



# Recruitment and Selection Policy

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## DOCUMENT CHANGE HISTORY

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Version	Date	Comments
V8.1	January 2025	Reviewed, updated, and modernised by recruitment team, Head of R&SS and Head of HR Policy
V8.1	10 February 2025	Reviewed and updated by HR Policy Subgroup
V8.2	6 March 2025	Approved at SPF
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## POL101 – Recruitment and Selection Policy

<b>Directorate</b>	People Services
<b>Recommended at Date</b>	SPF 6 March 2025
<b>Approved at Date</b>	CRG 26 March 2025
<b>Valid Until Date</b>	31 March 2028
<b>Equality Analysis</b>	Completed 10 February 2025
<b>Linked procedural documents</b>	Equality Diversity and Inclusion Policy Agency Workers Policy Casual Workers Policy Transgender and Non-Binary Equality Policy Change Management Policy Redeployment Policy and Procedure Attendance and Sickness Absence Policy Flexible Retirement Policy DBS Employing Persons with Criminal Convictions Procedure, DBS Checks Procedure, DBS Storage, Handling, Use, Retention and Disposal Procedure.
<b>Dissemination requirements</b>	All Trust employees by intranet
<b>Part of Trust's publication scheme</b>	Yes

## POL101 – Recruitment and Selection Policy

The East of England Ambulance Service NHS Trust has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups.

EEAST recognises its obligations of supporting the requirements of the Modern Slavery Act 2015 and any future legislations. A prime objective of EEAST is to eradicate modern slavery and human trafficking and recognises the significant part it must play in both combatting it and supporting victims. EEAST is committed to ensuring that its supply chains and business activities are free from any ethical and labour standards abuse.

All Trust policies can be provided in alternative formats.

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## 1. Introduction

- 1.1 The East of England Ambulance Service NHS Trust (EEAST) recognises that recruiting the right people is crucial to organisational performance and that good recruitment helps us to recruit the right people, for the right roles, at the right time.
- 1.2 Our recruitment and selection processes and decisions will therefore:
- be based on merit and ability,
  - be assessed against the qualifications, skills and competencies required to do the job,
  - ensure that our people are recruited with the relevant skills and abilities to meet our current and future needs.

## 2. Purpose

- 2.1 Without consistency, decisions in selection and promotion may be subjective and result in discrimination, potentially breaching both legislation and our policies.
- 2.2 The purpose of this policy is to:
- detail how consistent and justifiable criteria must be established and used throughout the recruitment process,
  - ensure that appointing managers and those involved in recruitment and selection apply a fair and consistent process,
  - ensures consistency in the mandatory employment checks (identity, right to work, criminal record (DBS if required), qualifications, registration (if required), Occupational Health clearance, employment history / references applicable to all appointments whether permanent or fixed term, in line with NHS Employment Checks Standards,
  - ensure that all pre-employment checks are compliant before an unconditional offer of employment is made.
- 2.3 This policy should be read in conjunction with the **Recruitment and Selection Management Toolkit** and the **Equality, Diversity, and Inclusion Policy**, available on East24.

### 3. Scope

- 3.1 This policy applies to all applicants for external and internal recruitment for permanent, secondments, fixed term, and voluntary appointments.
- 3.2 The process for pre-engagement checks and induction for agency workers and casual workers is outlined in our Agency Workers Policy and Casual Workers Policy which can be found on East24 or our external internet page.
- 3.3 The registration of casual workers follows the same pre-employment process as outlined in this policy.
- 3.4 There are separate procedures for honorary contracts and external secondments that ensure that there are safe pre-employment / placement practices to protect patients and staff. These are available in the process map for Honorary Contracts / External Secondments.

