

Equality & Health Impact Assessment for EMPLOYING EX-OFFENDERS AND PEOPLE WITH A CRIMINAL RECORD POLICY

Part 1

Please answer all questions:-

	For service change, provide the title of the Project Outline Document or Business Case and Reference Number	N/A
	Name of Clinical Board / Corporate Directorate and title of lead member of staff, including contact details	Neil Lewis Director of People and Organisational Development People and Organisational Development
	Objectives of strategy/ policy/ plan/ procedure/ service	<p>Public Health Wales NHS Trust (the organisation) provides equality of opportunity for all job applicants with the required qualifications, experience, skills, knowledge and qualities as outlined in the job description and person specification for the post. Therefore, the organisation welcomes applications from a diverse range of applicants, including ex-offenders and those with a spent or unspent criminal record.</p> <p>In accordance with the Rehabilitation of Offenders Act 1974, an applicant's criminal convictions will only be taken into account during the recruitment process, where it is relevant to the post applied for. As the organisation has an exemption order under the above Act, any cautions, reprimands or final warnings, which are not criminal convictions, will also be considered as part of this process.</p>

		<p>Having a conviction will not necessarily prevent applicants from being appointed to posts within the organisation. This will depend on the nature of the post that the applicant has applied for and the circumstances and background to their offence(s).</p>
	<p>Evidence and background information considered. For example</p> <ol style="list-style-type: none"> 1. population data 2. staff and service users data, as applicable 3. needs assessment 4. engagement and involvement findings 5. research 6. good practice guidelines 7. participant knowledge 8. list of stakeholders and how stakeholders have engaged in the development stages 9. comments from those involved in the designing and development stages <p>Population pyramids are available from Public Health Wales Observatory and the 'Shaping Our Future Wellbeing' Strategy provides an overview of health need.</p>	<p><u>Policy Workshop</u></p> <p>Policy development workshop held, including managers and staff within the organisation on 1st August 2023. Comments from the workshop have been incorporated into policy, with further revisions following circulation of draft.</p> <p>TU representatives were unable to attend the workshop, but feedback was gained via email.</p> <p><u>Research</u></p> <p><u>GOV statistics May 2023</u></p> <p>New statistics show rapid progress has been made to boost employment for prison leavers, with the number of ex-offenders who have been successfully steered into jobs within 6 months more than doubling from 14% to 30% since April 2021.</p> <p>It is helping to cut crime and tackle the £18 billion annual cost of reoffending as ex-prisoners in steady jobs are known to be up to 9 percentage points less likely to commit further crimes. (GOV website)</p> <p><u>CIPD November 2021</u></p> <p>New poll data suggests that over 90% of businesses employing ex-offenders find them to be reliable, good at their job, punctual and</p>

		<p>trustworthy, and employers in industries such as construction, agriculture and transportation are already seeing the benefits of this.</p> <p>Giving jobs to ex-offenders can also have significant reputational advantages, as over 80% of the general public think businesses taking on ex-offenders are making a positive contribution to society and cut re-offending rates by up to nine percent. This can help to build an employer's brand and make it stand out from competitors.</p> <p><u>Organisation Data</u></p> <p>From 1st January to 19th September 2023 there have been 533 vacancies advertised on Trac. Out of these 120 vacancies required a DBS.</p>
b.	<p>Who will be affected by the strategy/ policy/ plan/ procedure/ service</p> <p>Consider staff as well as the population that the project/change may affect to different degrees.</p>	<p>Managers and applicants.</p>

Part 2- Equality and Welsh language

11. EQIA / How will the strategy, policy, plan, procedure and/or service impact on people?

Questions in this section relate to the impact on people on the basis of their 'protected characteristics'.

How will the strategy, policy, plan, procedure and/or service impact on:-	Potential positive and/or negative impacts (unintended consequences) Opportunities or gaps	Action taken by Directorate. Make reference to where the mitigation is included in the document, as appropriate This column is to be updated in future reviews	Recommendations for improvement/ mitigation/ identified gaps or opportunities
6.1 Age For most purposes, the main categories are: <ol style="list-style-type: none"> 1. under 18; 2. between 18 and 65; and 3. over 65 	This policy will be applied consistently regardless of age. An applicant's criminal convictions will only be taken into account during the recruitment process, where it is relevant to the post applied for.	Ensure that further support and guidance is provided to managers alongside the policy by the POD team.	Guidance document to be created to sit alongside the policy.
6.2 Persons with a disability as defined in the Equality Act 2010 Those with physical impairments, learning disability, sensory loss or	This policy will be applied consistently regardless of whether or not an applicant has a disability as defined in the Equality Act 2010.	Ensure that further support and guidance is provided to managers alongside the policy by the POD team.	Guidance document to be created to sit alongside the policy.

