

RECRUITING EX-OFFENDERS POLICY

July 2015

Important: This document can only be considered valid when viewed on the CCG's website.

If this document has been printed or saved to another location, you must check that the version number on your copy matches that of the document online.

Policy:	Recruiting Ex-Offenders
Date Issued:	July 2015
Date to be reviewed:	3 years or if statutory changes are required

Policy Title:	Recruiting Ex-offenders Policy	
Supersedes:	All previous Recruiting Ex-offenders Policies	
Description of Amendment(s):	New Policy for CCG employees	
This policy will impact on:	All staff	
Financial Implications:	No change	
Policy Area:	HR	
Version No:	1	
Issued By:	YHCS Workforce Team	
Author:	HR Policy Lead - adapted for local use by Yorkshire and Humber commissioning Support on behalf of Hull CCG	
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	Governing Body	31 July 2015
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SLT Members	Consultation:	19 December 2014

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1. POLICY STATEMENT

- 1.1 NHS Hull 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**.
- 1.3 This policy will apply to all employees with agenda for change terms and conditions of employment.

2. PRINCIPLES

- 2.1 This policy will be communicated to staff via team meetings/team brief and will be available for staff on the website.
- 2.2 Training and support will be available to all Line Managers in the implementation and application of this policy

3.0 IMPACT ANALYSES

3.1 Equality

In applying this policy, the CCG will have due regard for 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 developing this policy, an Equality Impact Analysis has been undertaken and is attached at Appendix 1. As a result of the initial screening, the policy does not appear to have any adverse effects on people who share protected characteristics and no further actions are required at this stage.

The application of this policy will be monitored alongside recruitment monitoring data to ensure fair application.

3.2 Bribery Act 2010

The CCG follows good NHS business practice as outlined in the Business Conduct Policy and has robust controls in place to prevent bribery.

Under the Bribery Act 2010, 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.

Due consideration has been given to the Bribery Act 2010 in the development of this policy document and consistent application of this policy will mitigate bribery in relation to this policy.

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 YHCS 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 YHCS, 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 YHCS, 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 YHCS 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 CSU workforce team.
 - Completing the Verification Form to confirm that original identity documents have been seen, and sending this to the YHCS Workforce Team with verified copies of the relevant identity documents.
- 7.2 The YHCS 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 YHCS 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 website.

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 website. Training needs will be identified via the appraisal process and training needs analysis.

10. MONITORING & REVIEW

10.1 The policy and procedure will be reviewed and audited periodically by the YHCS Workforce Team in conjunction with the senior leadership team and 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 YHCS 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 YHCS Workforce Team prior to commencement.
- 1.8 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.
- 1.9 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.
- 1.10 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).
- 1.11 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.
- 1.12 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.

- 1.13 Any decision to withdraw an offer of employment must be reached by the agreement of the Workforce representative and Recruiting Manager.
- 1.14 The decision to withdraw an offer of employment must be confirmed both verbally and in writing to the candidate concerned.
- 1.15 The YHCS 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 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

Equality Impact Assessment:

Recruiting Ex-Offenders Policy

Equality Impact Assessment:

Equality Impact Analysis:	
Policy / Project / Function:	Recruiting Ex-offenders Policy
Date of Analysis:	December 2014
This Equality Impact Analysis was completed by: (Name and Department)	Christine Brown - 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 ✓	Employees ✓ staff moving to different posts Service Users Members of the Public ✓ External Applicants Other (List Below)

Equality Impact Analysis:

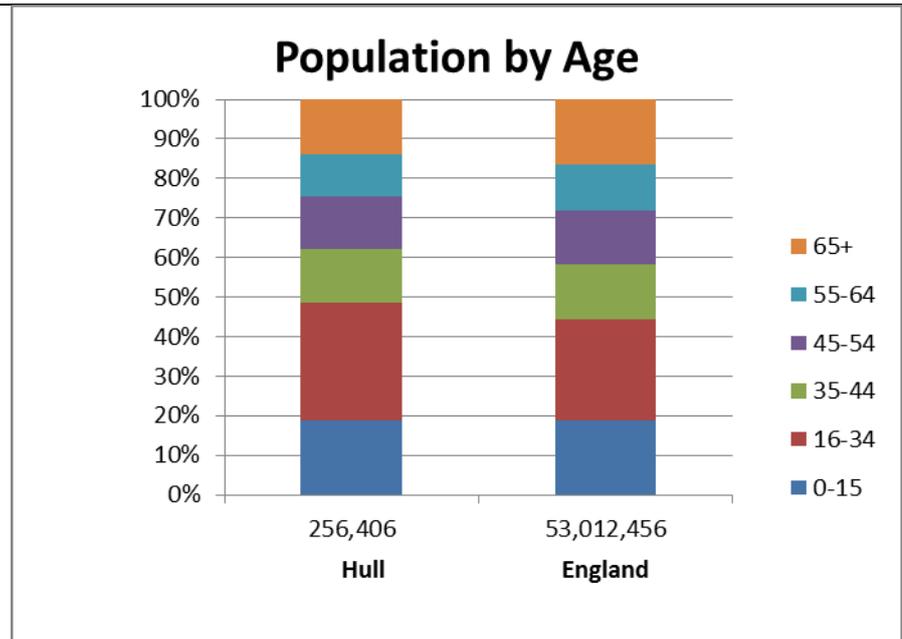
Local Profile/Demography of the Groups affected (population figures) Relevant data can be found in the attached Knowledge Management Toolkit (Employee data as at Oct 14)

