

Recruiting Ex-Offenders Policy

June 2014

Authorship: CSU Transition HR Policy Lead- adapted for local use by North Yorkshire and Humber Commissioning Support Unit on behalf NHS Scarborough and Ryedale CCG.

Committee Approved: SRCCG Committees
Joint Trade Union Partnership Forum

Approved date: 25th June 2014

Review Date: 4 years

Equality Impact Assessment Completed

Sustainability Impact Assessment Completed

Target Audience: All staff

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The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.

POLICY AMENDMENTS

Amendments to the Policy will be issued from time to time. A new amendment history will be issued with each change.

New Version Number	Issued by	Nature of Amendment	Approved by & Date	Date approved	Date on Intranet
DRAFT	SRCCG	Draft policy for CCG	Senior Management Team	22/04/2014	
DRAFT	SRCCG	Approval by JTUPF	JTUPF	25/06/2014	
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1.0	SRCCG	Formal adoption	Governing Body	24/09/14	25/09/14

Table of Contents

1	INTRODUCTION	4
2	ENGAGEMENT	4
3	IMPACT ANALYSES	4
3.1	Equality	4
3.2	Sustainability	4
3.3	Bribery Act 2010.....	4
4	SCOPE	5
5	POLICY PURPOSE & AIMS.....	5
6	DEFINITIONS	7
7	ROLES / RESPONSIBILITIES / DUTIES.....	7
8	IMPLEMENTATION.....	7
9	TRAINING & AWARENESS	7
10	MONITORING & AUDIT	7
11	POLICY REVIEW	8
	PART 2 PROCEDURE	8
	APPENDICES	10
	Appendix 1: Dealing With Disclosures in Recruitment & Selection	11
	Appendix 2: Risk Assessment-Deciding if a DBS check is required.....	14
	Appendix 3: Equality Impact Analysis.....	15
	Appendix 4: Sustainability Impact Assessment	24

1 INTRODUCTION

- 1.1 NHS Scarborough and Ryedale Clinical Commissioning Group (the CCG) uses the Disclosure service provided by the Disclosure Barring Service (DBS) to assess applicants' suitability for positions of trust. The CCG complies fully with the DBS Code of Practice and undertakes to treat all applicants fairly.
- 1.2 The CCG undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information received. Information on types of disclosures and dealing with disclosures is attached at **Appendix 1**.

2 ENGAGEMENT

- Joint Trade Union Partnership Forum/Policy Development Group
- SRCCG staff via team meetings/team brief/internet

3 IMPACT ANALYSES

3.1 Equality

In applying this policy, the CCG will have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

An Equality Impact Assessment is attached at Appendix 3.

3.2 Sustainability

A Sustainability Impact Assessment has been completed for this policy and is attached at Appendix 4.

3.3 Bribery Act 2010

The Bribery Act is particularly relevant to this policy. Under the Bribery Act it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and
- Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.

These offences can be committed directly or by and through a third person and other related policies and documentation (as detailed on the CCG intranet) when considering whether to offer or accept gifts and hospitality and/or other incentives.

Anyone with concerns or reasonably held suspicions about potentially fraudulent activity or practice should refer to the Local Anti-Fraud and Corruption Policy and contact the Local Counter Fraud Specialist

4 SCOPE

- 4.1 The policy applies to all appointments to posts which require a Standard or Enhanced DBS Check.