### 4. Duties

- 4.1 **The Head of Resourcing & Shared Services** is responsible for ensuring consistency of application throughout EEAST and that all complaints are dealt with in an efficient, fair, and confidential manner.
- 4.2 **Appointing Managers** are responsible for:
  - ensuring that the recruitment and selection process is carried out in accordance with this policy and related procedures,
  - contacting the Recruitment Team or HR Business Partner Team for advice and support where needed.
- 4.3 **HR and Trade Union representatives** are responsible for providing advice and guidance around the application of this policy.

### 5. Trust Values

- 5.1 Those involved in recruitment and selection must ensure that the Trust's Values ([Our vision and values](#)) are applied throughout the process.
- 5.2 Failing to respond to a candidate query, delays in selection decisions, or failing to inform candidates of the outcome after interview can create a poor experience and damage the reputation of the Trust.

## 6. Cultural Inclusion Agent

- 6.1 EEAST is committed to ensuring a balanced diversity of appointments to ensure inclusivity into all roles within the organisation, and that this is done through a fair and equitable process.
- 6.2 The [NHS Workforce Race Equality Standard](#) (WRES) programme of work is focussed upon closing the gaps in white and BME staff experiences and opportunities across the NHS and health and social care settings.
- 6.3 The [Workforce Disability Equality Standard](#) (WDES) is a set of standards which enables NHS organisations to compare the workplace and career experiences of employees with a disability and employees without a disability.
- 6.4 To support these standards, a Cultural Inclusion Agent will be invited, where available, to observe and feedback on the recruitment and selection process as follows:
- All recruitment for Band 6 roles and above,
  - All recruitment for Band 5 roles and below where a BME candidate or a candidate with a disability has been identified.
- 6.5 A candidate from an under-represented group can also request that a CIA is included (where available) as part of their recruitment and selection process in line with **Section 6.4**.

## 7. Assessment centres

- 7.1 An assessment centre is an assessment method which may be used during the recruitment and selection process as required. This will:
- incorporate a number of different exercises,
  - evaluate a range of job-specific criteria in a standardised manner,
  - assess a range of skills where appropriate,
  - include two or more assessors who will reach an objective outcome.
- 7.2 However, an assessment centre must be used for all appointments to roles that are Band 8A and above.

## 8. The legal framework and protected characteristics

- 8.1 It is unlawful under the Equality Act 2010 (the Act) to discriminate during the recruitment and selection process, including when advertising, interviewing, selecting, and appointing new staff. Our policy sets out our commitment to ensuring that our processes do not discriminate against any applicants because of any of the “protected characteristics”.

**This protection also extends to the right not to be discriminated against on the grounds of trade union membership.**

- 8.2 The nine protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion and belief
- sex
- sexual orientation.

- 8.2.1 For further information on how someone with a protected characteristic is covered under the Act you can refer to the Equality Diversity and Inclusion Policy, which can be found on East24.

## 9. Unlawful discrimination

- 9.1 There are several forms of unlawful discrimination:

Type of	Definition	Example
<b>Direct discrimination</b>	Less favourable treatment directly because of a	Advertising for a particular gender or specifying a particular age group when recruiting or refusing to make



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Type of discrimination	Definition	Example
	protected characteristic.	reasonable adjustments for an applicant who has declared, or it is known that they have a disability.
<b>Indirect discrimination</b>	When everyone is treated the same but people with a protected characteristic are put at a disadvantage.	Stating that all posts must be full time, or that the post holder must have a minimum number of years' experience.
<b>Discrimination by perception</b>	Treating someone less favourably or harassing them because they are thought to have a protected characteristic.	Refusing to recruit the best candidate because the recruiting manager thinks they are a Muslim or because they do not look old enough.
<b>Discrimination by association</b>	Treating someone less favourably or harassing them because they are in association with someone else who has a protected characteristic.	Refusing to recruit the best candidate because they have a partner / child with a disability, and the recruiting manager believes this will make them less reliable.
<b>Harassment</b>	Unwanted or offensive behaviour related to a protected characteristic	Making unwanted comments about a candidate's religion or beliefs could result in them feeling humiliated.
<b>Victimisation</b>	When someone is treated less	An applicant complains that they have not been

Type of discrimination	Definition	Example
	favourably as a result of being involved with a discrimination or harassment complaint.	shortlisted for a post, and a recruiting manager does not shortlist them for the next post because of their previous complaint.