General

There are 57 GP practices in the Hull area which spans 7,154 hectares and, as a city, has relatively tight geographical boundaries with most of the 'leafy suburb' areas outside Hull's boundaries in East Riding of Yorkshire. As a result, Hull has a relatively high deprivation score, as measured by the Index of Multiple Deprivation 2010, with Hull ranked as the 10th most deprived local authority out of 326 (bottom 4%).

The resident population of Hull is 256,406 based on the 2011 Census data and 265,369 residents based on estimates from the local GP registration file as at October 2011. This equates to approximately 37 residents per hectare. The Joint Strategic Needs Assessment (JSNA) identifies considerable inequalities in health between Hull and England, and between populations within Hull.

Age



Compared to England, Hull has lower percentages of residents aged 10-19 years and 55+ years, but slightly higher percentages aged under 5, 20-34 years and 45-54 years. There is a relatively large difference between Hull and England for the age group 20-34 years, due to Hull's colleges and Universities.

There were 2,869 live births occurring to Hull residents in 2001, but this has increased steadily to 3,771 for 2010. The number of deaths occurring to Hull residents has decreased from 2,571 to 2,310 between 2001 and 2010. ONS estimated the resident population to be 243,596 in 2001 compared to 260,424 residents based on the GP registration file, with the difference between these estimates narrowing over time. So, whilst it is difficult to quantify the exact increase in Hull's population, it has increased over recent years.

	<p>Between 2010 and 2030, ONS estimate that Hull's population will increase from 266,100 to 311,900 residents, an increase of 17%.</p> <p>The figure above shows the population of Hull (2011 Census Data).</p>																		
Race	<p>The percentage of the population from Black and Minority Ethnic (BME) groups has increased substantially since 2001. For the 2001 Census, it was estimated that 3.3% of Hull's population was not White British or White Irish, whereas Census data shows that this figure increased to 10.2% for 2011. There is no single BME group in Hull with much higher percentages compared to other groups. The 2011 census data shows:</p> <p>White British - 89.7% White Other - 4.4% Mixed - 1.3% Asian - 2.5% Black - 1.2% Other - 0.8%</p>																		
Sex	<p>The gender split in Hull is approximately 50.1% men and 49.9% women. For 2008-2010, life expectancy in Hull was 75.7 years for men and 80.2 years for women compared to 78.6 years and 82.6 years for men and women respectively in England.</p>																		
Gender reassignment	<p>No local information provided.</p>																		
Disability	<p>According to the 2011 Census, it is estimated that approximately 19.7% of the Hull population lives with a long term health problem or disability compared with 17.6% for England. This information can be broken down further (Source: Projecting Older People Population Information System and Projecting Adult Needs and Service Information) to include learning disabilities, physical disabilities, hearing impairments and visual impairments, as follows:</p> <table border="1"> <thead> <tr> <th>2012 Estimates</th> <th>Hull</th> </tr> </thead> <tbody> <tr> <td>Learning Disability (Age 18 – 64)</td> <td>4,078</td> </tr> <tr> <td>Learning Disability (Age 65 and over)</td> <td>762</td> </tr> <tr> <td>Physical Disability – Moderate (Age 18 – 64)</td> <td>12,222</td> </tr> <tr> <td>Physical Disability – Serious (Age 18 – 64)</td> <td>3,491</td> </tr> <tr> <td>Visual Impairment (Age 18 – 64)</td> <td>108</td> </tr> <tr> <td>Visual Impairment (Age 65 and over)</td> <td>3,263</td> </tr> <tr> <td>Hearing Impairment – Moderate or Severe (Age 18 – 64)</td> <td>5,765</td> </tr> <tr> <td>Hearing Impairment – Moderate or Severe (Age 65 and over)</td> <td>15,707</td> </tr> </tbody> </table>	2012 Estimates	Hull	Learning Disability (Age 18 – 64)	4,078	Learning Disability (Age 65 and over)	762	Physical Disability – Moderate (Age 18 – 64)	12,222	Physical Disability – Serious (Age 18 – 64)	3,491	Visual Impairment (Age 18 – 64)	108	Visual Impairment (Age 65 and over)	3,263	Hearing Impairment – Moderate or Severe (Age 18 – 64)	5,765	Hearing Impairment – Moderate or Severe (Age 65 and over)	15,707
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	Hearing Impairment – Profound (Age 18 – 64)	49																				
	Hearing Impairment – Profound (Age 65 and over)	402																				
Sexual Orientation	There are no local statistics for how many Lesbian, Gay or Bisexual (LGB) people live within Hull however, nationally, the Government estimates that 5% of the population are lesbian, gay, bi and transgender communities.																					
Religion, faith and belief	According to the 2011 Census, 54.9% of the population have identified themselves as Christian and 3.1% of the population is made up of other religions. The remainder of the population did not state anything (7.2%) or stated 'no religion' (34.8%).																					
	<table border="1"> <thead> <tr> <th>Religion</th> <th>2011</th> </tr> </thead> <tbody> <tr> <td>Christian</td> <td>54.9%</td> </tr> <tr> <td>Buddhist</td> <td>0.3%</td> </tr> <tr> <td>Hindu</td> <td>0.2%</td> </tr> <tr> <td>Jewish</td> <td>0.1%</td> </tr> <tr> <td>Muslim</td> <td>2.1%</td> </tr> <tr> <td>Sikh</td> <td>0.1%</td> </tr> <tr> <td>Other Religion</td> <td>0.3%</td> </tr> <tr> <td>No Religion</td> <td>34.8%</td> </tr> <tr> <td>Religion Not Stated</td> <td>7.2%</td> </tr> </tbody> </table>		Religion	2011	Christian	54.9%	Buddhist	0.3%	Hindu	0.2%	Jewish	0.1%	Muslim	2.1%	Sikh	0.1%	Other Religion	0.3%	No Religion	34.8%	Religion Not Stated	7.2%
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Hindu	0.2%																					
Jewish	0.1%																					
Muslim	2.1%																					
Sikh	0.1%																					
Other Religion	0.3%																					
No Religion	34.8%																					
Religion Not Stated	7.2%																					
Marriage and civil partnership	This protected characteristic generally only applies in the workplace. Data from the Office of National Statistics covering the period 2008-2010 indicates that there were 18,049 Civil Partnerships in England and Wales during this three-year period – 52% men and 48% women.																					
Pregnancy and maternity	There were 2,869 live births occurring to Hull residents in 2001, but this has increased steadily to 3,771 for 2010.																					

