpersonal and motivation competencies
- Personal strengths and weaknesses with respect to the position to be filled
- Perceived cultural fit
- Interest in the position
- Remuneration and financial expectations

In presenting candidates, either individually or in a "shortlist," you should expect the consultant to discuss the interviewing arrangements and other issues that can affect the critical interviewing process. Immediately after you have interviewed candidates, your search consultant should solicit your comments and feedback and help you conduct comparative candidate assessment and analysis.

The search consultant should also discuss and agree with you how the process of reference and background checking will be conducted. This should cover references regarding competence and suitability for the job, verification of employment history and educational credentials and other issues such as criminal checks. Your own organization may wish to

conduct the background and employment history checks directly or through a third-party investigator. Whoever conducts this process, it is important that it should be thoroughly completed and to your satisfaction.

If it becomes apparent that the search will take considerably longer than expected or that it may not yield an acceptable range of candidates, the consultant should inform you as soon as possible and discuss alternative courses of action.

VIII. The executive search firm shall help you negotiate with the final candidate, representing both parties with skill, integrity and a high degree of professionalism.

Once you have selected a final candidate, the consultant's role changes from that of search agent to negotiator and communicator. At this point, the consultant's primary function is to help you bring the candidate on board in a manner that facilitates a long and successful stay with your organization. This includes:

- Acting as an intermediary between you and the candidate regarding compensation, benefits and other conditions of employment
- Feeding back to you any reservations or concerns the candidate may have about accepting the position
- Helping the candidate to assess the opportunity
- Working with both sides to create a "win" for everyone

Although the consultant represents your interests first and foremost, he or she must also remain sensitive to the needs and concerns of the candidate. To do otherwise significantly reduces the chances of a successful hire. In addition, representing both parties with integrity and professionalism ensures two important outcomes:

- The candidate comes aboard feeling that he or she has been treated fairly
- The search enhances your company's reputation in the marketplace

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Remember that your candidates are also very busy professionals who have sacrificed valuable time to talk with you. Furthermore, they did not solicit this opportunity; it was presented to them.

IX. The executive search firm shall provide you with a clear understanding of its replacement policy and other unusual situations that may arise during and after the search.

The search firm cannot (and should not be expected to) guarantee to fill your position. The consultant also cannot guarantee that, once placed, a new hire will stay with your firm. With that in mind, the consultant should provide (in writing) an explanation of the firm's policy regarding possible outcomes. These include:

- The search firm's obligations and responsibilities to you should a newly-recruited professional leave your company for any reason within an agreed period of time.
- Your obligations to the search firm should you hire a candidate presented during the current engagement for a position other than the assigned vacancy.
- The conditions under which the search firm can withdraw from your assignment or consider it sufficiently changed to start a new search.

X. The executive search firm shall provide you with a reasonable level of follow-through after you have hired the candidate.

Seemingly successful placements can sometimes fall apart during the transition period. As a result, the consultant's responsibility does not end when the candidate accepts the offer.

Instead, the consultant should stay in contact with the new hire as long as necessary to ensure a smooth transition and help them settle into the new position. Above all, the consultant should make sure that you are fully satisfied before considering the search a success and concluding the assignment.

STAND UP FOR YOUR RIGHTS

Given the importance to your organization of filling the position with the highest quality candidate, you have every right to expect the highest level of service. Remember that by working with a retained executive search firm you have entered into a consulting partnership.

Take a proactive approach to managing the relationship. Do your homework, provide full and accurate information regarding the position and the ideal candidate, and where appropriate put these understandings in writing. Set very clear expectations up front in terms of how you and the search consultant will work together. Keep the lines of communication open on your end, and stay in regular contact with your consultant until the assignment has been completed to everyone's satisfaction.

If at any time during the search your consultant doesn't seem to understand the nature of the assignment, fails to provide ongoing feedback and progress reports, fails to present a range of qualified candidates or doesn't represent your firm in the manner you wish, express your dissatisfaction immediately! Now that you know your rights, it's up to you to hold your search firm to the high standard of service that you expect.

The Association of Executive Search Consultants is the worldwide professional association representing retained executive search firms. The AESC's mission is to promote the highest professional standards in executive search consulting, broaden public understanding of the executive search process, and serve as an advocate for the interests of its member firms. General information about the Association and the executive search profession can be found at www.aesc.org. (NY Tel: 212-398-9556; Brussels Tel: 32 2 774 9612)

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