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impairment, mental health conditions, long-term medical conditions such as diabetes.			
6.3 People of different genders: Consider men, women, people undergoing gender reassignment NB Gender-reassignment is anyone who proposes to, starts, is going through or who has completed a process to change his or her gender with or without going through any medical procedures. Sometimes referred to as Trans or Transgender	This policy will be applied consistently regardless of The applicants gender. It may however have more of a positive impact on male candidates as 73% of all convictions within the UK in 2019 were of males, and 90% of custodial sentences were of males also.	Ensure that further support and guidance is provided to managers alongside the policy by the POD team.	Guidance document to be created to sit alongside the policy.

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6.4 People who are married or who have a civil partner.	This policy will be applied consistently regardless of an applicant's marital status.	Ensure that further support and guidance is provided to managers alongside the policy by the POD team.	Guidance document to be created to sit alongside the policy.
6.5 Women who are expecting a baby, who are on a break from work after having a baby, or who are breastfeeding.	This policy will be applied consistently regardless of whether or not an applicant is expecting a baby, is on a break from work after having a baby, or who is breastfeeding.	Ensure that further support and guidance is provided to managers alongside the policy by the POD team.	Guidance document to be created to sit alongside the policy.
6.6 People of a different race, nationality, colour, culture or ethnic origin including non-English speakers, gypsies/travellers, migrant workers	This policy will be applied consistently regardless of whether or not an applicant is of a different race, nationality, colour, or ethnic origin.	Ensure that further support and guidance is provided to managers alongside the policy by the POD team.	Guidance document to be created to sit alongside the policy.

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	<p>It may have a positive impact on candidates of a specific ethnicity based on the average number of people from that ethnicity that have a conviction.</p> <p>Looking at statistics from the Gov website, individuals from a Black ethnic group made up 3% of the population of the UK in 2020, however, they also made up 10% of the population that have a conviction. As well as individuals with mixed ethnicity that made up 2% of the population and made up 3% of individuals with a conviction. These</p>		

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	<p>two ethnic groups both had higher conviction percentages than their population percentages, compared. These ethnic groups may then see a more positive impact as a result of this policy during the recruitment process.</p>		
6.7 People with a religion or belief or with no religion or belief. The term 'religion' includes a religious or philosophical belief	<p>This policy will be applied consistently regardless of an applicant's religion or belief.</p>	<p>Ensure that further support and guidance is provided to managers alongside the policy by the POD team.</p>	<p>Guidance document to be created to sit alongside the policy.</p>

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6.8 People who are attracted to other people of: 1. the opposite sex (heterosexual); 2. the same sex (lesbian or gay); 3. both sexes (bisexual)	This policy will be applied consistently regardless of an applicant's sexual orientation.	Ensure that further support and guidance is provided to managers alongside the policy by the POD team.	Guidance document to be created to sit alongside the policy.
6.9 People according to their income related group: Consider people on low income, economically inactive, unemployed/workless, people who are unable to work due to ill-health	This policy will be applied consistently regardless of an applicant's income or employment status on applying. This policy has a positive impact in that it promotes welcoming applications from a diverse range of applicants including ex-offenders and those with a spent or unspent criminal record. If the applicant is successful then they will	Ensure that further support and guidance is provided to managers alongside the policy by the POD team.	Guidance document to be created to sit alongside the policy.

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	be positively impacted by obtaining the position they applied for.		
6.10 People according to where they live: Consider people living in areas known to exhibit poor economic and/or health indicators, people unable to access services and facilities	This policy will be applied consistently regardless of where the applicant lives. This policy may positively impact some candidates based on socio-economic factors such as where they live, where conviction rates are higher in certain areas of Wales.	Ensure that further support and guidance is provided to managers alongside the policy by the POD team.	Guidance document to be created to sit alongside the policy.
6.11 Consider any other groups and risk factors relevant to this strategy, policy, plan, procedure and/or service	Not applicable.		
6.12 Welsh Language			

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There are 2 key considerations to be made during the development of a policy, project, programme, service to ensure there are no adverse effects and/or a positive or increased positive effect on: (please note these will continue to be reviewed to ensure Public Health Wales fulfils their duties to comply with one or more standards outlined within the Welsh Language Standards (No 7) Regulations 2018)			
Opportunities for persons to use the Welsh language	During the recruitment process applicants have the option to communicate in English or Welsh. This policy does not negatively or positively impact the opportunity to use the Welsh language.		Ensure that all communication regarding this policy is bilingual when approved.
Treating the Welsh language no less favourably than the English language	During the recruitment process applicants have the option to communicate in English or Welsh. This policy does not negatively or positively impact the opportunity to use the Welsh language.		Ensure that all communication regarding this policy is bilingual when approved.

Part 3 – Health

Questions in this section relate to the impact on the health and wellbeing outcomes of the population **and** specific population groups who could be more impacted than others by a policy/project/proposal.

The part of the assessment identifies;

1. which specific groups in the population could be impacted more (inequalities)
2. what those potential impacts could be across the wider determinants of health framework?
3. Potential gaps, opportunities to maximise positive H&WB outcomes
4. Recommendations/mitigation to be considered by the decision makers

5. Identification of specific population groups

Use the WHIASU Population Groups checklist as a reference to identify the population groups who could be more impacted than others by a policy/project/proposal. The check list can be found on the PHW Integrated EqHIA guidance pages (requires link to PHW Intranet pages for additional information and resources)

The groups listed have been identified as more susceptible to poorer health and wellbeing outcomes (health inequalities) and therefore it is important to consider them in a HIA assessment. In a HIA, the groups identified, as more sensitive to potential impacts will depend on the characteristics of the local population, the context, and the nature of the proposal itself.