5 POLICY PURPOSE & AIMS

- 5.1 The CCG actively promotes equality of opportunity for all and welcomes applications from a wide range of candidates, including those with criminal records, as we select all candidates for interview based on their skills, qualifications and experience.
- 5.2 Disclosures are only requested after a risk assessment (Appendix 2) has indicated that it is proportionate and relevant to the post concerned. For those posts that require a Disclosure, all adverts and job descriptions and notification of appointment forms will contain a statement indicating what level of Disclosure will be required in the event of an individual being offered a position.
- 5.3 The CCG will only ask for details of 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974. However, the CCG reserves the right, if necessary, to ask details about an applicant's entire criminal record.
- 5.4 The CCG works with eMBED Workforce Representatives who are registered with the DBS as the person authorised to handle Disclosures. Workforce representatives have been trained to identify and assess the circumstances and relevance of offences and have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders.
- 5.5 Workforce Representatives will advise and guide recruiting managers where a Disclosure has been made.
- 5.6 The CCG will endeavour to discuss any matter revealed in a Disclosure with the person seeking employment, before withdrawing a conditional offer of employment.
- 5.7 The CCG may conduct an interview to enable an open and measured discussion to take place regarding any offences or other matters that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought, could lead to the withdrawal of an offer of employment.
- 5.8 The CCG complies fully with the DBS Code of Practice. Every person who is subject to a Disclosure will be provided with a copy of the 'applicant's guide to completing the DBS application form' [Click here](#)
- 5.9 Having a criminal record will not necessarily bar a potential employee from working with the CCG. This will depend on the nature of the position and the circumstance and background of the offence(s).

Security, Storage, Handling, Use, Retention, and Disposal of Disclosures And Disclosure Information

- 5.10 The CSU, on behalf of the CCG, complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.

- 5.11 The eMBED, on behalf of the CCG, complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.

Storage, Access & Disposal

- 5.12 Disclosure information will be securely destroyed as soon as the relevant information has been noted.
- 5.13 No Disclosure information will be kept on personal files and where a Disclosure needs to be kept due to a dispute or because additional information has been supplied, it will be kept separately and securely in a non-portable, lockable storage unit.
- 5.14 Where a Disclosure has been kept, it will be securely destroyed once the dispute is resolved or a decision made regarding employment or at the latest after 6 months.
- 5.15 Access to Disclosure information is strictly controlled and limited to those who are entitled to see it as part of their duties.
- 5.16 The CCG will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, for record purposes only, the Organisation will keep the following information:
- The name of the subject
 - The level of Disclosure requested
 - The position for which the Disclosure was requested
 - The unique reference number of the Disclosure
 - Details of the recruitment decision taken

Handling

- 5.17 In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties.
- 5.18 The eMBED Workforce Team, on behalf of the CCG, will maintain a record of all people to whom Disclosures and Disclosure information has been revealed and recognises that is a ***criminal offence*** to pass this information on to anyone who is not entitled to receive it.

Usage

- 5.19 Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.
- 5.20 The organisation will comply with all recommendations from DBS on the proper use and safekeeping of disclosure information.

6 DEFINITIONS

- 6.1 Disclosure and Barring Service (DBS) – the Body responsible for carrying out criminal records and barring checks to help employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaced the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

7 ROLES / RESPONSIBILITIES / DUTIES

- 7.1 The Recruiting Manager is responsible for:

- Identifying whether a post requires a DBS Check, and ensuring that this is included in the recruitment documentation, indicating the level of disclosure required. Advice and guidance is available from the eMBED workforce team.
- Completing the Verification Form to confirm that original identity documents have been seen, and sending this to the eMBED Workforce Team with verified copies of the relevant identity documents.

- 7.2 The eMBED Workforce Team is responsible for:

- Initiating DBS Checks with the DBS, and tracking progress
- Contacting the applicant to arrange to view the DBS certificate
- Recording details of DBS clearances in accordance with DBS code of practice and this policy

- 7.3 The Applicant is responsible for:

- Completing and returning the Disclosure Application form
- Providing information relating to their DBS certificate to the eMBED Workforce Team for clearance.

8 IMPLEMENTATION

- 8.1 This policy will be communicated to staff via team meetings/team brief and will be available for staff on the intranet.

- 8.2 Breaches of this policy may be investigated and may result in the matter being treated as a disciplinary offence under the CCGs disciplinary procedure.

9 TRAINING & AWARENESS

- 9.1 A copy of the policy will be available on the CCG intranet. Training needs will be identified via the appraisal process and training needs analysis.