## 9.2 When discrimination might not be against the law

- 9.2.1 In certain situations, or for Genuine Occupational Requirements, we may be able to make or justify a decision based on a protected characteristic. For example, when having or not having a protected characteristic is vital for a specific role.
- 9.2.2 In these situations we must be able to prove that there is both a legitimate aim and that discrimination is proportionate, appropriate, and necessary.

**Recruiting managers must always seek HR advice from the Recruitment Team prior to deciding to recruit on this basis.**

## 10. Disability related reasonable adjustments

- 10.1 EEAST is accredited as a [Disability Confident Committed Employer](#), and we are committed to taking action to improve how we recruit people with a disability, including the following reasonable adjustments:
- 10.2 **Guaranteed interview**
- 10.2.1 We recognise that people with a disability face significantly more barriers than people without a disability when participating in work and other activities. We are committed to ensuring that all applicants with a disability who meet the minimum essential criteria on the person specification will be shortlisted and invited to interview.
- 10.2.2 So that we can meet this commitment, our online application form provides a section for the applicant to declare if they consider

themselves to have a disability and to outline any adaptations or adjustments needed for the interview.

### 10.3 **Adjustments at interview stage**

10.3.1 So that people with a disability have equal access to employment opportunities, the appointing manager must ensure that they have made any reasonable adjustments requested by the candidate throughout the recruitment and selection process and post-employment at no cost to the applicant or employee, for example:

- considering an alternative interview venue to ensure access,
- allowing more time for a selection test,
- considering more flexible working options.

**This list is not exhaustive.**

10.3.2 When all adjustments have been considered and all reasonable adjustments made, if the candidate is not the best person for the job there is no requirement for them to be appointed.

**Recruiting managers must not ask applicants questions at interview about their health, medical history, or disability prior to making a conditional offer of employment.**

## 11. **Supporting applicants who are transgender or non-binary**

### 11.1 **Interview stage**

11.1.1 During interviews, other than to establish someone's pronouns, an interview panel / recruiting manager must not ask applicants about their gender identity; these are irrelevant and could amount to discrimination.

11.1.2 If an applicant does choose to disclose their gender identity at interview, this information:

- will not have any bearing on the outcome of the interview,
- will remain confidential,
- will not be disclosed outside the interview without the explicit consent of the applicant.

## 11.2 **Qualifications**

11.2.1 If an applicant has transitioned from one gender to another, usually the examining board will change the name on their certificates, however this may not be possible if the examination board or the type of qualification no longer exists.

11.2.2 If an applicant shows a certificate with a different name to the one used in their job application, we can ask them to confirm in writing that the certificate belongs to them. However, their response must remain confidential and will have no bearing on the recruitment and selection process.

## 11.3 **Proof of identity**

11.3.1 We recognise that many transgender people choose not to apply for a gender recognition certificate (GRC) and that it is illegal to ask to see a GRC as proof of identity.

11.3.2 We will instead request to see alternative documents, for example, a passport, driving licence or national identity card. However, an applicant can choose to submit their GRC as proof of identity if they have one.

## 11.4 **Disclosure and Barring Service (DBS)**

11.4.1 The DBS offers a confidential checking service for transgender applicants in accordance with the Gender Recognition Act 2004. This is known as the sensitive applications route and is available for all levels of DBS checks (basic, standard, and enhanced).

11.4.2 This route gives someone the choice as to whether their previous gender identity should be disclosed on their DBS certificate. Further information on this service is available from the DBS sensitive applications team: [Transgender applications - GOV.UK](https://www.gov.uk/transgender-applications).

