



Communications

Date: 16th February 2012

The Equality Act 2010 – enquiries about disability and health

A reminder for employers that the equal opportunities monitoring forms which many employers have sent out in the past during the recruitment process (that is before recruiting an employee) may be in contravention of the requirements of The Equality Act 2010 Part 5 Work section 60.

If you still send out such forms then it is advisable to check the requirements of the act - section 60 which states that an employer must not ask about the health of an applicant before offering work or before including an applicant in a pool of applicants from which an employer intends to offer work.

If an employer intends to use the information contained in such forms to monitor diversity in the organisation, then the employer should be able to demonstrate a need within the organisation to do that.

THIS NEWSLETTER IS BROUGHT TO YOU BY AXIS MANAGEMENT SYSTEMS
PROVIDERS OF RISK MANAGEMENT SERVICES IN EMPLOYMENT MATTERS
EMPLOYMENT LAW AND HEALTH & SAFETY



WWW.AXIS-MS.CO.UK

TEL 0207 993 2434 FOR FURTHER DETAILS