10 MONITORING & AUDIT

- 10.1 The implementation of this policy will be audited on an annual basis by the CCG and reported to CCG Governing Body.

11 POLICY REVIEW

- 11.1 The policy and procedure will be reviewed after 3 years for the CCG Governing Body in conjunction with Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

PART 2 PROCEDURE

- 1.1 When recruiting for a vacancy the Recruiting Manager needs to indicate whether a DBS check is required on the request to advertise, and if so, at what level.
- 1.2 The Recruiting Manager must ensure that the advert for the vacancy includes notification that it is essential that the successful applicant obtains a satisfactory DBS check and at what level that check must be, either standard, enhanced or enhanced with barred list information.
- 1.3 Once a conditional offer of employment has been made the applicant will be sent a Disclosure Application Form and 'Guidance'
- 1.4 The completed form, together with verified identity documentation, must be returned to the Workforce Team. Form HR35 should be completed by the Recruiting Manager to confirm that identify documents have been verified.
- 1.5 The Disclosure Application Form will be verified and countersigned by one of the representatives who are registered with the DBS and sent for processing.
- 1.6 The progress of the Application will be tracked on line to identify when the certificate has been issued to the applicant. The CCG or eMBED cannot accept responsibility for any delays in the DBS process.
- 1.7 In certain circumstances, it may be possible for an applicant to commence employment, in a supervised capacity, pending DBS clearance. However, this must always be discussed with the eMBED Workforce Team prior to commencement.
- 1.7 Once the certificate has been issued to the applicant, the Workforce Team will contact them to arrange a suitable time for the certificate to be checked. It should be noted that the CCG does not receive a copy of the disclosure certificate. It is essential that the applicant produces the certificate within a reasonable time frame, otherwise the conditional offer may be withdrawn.
- 1.8 The Workforce representative will inform the Recruiting Manager if the Disclosure Application was satisfactory or if it contains any information that may affect the appointment decision.
- 1.9 If the Disclosure Application contains no information, or information that is not relevant to the post, the offer of employment can be confirmed (subject to all other pre-employment checks having been completed).
- If the Disclosure Application contains information that may affect the appointment decision, the Workforce representative will discuss this with the Recruiting Manager (in all instances), and the individual concerned, where appropriate.
- 1.10 Where the information contained on the Disclosure Application form significantly impacts on a candidate's ability to undertake the post for which they have been appointed, the offer of employment will be withdrawn.

- 1.11 Any decision to withdraw an offer of employment must be reached by the agreement of the Workforce representative and Recruiting Manager.
- 1.12 The decision to withdraw an offer of employment must be confirmed both verbally and in writing to the candidate concerned.
- 1.13 The Workforce Team will keep a record of the disclosure number, and the date that it was issued, but will not retain any copies of the Disclosure certificate.

APPENDICES

- Appendix 1 Dealing with Disclosures in Recruitment and Selection
- Appendix 2 Deciding if a DBS check is required
- Appendix 3 Equality Impact Assessment
- Appendix 4 Sustainability Impact Assessment

Appendix 1: Dealing With Disclosures in Recruitment & Selection

Dealing With Disclosures in Recruitment & Selection

Guidelines for Managers

The CCG uses the Disclosure Service provided by the **Disclosure Barring Service (DBS)** to assess applicants' suitability for positions of trust.

When advertising/recruiting to a vacant post you must decide whether that position requires a DBS check and if so, at what level (see below). You can use the table outlined in **Appendix 2** to assist you in making this assessment.

If you decide that a DBS check needs to be undertaken you must clearly indicate this on the Advertisement Template Form. The Workforce Team will then ensure that the requirement for a check is made clear in the advertisement.