11.4.2 More information on our DBS requirements is included at **Section 16**.

## 11.5 **Personal data and records**

11.5.1 Where there is a need to retain documentation, this information will be stored confidentially in line with the requirements of data protection legislation, and access to these restricted to individuals who need the details to perform their specific duties.

**Further information is available in our Transgender and Non-Binary Equality Policy, which can be found on East24.**

## **12. Organisational change**

- 12.1 Our Change Management Policy will apply when restructuring as a result of organisational change.
- 12.2 Employees who are not successful in securing a post in the new structure will be deemed 'at risk' of redundancy and will be issued with an account in the Redeployment Pool. This enables them to apply for vacancies following the process outlined in our Redeployment Policy and Procedure, which is available on East24.

## **13. Ill health**

- 13.1 In line with our Attendance and Sickness Absence Policy and Procedure, if an employee's medical and/or Occupational Health report confirms that they are permanently unable to undertake their substantive role, or it is unlikely that they will be able to return to their substantive role in the foreseeable future because of a long-term ill-health condition or disability, they will be issued with an account in the Redeployment Pool.
- 13.2 This enables them to apply for vacancies following the process outlined in our Redeployment Policy and Procedure, which is available on East24.

## **14. Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE)**

- 14.1 If anyone joins EEAST through a TUPE process they will be required to meet the [NHS Employers Employment standards and regulations](#).

## **15. Re-engaging ex-employees (leavers)**

- 15.1 If an employee has left EEAST and chooses to apply for a new position (as an employee, Agency, or Casual Worker) the following re-engagement criteria will apply:

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Reason for leaving	Re-engagement		Conditions
	Employee or casual worker	Via an agency	
<b>Resignation</b>	Yes	Yes	
<b>TUPE transfer out</b>	Yes	Yes	
<b>Retirement (normal pension age (NHS scheme) or earlier)</b>	Yes*	Yes	Return to own post as per Retire and Return process (see Flexible Retirement Policy).
			Return to alternative post subject to normal recruitment & selection process.
<b>Compulsory redundancy (including retirement option)</b>	Yes*	Yes*	Conditional upon employee having actively engaged in seeking, and not declining offers, of suitable alternative employment within EEAST – see Change Management Policy.
			Normal recruitment and selection process applies.
			Return may be restricted to an alternative role and/or team.
<b>Voluntary redundancy (including retirement option)</b>	Yes*	Yes*	Dependent on terms of redundancy**
			Normal recruitment and selection process applies.
<b>Dismissal</b>	Yes*	Yes*	Subject to any change in health and overall

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Reason for leaving	Re-engagement		Conditions
	Employee or casual worker	Via an agency	
(Ill health / unsatisfactory attendance)			reasonableness of the particular role under consideration.
Dismissal (misconduct)	No	No	
Dismissal (performance)	No*	No*	Unless evidence to support substantial improvement since dismissal can be provided. If improvement cannot be evidenced, no re-engagement in the same or similar post at same or higher band.
Settlement Agreement	No	No	
	In all cases of re-engagement, continuous service will be broken. Continuous service will be effective from the date of re-engagement. The impact of the break in continuous service is as per Section 12 of the NHS Terms and Conditions of Service Handbook.		
	Usually no re-engagement within 'return on investment period,' i.e., for a period in line with the number of months' pay received in respect of the redundancy payment, and any notice paid in lieu. For example, if receives 12 months' pay, would not re-engage for 12 months.		

## 16. Disclosure and Barring Service (DBS)

- 16.1 All applicants for employment or volunteering posts within EEAST which are exempt from the Rehabilitation of Offenders Act will be subject to a DBS check during our recruitment process.

16.2 Further information is available in the following procedures which are available on East24:

- DBS Employing Persons with Criminal Convictions Procedure,
- DBS Checks Procedure,
- DBS Storage, Handling, Use, Retention and Disposal Procedure.

