

Equality Impact Assessment Tool

<p>This Tool has been developed to ensure that equalities, human rights, economic, social factors and the Armed Forces Covenant Duty are being considered ahead of the implementation of any new or revised policies, provisions, criteria, functions, practices and activities, including the delivery of services. Please note for the purpose of this document these will be grouped together and simply referred to as ‘activity’. General Information</p>			
Name of activity	Disclosure Policy		
Lead person and job title	Victoria McDade		
Contact Information		Date of this assessment	10/03/2026
Names and roles of those involved in the impact assessment process	Mairi Johnstone – HR Investigation and Policy Lead, Aurelia Kunga Ethnic Minority and TU representative, Kerry Riddell Equality and Diversity Officer, Nicola Hood CHSC Home Teams, Rachel Edgar – Support Services manager, Tracy McKean – Support Service Team lead, Shelly Meehan – HR advisor.		
Describe the activity in no more than 200 words	The policy is to ensure the organisation complies with the law and practices safe recruitment of staff and volunteers by ensuring we have the right level of criminal records check in place. The policy covers the requirements for regulated roles that work with children and vulnerable adults (Protected Adults) post holders to hold a PVG and also includes NHS Dumfries and Galloway’s duty to refer existing staff and volunteers who through investigation have been identified as causing harm to Children and Protect Adults.		
How will people be affected by this activity?	<p>The groups of individuals who will benefit from this policy include:</p> <ul style="list-style-type: none"> • Our patients, their families and members of the public • Managers (especially recruiting and disciplining managers) • Our staff, volunteers, contractors, bank and agency staff • The NHS Public Protection team • Workforce and OD 		
Who has been involved in the development of this activity and in what capacity?	This activity is a Legal requirement and consultation on the guidance from Disclosure Scotland has been made directly with Disclosure Scotland, West of Scotland Recruitment Colleagues and a policy Stakeholder group to ensure the policy covers the legal duties and responsibilities of the health board.		
Please include any evidence or relevant information that has influenced the overall decision being considered within this impact assessment	<p>The legal requirements for all organisations are set out by Disclosure Scotland an executive agency to Scottish Government, on the mygov website. Disclosure and criminal record checks - mygov.scot</p> <p>This requirements are mandatory by law and the changes and implementation of the Disclosure Scotland Act 2020 was consulted with a range of stakeholders across the country including public, private, third sector and groups representing protected adults, children and offenders.</p>		
Impact Assessment Questions			
<p>Please complete the table below and outline within the comments sections:</p> <ol style="list-style-type: none"> 1. any evidence, relevant information or involvement that has influenced the decision on impact (this may also include demographic profiles, audits, research, health needs assessment, work based on national guidance, findings from engagement and consultation). Prompts are available on page 6 to support discussion around potential impacts. 2. Mitigating measures that will be taken to ensure that no impact is negative <p>When assessing the impact on each protected characteristic, you should consider the following aims of the Public Sector Equality Duty:</p> <ul style="list-style-type: none"> • Does the proposed activity impact on the elimination of discrimination? • Does the proposed activity contribute towards advancing equality of opportunity by removing or minimising disadvantages, meeting the needs of particular groups and encouraging participation in a particular activity? • Does the proposed activity foster good relations between different groups? 			

Protected Characteristics /Impact Areas	Are there any positive impacts? <i>Yes/No</i>	Are there any negative impacts? <i>Yes/No</i>	Rationale for decision and further comments <i>Use prompts from page 6 onwards to expand on what the potential positive and negative impacts might be.</i>	What measures will be put into place to mitigate any negative impacts? <i>Please note any measures that will be put in place to mitigate negative impacts</i>
Age <ul style="list-style-type: none"> • Early years, children and young people, including care experienced young people • Working aged people • Older People 	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of the age of the individual concerned. NHS D&G aims to treat all staff regardless of a protected characteristic the same and this policy does not allow for discrimination	
Disability <i>(This includes physical disability, learning disability, sensory impairment, long term medical conditions and mental health conditions)</i>	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of whether the individual concerned has a disability or not Copies of the policy can be made available in alternative formats (e.g. large print) on request. Managers/recruitment/HR can provide support to individuals unable to understand/access the applications to apply for the disclosure levels and HR/safeguarding can provide support on completing referrals	
Sex/Gender and Gender reassignment and Transgender	YES	YES	There is evidence to show that the justice system has a differential impact on men and women e.g. types of sentences received and likelihood to reoffend. However, this policy can have a positive impact by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals regardless of the gender identity of the individual concerned For trans candidates requiring a disclosure/PVG and have concerns about disclosing details due to disclosure Scotland application involving strict requirement for applicants to state all previous names and aliases. The last page of the form then has	Raise with the Jobtrain national team to include additional links to make transgender candidates aware of the process.