Types of Check Available (extract from NHS Check Standards – Criminal Records and Barring Checks)

There are three levels of check currently available through the Disclosure and Barring Service (DBS). The three levels include:

- Standard check
- Enhanced check without barred list information
- Enhanced check with barred list information – where the position is eligible, and the employer indicates the type of access to vulnerable groups, this will include:
 - an adults barred list check
 - a children's barred list check
 - an adults and children's barred list check

Standard DBS Checks

Standard DBS checks contain details of both current unspent and spent convictions, cautions, reprimands and final warnings, held in England and Wales on the Police National Computer (PNC) that are not subject to the filtering rules which came into force from 29 May 2013. Most of the relevant convictions in Scotland and Northern Ireland may also be included.

While not a legal requirement, employers may carry out standard checks to assess a person's suitability for work listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 i.e. where the type of work enables the person to have '*access to persons in receipt of such services in the course of [their] normal duties*' (paragraph 13 of Schedule 1 of the Exceptions Order specifically refers).

For the purpose of this guidance 'access to persons' does not include positions which only allow limited or 'incidental' contact with patients (i.e. where there is no more opportunity for contact with patients than that of a visitor to the hospital site, or where staff are required to pass through patient areas to get to their normal place of work).

This level of check does not show whether a person is barred from working with children or adults and therefore should not be applied for where the individual will be undertaking regulated activity.

Enhanced DBS Checks

Enhanced checks contain the same information as a standard DBS check but may also include any non-conviction information held by local police, where they consider it to be relevant to the post. Although barred list checks are not appropriate for positions which fall outside of regulated activity, in most cases, the police will have the information which led the DBS to bar a person and so will be able to disclose it on an enhanced certificate, where this is relevant to the position being applied for.

To be eligible for an enhanced level DBS check, the position must be included in both the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and the Police Act 1997 (Criminal Records) Regulations 2002 as amended by the Police Act 1997 (Criminal Records) (Amendment) Regulations 2013. This includes work or volunteering with vulnerable groups.

Enhanced without barred list information

Employers can apply for an enhanced check without barred list information for positions described as work with adults in the Statutory Instrument – The Police Act 1997 (Criminal Records) (Amendment) Regulations 2013. To be eligible, individuals must be involved in providing one of the following activities at least once a week on an on-going basis, more than four days in any 30 day period, or at any time between the hours of 2am and 6am:

- care or supervision
- treatment or therapy
- teaching, training instruction, assistance, advice or guidance on emotional, physical or educational well-being – wholly or mainly for children or adults in receipt of a health care service
- the management of people engaging in any of the above activities on a day to day basis.

It should be noted that where individuals are providing any of the above activities in an 'unsupervised' capacity for children, this would be deemed regulated activity and therefore is eligible for a barred list check – see below. This list is not exhaustive.

Enhanced check with barred list information

Employers have a legislative requirement to request barring checks to be conducted for people in positions defined as 'regulated activity' under the Protection of Freedoms Act 2012 which amended the Safeguarding Vulnerable Groups Act 2006 on 10 September 2012.

Regulated Activity

'Regulated activity' is a term which is used both in the regulation of care services under the Health and Social Care Act, and relates to activities a person who is listed on the DBS barred lists is prohibited from doing under the Safeguarding Vulnerable Groups Act.

Where an individual is engaging, either in paid work or as a volunteer, in a regulated activity employers must request an enhanced DBS check with a check against the

appropriate barred list. Where individuals are undertaking activities with both adults and children it would be appropriate to check against both barred lists. It is an offence for any organisation to 'knowingly' appoint or continue to allow an individual who is barred from working with children and/or adults to engage in a regulated activity with that group. Barring checks are accessed through the process of applying for an enhanced criminal record disclosure.

There are six categories within the new definition of regulated activity, these include where the individual will be providing any one of these activities as part of their role:

- healthcare
- personal care
- social work
- assistance with cash, bills or shopping
- assistance with the conduct of their own affairs
- conveying services

Activities undertaken in a supervised capacity i.e. reasonable day to day supervision under the direction of a healthcare worker, is not regulated activity, therefore employers may wish to consider whether the roles and responsibilities meet the criteria for an enhanced without barred list check or a standard level check.