16.3 All our people who change roles to undertake a role which is exempt from the Rehabilitation of Offenders Act, irrespective of when they joined us or when they last completed a DBS disclosure, are required to complete a new disclosure during the recruitment process.

## 17. Complaints and litigation

### 17.1 Candidate complaints

17.1.1 In the event of a complaint, the candidate should contact the Recruitment Service Manager via email [recruitment@eastamb.nhs.uk](mailto:recruitment@eastamb.nhs.uk) or by post to the Recruitment Service Manager, Lakeview, Fraser Road, Priory Business Park, Bedford, MK44 3WH outlining the details of the complaint.

### 17.2 The Equality and Human Rights Commission (EHRC) litigation

17.2.1 The EHRC can take enforcement action against any employer who asks questions about health or disability prior to a conditional offer of a job.

17.2.2 Employers found guilty of discrimination will be required to draw up an action plan overseen by the EHRC. Failure to comply could result in a court order.

### 17.3 Employment Tribunal litigation

17.3.1 A candidate who believes they have suffered discrimination can submit an employment tribunal claim at any stage of the recruitment process and up to three months after the alleged act of discrimination.

17.3.2 A candidate may use examples from the recruitment process as evidence, for example, questions about health or medical history as evidence of discrimination due to disability.

17.3.3 It will then be for the employer to prove that the answers to these questions did not influence any decision not to appoint the candidate.



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There is no cap on the sum of damages that can be awarded to a candidate who is successful in a discrimination claim. EEAST and those involved can have damages awarded against them.

### 18. Equal opportunity and monitoring

- 18.1 EEAST asks all candidates to complete an Equal Opportunity Monitoring Form, which is separated from the information seen by managers. This is used for monitoring and reporting purposes.
- 18.2 Equal opportunity reports are prepared quarterly and annually and published on our website.

### 19. Policy review

- 19.1 This policy will be reviewed on a three yearly basis or amended in the light of new employment legislation and/or relevant case law.

## Appendix A

## Equality Impact Assessment

EIA Cover Sheet			
Name of process/policy	Recruitment and Selection Policy		
Is the process new or existing? If existing, state policy reference number	Existing (POL101)		
Person responsible for process/policy	HR		
Directorate and department/section	People Services		
Name of assessment lead or EIA assessment team members	HR Policy Subgroup		
Has consultation taken place? Was consultation internal or external? (please state below):	Internal consultation through HR Policy Subgroup members		
The assessment is being made on:	Guidelines		
	Written policy involving staff and patients	X	
	Strategy		
	Changes in practice		
	Department changes		
	Project plan		
	Action plan	X	
	Other (please state)		