7.1 Groups identified	Rational/explanation

Assessment

Complete the wider determinants framework table below providing rational/evidence where appropriate:

1. Consider how the proposal could impact on the population and specific population groups identified above (positive/negative) for each of the wider determinants (the bullets under each determinant are there as a guide)
2. Record any unintended consequences (negative impacts) and/or gaps identified
3. Record any positive impacts or missed opportunities to maximise positive health and wellbeing outcomes
4. identify and record mitigation/recommendations where appropriate

Please note you may find that not all determinants are relevant to the project/plan however recording N/A is not acceptable a rational or evidence should be explained/referenced

Wider determinant for consideration	Positive impacts or additional opportunities	Unintended consequences or gaps	Population groups affected	Mitigation/recommendations
<p>7.2 Lifestyles Diet/nutrition/breastfeeding Physical activity Use of alcohol, cigarettes, e-cigarettes Use of substances, non-prescribed drugs, abuse of prescription medication Social media use Sexual activity Risk-taking activity i.e. gambling, addictive behaviour</p>	<p>This policy will help managers gain further awareness of recruiting ex-offenders and individuals with a criminal record.</p> <p>This could positively impact on the recruitment outcome for these individuals.</p> <p>Employment would positively impact in the individuals lifestyle.</p>			
<p>7.3 Social and community influences on health Adverse childhood experiences Citizen power and influence</p>	<p>This policy will help with awareness of recruiting ex-offenders and</p>	<p>Potential gaps could be further guidance and support from outside</p>		<p>Further guidance documentation to be developed to go further into process.</p>

<p>Community cohesion, identity, local pride Community resilience Domestic violence Family relationships Language, cultural and spirituality Neighbourliness Social exclusion i.e. homelessness Parenting and infant attachment Peer pressure Racism Sense of belonging Social isolation/loneliness Social capital/support/networks Third sector & volunteering</p>	<p>individuals with a criminal record, which could lead to a better sense of belonging in the workplace and promote a better sense of community for individuals with a criminal record or ex-offenders.</p>	<p>organisations or support once in the role if needed.</p>		
<p>7.4 Mental Wellbeing</p> <ol style="list-style-type: none"> 1. Does this proposal support sense of control? 2. Does it enable participation in community and economic life? 3. Does it impact on emotional wellbeing and resilience? 	<p>This policy should positively impact a sense of control and clarity for both managers and applicants when it comes to recruiting ex-offenders and individuals with a criminal record.</p>			
<p>7.5 Living/ environmental conditions affecting health</p> <ol style="list-style-type: none"> 1. Air quality 2. Attractiveness/access/availability/quality of area, green and blue space, natural space. 3. Health & safety, community, individual, public/private space 4. Housing, quality/tenure/indoor environment 5. Light/noise/odours, pollution 6. Quality & safety of play areas (formal/informal) 	<p>This policy does not impact directly on living or environmental conditions affecting health.</p>			

<p>7. Road safety 8. Urban/rural built & natural environment 9. Waste and recycling 10. Water quality</p>				
<p>7.6 Economic conditions affecting health Unemployment Income, poverty (incl. food and fuel) Economic inactivity Personal and household debt Type of employment i.e. permanent/temp, full/part time Workplace conditions i.e. environment culture, H&S</p>	<p>This policy could impact on unemployment by providing clarity to both managers and potential applicants on recruiting ex-offenders and individuals with a criminal record.</p>			
<p>7.7 Access and quality of services Careers advice Education and training Information technology, internet access, digital services Leisure services Medical and health services Other caring services i.e. social care; Third Sector, youth services, child care Public amenities i.e. village halls, libraries, community hub Shops and commercial services Transport including parking, public transport, active travel</p>	<p>This policy does not impact directly on access and quality of services.</p>			
<p>7.8 Macro-economic, environmental and sustainability factors Biodiversity Climate change/carbon reduction/flooding/heatwave Cost of living i.e. food, rent, transport and house prices Economic development including trade</p>	<p>This policy does not impact directly on Macro-economic, environmental and sustainability factors.</p>			

Government policies i.e. Sustainable Development principle (integration; collaboration; involvement; long term thinking; and prevention) Gross Domestic Product Regeneration				
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Stage 3

Summary of key findings and actions Please answer question 8.1 following the completion of the EHIA and complete the action plan

Key findings: Impacts/gaps/opportunities	Actions (what is needed and who needs to do) to address the identified mitigation and recommendations	Lead		
From the policy workshop it was established that further guidance is needed for managers.	This guidance is to be developed that can then sit alongside this policy.	Jenni Morgan		

Alternatively, if appropriate, please explain the steps taken to consult with and consider the differential impact of the changes on the various protected characteristic groups (part 2) or any specific identified population groups (part 3).