Where individuals are not providing regulated activity, they may still be considered against eligibility to obtain a standard DBS check.

Appendix 2: Risk Assessment-Deciding if a DBS check is required

Will the job holder be required to work with children? As per the access definition above.	Yes	No
Will the job holder be required to work with vulnerable adults? As per the access definition above.	Yes	No
Will the job holder have access to patient information?	Yes	No
Is the job holder required to be a member of the Legal Profession and a recognised member of the Law Society?	Yes	No
Will the job holder be based at a location where they may come in to contact with children or vulnerable adults, such as a hospital or prison? As per the access definition above.	Yes	No
Will the job holder be regularly caring for children or vulnerable adults? As per the access definition above.	Yes	No
Will the job holder be required to be a “named person” for the Authority in respect of gaming, lottery or entertainment licences?	Yes	No

Appendix 3: Equality Impact Analysis

1. Equality Impact Analysis									
Policy / Project / Function:	Recruiting Ex-Offenders Policy								
Date of Analysis:	31/1/14								
This Equality Impact Analysis was completed by: (Name and Department)	Workforce service								
What are the aims and intended effects of this policy, project or function ?	The CCG actively promotes equality of opportunity for all and welcomes applications from a wide range of candidates, including those with criminal records, as we select all candidates for interview based on their skills, qualifications and experience.								
Please list any other policies that are related to or referred to as part of this analysis?	<ul style="list-style-type: none"> • Disciplinary procedure. • Appraisal process 								
Who does the policy, project or function affect ? Please Tick ✓	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Employees posts</td> <td style="width: 40%; text-align: right;">✓ staff moving to different posts</td> </tr> <tr> <td>Service Users</td> <td style="text-align: right;"><input type="checkbox"/></td> </tr> <tr> <td>Members of the Public</td> <td style="text-align: right;">✓ External Applicants</td> </tr> <tr> <td>Other (List Below)</td> <td style="text-align: right;"><input type="checkbox"/></td> </tr> </table>	Employees posts	✓ staff moving to different posts	Service Users	<input type="checkbox"/>	Members of the Public	✓ External Applicants	Other (List Below)	<input type="checkbox"/>
Employees posts	✓ staff moving to different posts								
Service Users	<input type="checkbox"/>								
Members of the Public	✓ External Applicants								
Other (List Below)	<input type="checkbox"/>								

2. Equality Impact Analysis: Screening

	Could this policy have a positive impact on...		Could this policy have a negative impact on...		Is there any evidence which already exists from previous (e.g. from previous engagement) to evidence this impact
	Yes	No	Yes	No	
Race	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	The policy makes it clear that the existence of a criminal conviction alone should not prevent an offer of employment being made. It explains what should be taken into account when making decisions. The policy is clear that decisions are taken on merit whilst also risk assessing the process
Age	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	As above
Sexual Orientation	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	As above
Disabled People	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	As above
Gender	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	As above
Transgender People	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	As above
Pregnancy and Maternity	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	As above
Marital Status	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	As above
Religion and Belief	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	As above

Reasoning	
	As yet there has been no evidence of a positive or negative impact. No anticipated detrimental impact on any equality group. Makes all reasonable provision to ensure equity of access to all staff and the public within a legal framework. However any review of the policy should cover how it has been applied and not just its intention
If there is no positive or negative impact on any of the Nine Protected Characteristics go to Section 7	