Equality Impact Analysis:

<p>Is any Equality Data available relating to the use or implementation of this policy, project or function ? 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) 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></p>	<p>Yes employee data has been used to support the monitoring of the impact of this policy in the future. The employee data is not included due to the low number of CCG employees and concern around anonymity</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 both locally and nationally with Trade Unions and staff</p> <ul style="list-style-type: none"> • SLT • CCG Employees • JTUPF Sub group • JTUPF • Governing Body (approval)
<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>

Equality Impact 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)	✓			This has been considered and has a neutral impact. The policy applies equally to all staff.
Race (All Racial Groups)	✓			As the policy is written in English there is a potential impact on applicants whose first language is not English and therefore may struggle reading the policy. However this potential impact is minimised on current employees due to the development of the 'portal' facilities detailed in the action plan. Applicants require competencies which include the ability to read and understand English or to request the information in another format available to them
Disability (Mental and Physical)	✓			This has been considered and has a neutral impact. The policy applies equally to all staff.
Religion or Belief	✓			This has been considered and has a neutral impact. The policy applies equally to all staff.
Sexual Orientation (Heterosexual, Homosexual and Bisexual)	✓			This has been considered and has a neutral impact. The policy applies equally to all staff.

Pregnancy and Maternity	✓			This has been considered and has a neutral impact. The policy applies equally to all staff.
Transgender	✓			This has been considered and has a neutral impact. The policy applies equally to all staff.
Marital Status	✓			This has been considered and has a neutral impact. The policy applies equally to all staff.
Age	✓			This has been considered and has a neutral impact. The policy applies equally to all staff.

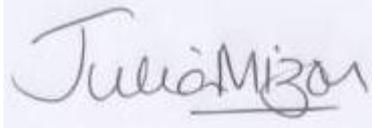
Action Planning:

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:

Equality Impact Findings:	
Analysis Rating:	Green
Red – Stop and remove the policy	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.
Red Amber – Continue the policy	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.
Amber – Adjust the Policy	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.
Green – No major change	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.

Brief Summary/Further comments	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.
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Signatures	
Other Comments	
Confirmed by (manager): (Name and Title)	 Julia Mizon Director of Commissioning and Partnerships
Date:	19 March 2015