			to be completed by the “Countersignatory” that sits within either the recruitment, medical staffing or volunteering team who checks and verifies the contents and the evidence supplied. This means there can be some anxiety about the implications for Transsexual applicants and existing Transsexual staff that have legally changed their name. Disclosure Scotland have confidential process that transgender staff who do not wish to divulge details us an employer ca follow on the following website https://www.mygov.scot/transgender-disclosure-application Any trans employee, candidate or volunteer who does not wish to disclose a previous name on the initial disclosure form has a legal duty to follow this special process.	New wording added to offer letter/intro email with a link to the special process.
Marriage and Civil Partnership	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals being married or in civil partnerships.	
Pregnancy and Maternity	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals on maternity leave or due to have a baby	
Race (includes Gypsy/Travellers and those whose first language is not English)	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals race <u>Patterns of offending and the justice system response - Ethnicity in the Justice System - gov.scot</u> is the most recent data showing a breakdown by race of the number of people engaged in the justice system. Data elsewhere in the UK shows that BAME communities can often be over represented through all stages of the criminal justice processes however the numbers in Scotland are significantly lower.	
Religion or belief	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals religious beliefs	
Sexual orientation	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals sexual orientation	
Human Rights	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals human rights	

Carers	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals carer status	
Staff: <ul style="list-style-type: none"> • Full time • Part time • Shift workers • Staff with protected characteristics • Staff vulnerable to falling into poverty 	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals working pattern or contract type	
Those involved in the criminal justice system and their families Economic & Social Sustainability and Poverty 'at risk' groups <ul style="list-style-type: none"> • Unemployed people • People on benefits • Pensioners • Care Experienced people • Those living in the most deprived communities • Remote rurality 	YES	YES	<p>Crime and victimisation are intrinsically linked to deep-seated issues such as poverty and income and wealth inequality. The evidence shows that increasing income inequality experienced by those in developed countries, like Scotland has been linked to lower health and social outcomes, especially those connected to crime and justice. There is clear evidence of a link between experience of area-level deprivation and crime with those living in the most deprived areas being more likely than the rest of Scotland to experience crime with fewer resources to cover the cost. <u>Aim - We work together to address the underlying causes of crime and support everyone to live full and healthy lives - The Vision for Justice in Scotland - gov.scot</u></p> <p>This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals at risk of Poverty. It will also impact positively for those identified in the supporting evidence who are from socially economic deprived areas and are more susceptible to being victim of crime as this policy seeks to protect them should they come via our services as a patient</p> <p>This policy may have a potential negative impact as the evidence shows that people in Scotland who experience poverty have a greater link with the crime and justice system, this may impact on their ability to secure work where a conviction is deemed inappropriate to work in health and Care. They may also be worried about the process and impact on their offer to work.</p>	<p>Add a slot on to the Work experience week induction to explore how a criminal record may affect opportunities to work in health and Care. Add poster in inspiring futures event to recruitment table board on how convictions affected with in in health and care</p> <p>Amend employability Job centre engagement sessions to include how criminal records affect opportunities to work in the NHS to capture NOLB age groups</p>

People with low literacy/numeracy, poorer skills and/or attainment	YES	NO	This process may impact due to its ridged online processes	Managers/recruitment can provide support to individuals unable to understand/access the applications to apply for the disclosure levels and HR/safeguarding can provide support on completing referrals
Homelessness	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals place of abode Homeless candidates can enter “no fixed abode” https://www.volunteerscotland.net/disclosure-services/the-disclosure-scotland-act-2020/disclosure-scotland-act-faqs	
People who are displaced incl. refugees & asylum seekers	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals refugee or asylum status Where refugees and or asylum seekers have a right to work or volunteer under their right to remain status this process will not impact negatively on their opportunity to apply for work or volunteering.	
Environmental	YES		The new online system to apply for checks has a positive impact on the environment as candidates no longer need to use paper document which had to be posted.	
Armed Forces Personnel and Veterans	YES	NO	This policy has a positive impact on this group by ensuring that the same processes are followed in requesting/ acting on Disclosure checks or making referrals irrespective of individuals human rights	

Does this activity require consideration of the Fairer Scotland Duty? If yes, please outline the steps taken to meet the needs of the duty.	NO	
Please indicate how are you ensuring the information about the activity and around the proposed changes is accessible in terms of communication in the following formats, where relevant:	Easy Read	X
	British Sign Language	
	Alternative Languages	
	Large Print	X

Summary Sheet

Name of Activity	<i>Disclosure Policy</i>
Date of Impact Assessment	<i>10/03/2026</i>
Key Lead Contact	<i>Victoria McDade</i>

Please summarise any identified negative impacts and associated mitigations/actions:

Negative Impact	Mitigation/Action	Responsibility/ Timescale
Candidates who are linked to the criminal justice system maybe concerned about implications .	N/A Candidates can access information on Disclosure website on how convictions that are spent or not spent can affect roles. Discussion also take place in interviews where candidates can disclose and discuss concerns. This is prompted by manager at the end of the interview.	
Trans candidates may be concerned about disclosing details of previous sex due to DS strict application process.	There is an alternative process trans candidates can follow. A request has gone to the national team to add details of the link into the system as well as adding our own wording to offer/emails	June 2026

Monitoring

How will you monitor the ongoing impact of the activity on all population groups?	Overall the policy has a positive impact on individuals and where there is a negative impact we would not be able to monitor the outcome or success due to confidentiality.
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Next Steps in the Impact Assessment Process

When complete, the lead person should send a copy of the full Impact Assessment Tool to the Equality and Diversity Lead by emailing it to [REDACTED]

The impact assessment will then be published on the NHS Dumfries and Galloway public website at www.nhsdg.co.uk.

Please take 5 minutes to share your experience of completing this Impact Assessment by completing [this short survey](#)

Please note that this is a legal document stating that you have fully considered the impact on the protected characteristics and is open to scrutiny by service users/external partners/Equality and Human Rights Commission.