3. Equality Impact Analysis: Local Profile Data

Local Profile/Demography of the Groups affected (population figures at January 2014)	
General	Total number of employees in the CCG is 94
Age	63.84% of staff are aged 30-55 21.27% of staff are over 55 14.89% of staff employed are under 30
Race	87.24% of staff employed in the CCG declared themselves White 9.58% of staff are not stated/undefined 1.06% of staff declared themselves Black 1.06% of staff declared themselves Mixed 1.06% of staff declared themselves Other
Sex	79.79% of staff employed are female 20.21% of staff employed are male
Gender reassignment	No information
Disability	82.98% of staff employed declared themselves as having no disability 17.02% of staff did not declare /undefined 0% of staff declared a disability
Sexual Orientation	65.96% of staff described themselves as heterosexual 32.98% did not wish to respond /undefined 1.06% described themselves as bisexual
Religion, faith and belief	Christianity is the largest religious group declared by staff in the CCG (55.32%) 34.05% were undefined or did not wish to declare 10.63% of staff declared other faith or religious beliefs
Marriage and civil partnership	62.77% of employees are married. 1.06% of employees are in a civil partnership
Pregnancy and maternity	No information yet as the CCG has not been established long enough to build meaningful data

4. Equality Impact Analysis: Equality Data Available

<p>Is any Equality Data available relating to the use or implementation of this policy, project or function?</p> <p>Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as '<i>Equality Groups</i>'.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1. Application success rates <i>Equality Groups</i> 2. Complaints by <i>Equality Groups</i> 3. Service usage and withdrawal of services by <i>Equality Groups</i> 4. Grievances or decisions upheld and dismissed by <i>Equality Groups</i> 5. <i>Previous EIAs</i> 	<p>Yes <input checked="" type="checkbox"/> employee data</p> <p>No <input type="checkbox"/></p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document).</p>
<p>List any Consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function</p>	<p>Consultation has taken place nationally and locally with Trade Unions</p>
<p>Promoting Inclusivity How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation</p>	<p>This Policy provides a framework to ensure no applicant is unfairly treated following the disclosure of a conviction and therefore contributes to the aims of eliminating discrimination</p>

5. Equality Impact Analysis: Assessment Test

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
Gender (Men and Women)	✓			Considered, no impact
Race (All Racial Groups)	✓			Considered, no impact
Disability (Mental and Physical)	✓			Considered, no impact
Religion or Belief	✓			Considered, no impact
Sexual Orientation (Heterosexual, Homosexual and Bisexual)	✓			Considered, no impact

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
Pregnancy and Maternity	✓			Considered, no impact
Transgender	✓			Considered, no impact
Marital Status	✓			Considered, no impact
Age	✓			Considered, no impact

6. Action Planning

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:

7. Equality Impact Analysis Findings

Analysis Rating:	<input type="checkbox"/> Red	<input type="checkbox"/> Red/Amber	<input type="checkbox"/> Amber	<input checked="" type="checkbox"/> Green
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		Actions	Wording for Policy / Project / Function
<p>Red</p> <p>Stop and remove the policy</p>	<p>Red: As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is recommended that the use of the policy be suspended until further work or analysis is performed.</p>	<p>Remove the policy</p> <p>Complete the action plan above to identify the areas of discrimination and the work or actions which needs to be carried out to minimise the risk of discrimination.</p>	<p>No wording needed as policy is being removed</p>
<p>Red Amber</p> <p>Continue the policy</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this policy and further professional advice should be taken.</p>	<p>The policy can be published with the EIA</p> <p>List the justification of the discrimination and source the evidence (i.e. clinical need as advised by NICE).</p> <p>Consider if there are any potential actions which would reduce the risk of discrimination.</p> <p>Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date.</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason exists which justifies the use of this policy and further professional advice.</p> <p><i>[Insert what the discrimination is and the justification of the discrimination plus any actions which could help what reduce the risk]</i></p>

Equality Impact Findings (continued):

		Actions	Wording for Policy / Project / Function
<p>Amber</p> <p>Adjust the Policy</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p>	<p>The policy can be published with the EIA</p> <p>The policy can still be published but the Action Plan must be monitored to ensure that work is being carried out to remove or reduce the discrimination.</p> <p>Any changes identified and made to the service/policy/ strategy etc. should be included in the policy.</p> <p>Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date.</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p><i>[Insert what the discrimination is and what work will be carried out to reduce/eliminate the risk]</i></p>
<p>Green</p> <p>No major change</p>	<p>As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>	<p>The policy can be published with the EIA</p> <p>Another EIA must be completed if the policy is changed, reviewed or if any discrimination is identified at a later date</p>	<p>As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>

Brief Summary/Further comments	
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Approved By		
Job Title:	Name:	Date:
Chief Officer	Simon Cox	29/07/14

Appendix 4: Sustainability Impact Assessment

SUSTAINABILITY IMPACT ASSESSMENT

Staff preparing a policy, Governing Body (or Sub-Committee) report, service development or project are required to complete a Sustainability Impact Assessment (SIA). The purpose of this SIA is to record any positive or negative impacts that this is likely to have on sustainability.