Equality Analysis																							
<p>What is the aim of the policy/procedure/practice/event?</p> <p><b>The purpose of this policy is to detail how consistent and justifiable criteria must be established and used throughout the recruitment process, ensure that appointing managers apply a fair and consistent process, ensures consistency in the mandatory employment checks, and ensure that all pre-employment checks are compliant before an unconditional offer of employment is made.</b></p>																							
<p>Who does the policy/procedure/practice/event impact on?</p> <table border="0"> <tr> <td><b>Race</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Religion/belief</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Marriage/Civil Partnership</b></td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td><b>Gender</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Disability</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Sexual orientation</b></td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td><b>Age</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Gender re-assignment</b></td> <td><input checked="" type="checkbox"/></td> <td><b>Pregnancy/maternity</b></td> <td><input checked="" type="checkbox"/></td> </tr> </table>						<b>Race</b>	<input checked="" type="checkbox"/>	<b>Religion/belief</b>	<input checked="" type="checkbox"/>	<b>Marriage/Civil Partnership</b>	<input checked="" type="checkbox"/>	<b>Gender</b>	<input checked="" type="checkbox"/>	<b>Disability</b>	<input checked="" type="checkbox"/>	<b>Sexual orientation</b>	<input checked="" type="checkbox"/>	<b>Age</b>	<input checked="" type="checkbox"/>	<b>Gender re-assignment</b>	<input checked="" type="checkbox"/>	<b>Pregnancy/maternity</b>	<input checked="" type="checkbox"/>
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<p>Who is responsible for monitoring the policy/procedure/practice/event? <b>HR</b></p>																							
<p>What information is currently available on the impact of this policy/procedure/practice/event?</p> <p><b>TRAC and ESR information on protected characteristics where applicable, or where these have been highlighted during the recruitment and selection process.</b></p> <p><b>Having reviewed and updated the policy and completed a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.</b></p>																							
<p>Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? <b>No</b></p>																							
<p>Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? Yes/No, if yes please provide evidence/examples:</p> <table border="0"> <tr> <td><b>Race</b></td> <td><input type="checkbox"/></td> <td><b>Religion/belief</b></td> <td><input type="checkbox"/></td> <td><b>Marriage/Civil Partnership</b></td> <td><input type="checkbox"/></td> </tr> <tr> <td><b>Gender</b></td> <td><input type="checkbox"/></td> <td><b>Disability</b></td> <td><input type="checkbox"/></td> <td><b>Sexual orientation</b></td> <td><input type="checkbox"/></td> </tr> <tr> <td><b>Age</b></td> <td><input type="checkbox"/></td> <td><b>Gender re-assignment</b></td> <td><input type="checkbox"/></td> <td><b>Pregnancy/maternity</b></td> <td><input type="checkbox"/></td> </tr> </table> <p>Please provide evidence:</p>						<b>Race</b>	<input type="checkbox"/>	<b>Religion/belief</b>	<input type="checkbox"/>	<b>Marriage/Civil Partnership</b>	<input type="checkbox"/>	<b>Gender</b>	<input type="checkbox"/>	<b>Disability</b>	<input type="checkbox"/>	<b>Sexual orientation</b>	<input type="checkbox"/>	<b>Age</b>	<input type="checkbox"/>	<b>Gender re-assignment</b>	<input type="checkbox"/>	<b>Pregnancy/maternity</b>	<input type="checkbox"/>
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**This policy is designed to be inclusive of all people with a protected characteristic.**

Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics? Yes/No, if so, please provide evidence/examples: **No**

<b>Race</b>	<input type="checkbox"/>	<b>Religion/belief</b>	<input type="checkbox"/>	<b>Marriage/Civil Partnership</b>	<input type="checkbox"/>
<b>Gender</b>	<input type="checkbox"/>	<b>Disability</b>	<input type="checkbox"/>	<b>Sexual orientation</b>	<input type="checkbox"/>
<b>Age</b>	<input type="checkbox"/>	<b>Gender re-assignment</b>	<input type="checkbox"/>	<b>Pregnancy/maternity</b>	<input type="checkbox"/>

Please provide evidence:

**Having reviewed and updated the policy and completed a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.**

**Action Plan/Plans – SMART**

Specific

Measurable

Achievable

Relevant

Time Limited

**Evaluation Monitoring Plan/how will this be monitored?**

Who – see **Monitoring Table**

How

By

Reported to

## Appendix B - Monitoring Table

What	Who	How	Frequency	Evidence	Reporting arrange-	Acting on recommen-dations	Change in practice and lessons to be shared
Audit of recruitment and selection process, and that the policy and procedure is being applied consistently, fairly, and accurately for all candidates.	Head of Resourcing and Shared Services	Monitor TRAC, ESR and ER Tracker data	Annually	TRAC / ESR / ER Tracker information	Reported to and discussed at People Committee where required	Head of Resourcing and Shared Services will address any actions or changes required.	Any change in identified and: <ul style="list-style-type: none"> <li>• process updated with Resourcing and Shared Serviced Team</li> <li>• line manager training implemented where applicable</li> <li>• policy updated where required.</li> </ul>