

Equal opportunities monitoring form

Our equal opportunities monitoring form enables you to gather personal information about job applicants in order to ensure that your recruitment process is being carried out fairly and in a non-discriminatory way.

KEEP A MONITOR

Monitoring can be by gender, marital status, age, sexual orientation, disability, race, nationality, ethnic origin and religion. Our **Equal Opportunities Monitoring Form** covers all of these options. The statistical data it produces can be used to provide evidence as to whether current recruitment practices are reaching the full spectrum of possible candidates and whether there is equality of opportunity at the shortlisting for interview and appointment stages. This may also help to avoid future allegations of discriminatory recruitment practices. Equal opportunities monitoring indicates that you take your equal opportunities responsibilities particularly seriously. Bear in mind that some applicants will not wish to share information about their sexual orientation in particular, because this is a sensitive area. Our form has been drafted in such a way that the applicant always has the option in every category of monitoring of stating that they "prefer not to say". We've also made it clear that the applicant doesn't have to complete the form at all if they don't wish to do so. Always keep the monitoring form separate from your main application form and make sure that it isn't seen by the persons shortlisting, interviewing or making the recruitment decision in order to remove the risk of discrimination occurring during the recruitment process.

PROTECTING DATA

For data protection reasons, the purpose of monitoring should clearly be identified. The introduction at the top of our monitoring form covers this aspect. As equal opportunities monitoring involves processing special categories of personal data, under the **EU General Data Protection Regulation (GDPR)** and the **Data Protection Act 2018** you need to have an additional "special" lawful basis for processing, at least until the data is anonymised, i.e. when all identifying particulars have been removed. The Act includes a limited provision that specifically allows you to process certain special categories of personal data for the purpose of monitoring equality of opportunity or treatment between different groups, but this doesn't include monitoring based on gender, marital status or age and it's subject to your having an appropriate policy document in place, e.g. a data protection policy, which explains both your procedures for securing compliance with the data protection principles in connection with the processing of such special category personal data and your policies as regards the retention and erasure of such personal data. Where the provisions of the Act don't apply, e.g. gender, age and marital status monitoring, equal opportunities monitoring is one of those rare cases where it may be appropriate for you to rely on the individual's explicit, freely given and informed consent as the lawful basis for processing their personal data – because applicants can have a genuine choice about whether or not to provide the information. Therefore, our form asks for their consent. Be aware there should not be any adverse consequences for those who choose not to complete the form. If consent is given, the applicant also has the right to withdraw their consent at any time, you must tell them of this right and it must be as easy to withdraw consent as it was to give it. Do keep a clear record of consents that you obtain. If data is anonymised and there is no way of identifying an individual to whom the personal data relates, the GDPR would not apply.