Title of the document	Recruiting Ex-offenders Policy
What is the main purpose of the document	The CCG actively promotes equality of opportunity for all and welcomes applications from a wide range of candidates, including those with criminal records, as we select all candidates for interview based on their skills, qualifications and experience. The purpose of this policy is ensure that a clear and consistent policy and process is in place for carrying out DBS screening of candidates
Date completed	15 July 2014
Completed by	CSU Workforce

Domain	Objectives	Impact of activity Negative = -1 Neutral = 0 Positive = 1 Unknown = ? Not applicable = n/a	Brief description of impact	If negative, how can it be mitigated? If positive, how can it be enhanced?
Travel	Will it provide / improve / promote alternatives to car based transport? Will it support more efficient use of cars (car sharing, low emission vehicles, environmentally friendly fuels and technologies)? Will it reduce 'care miles' (telecare, care closer) to home? Will it promote active travel (cycling, walking)? Will it improve access to opportunities and facilities for all groups?	N/A		

Procurement	<p>Will it specify social, economic and environmental outcomes to be accounted for in procurement and delivery?</p> <p>Will it stimulate innovation among providers of services related to the delivery of the organisations' social, economic and environmental objectives?</p> <p>Will it promote ethical purchasing of goods or services?</p> <p>Will it promote greater efficiency of resource use?</p> <p>Will it obtain maximum value from pharmaceuticals and technologies (medicines management, prescribing, and supply chain)?</p> <p>Will it support local or regional supply chains?</p> <p>Will it promote access to local services (care closer to home)?</p> <p>Will it make current activities more efficient or alter service delivery models?</p>	N/A		
Facilities Management	<p>Will it reduce the amount of waste produced or increase the amount of waste recycled?</p> <p>Will it reduce water consumption?</p>	N/A		
Workforce	<p>Will it provide employment opportunities for local people?</p> <p>Will it promote or support equal employment opportunities?</p> <p><u>Will it promote healthy working lives (including health and safety at work, work-life/home-life balance and family friendly policies)?</u></p> <p>Will it offer employment opportunities to disadvantaged groups?</p>	N/A		
Community Engagement	<p>Will it promote health and sustainable development?</p> <p>Have you sought the views of our communities in relation to the impact on sustainable development for this activity?</p>	N/A		

Buildings	<p>Will it improve the resource efficiency of new or refurbished buildings (water, energy, density, use of existing buildings, designing for a longer lifespan)?</p> <p>Will it increase safety and security in new buildings and developments?</p> <p>Will it reduce greenhouse gas emissions from transport (choice of mode of transport, reducing need to travel)?</p> <p>Will it provide sympathetic and appropriate landscaping around new development?</p> <p>Will it improve access to the built environment?</p>	N/A		
Adaptation to Climate Change	<p>Will it support the plan for the likely effects of climate change (e.g. identifying vulnerable groups; contingency planning for flood, heat wave and other weather extremes)?</p>	N/A		
Models of Care	<p>Will it minimising 'care miles' making better use of new technologies such as telecare and telehealth, delivering care in settings closer to people's homes?</p> <p>Will it promote prevention and self-management?</p> <p>Will it provide evidence-based, personalised care that achieves the best possible outcomes with the resources available?</p> <p>Will it deliver integrated care, that co-ordinate different elements of care more effectively and remove duplication and redundancy from care pathways?</p>	N/A		