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Internal Ref:  
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Dear,

The Trust is in receipt of your Freedom of Information Act 2000 (FOIA) request, thank you. This request has been assigned the internal reference quoted above; please ensure that you quote this number in any future correspondence.

We have now provided a formal response below. Please accept our sincere apologies for the delay and inconvenience you have experienced regarding the completion of this request. At the time of writing the Trust continues to receive high volumes of FOI requests, many of which are complex and time consuming. In this instance, the Trust has not responded within the required 20 working days, and for this we apologise.

### **FOI Request**

You asked us:

#### **Can we have the following information**

**Will applications for a job role be shortlisted where Essential criteria is not held by the applicant?**

**Is there any situation that an application would be moved to shortlisting and then interview where the essential criteria is not held?**

**If someone was employed and the trust was later to find out that someone did not hold or was not able to gain an essential element of the role what would happen?**

**By employing someone where the essential criteria is not met could this be leading the trust to unfair pay claim as another possibly a female did not apply for the role, could this be discrimination?**

### **Formal Response**

The Trust confirms it holds part of the information you requested.



**Will applications for a job role be shortlisted where Essential criteria is not held by the applicant?**

A candidate should generally not be shortlisted if they do not meet the essential criteria for a job. The essential criteria are the minimum requirements that a candidate must possess to be considered suitable for the role. If a candidate doesn't meet these, they are not eligible for shortlisting.

**Is there any situation that an application would be moved to shortlisting and then interview where the essential criteria is not held?**

Yes. Redeployment (Usually on Health Grounds) or Restructures (Risk of Redundancy) would allow for a 66% match against the job description/essential criteria.

**If someone was employed and the trust was later to find out that someone did not hold or was not able to gain an essential element of the role what would happen?**

Any matter would be investigated and handled in line with our internal trust processes.

**By employing someone where the essential criteria is not met could this be leading the trust to unfair pay claim as another possibly a female did not apply for the role, could this be discrimination?**

Discrimination (Direct or Indirect) would be a matter for a Tribunal to determine. SECamb takes its responsibility for adherence to the Equality Act 2010 seriously and is works diligently to mitigate the risk of discrimination of any kind.

**Next steps**

We hope you find the information provided to be of some assistance.

Should you be dissatisfied with our response then in the first instance please contact Caroline Smart, Head of Information Governance, via the following email address: [FOI@secamb.nhs.uk](mailto:FOI@secamb.nhs.uk)

You can ask us to review our original response. If you would like us to carry out an internal review, please let us know within 40 working days of you receiving our original response. This review will be conducted by an individual who was not directly involved in reviewing the original response, ordinarily, the Trust Data Protection Officer. We will endeavour to complete this request within 20 working days.

Should you remain dissatisfied then you can contact the [Information Commissioner's Office](#) (ICO). Complaints to the ICO should be made within six weeks of receiving the outcome of an internal review. The easiest way to lodge a complaint is through their website: [www.ico.org.uk/foicomplaints](http://www.ico.org.uk/foicomplaints).

Alternatively, the ICO's postal address is:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF.

Yours sincerely,



Saving Lives,  
Serving Our Communities

Chair: Michael Whitehouse CEO: Simon Weldon

**Freedom of Information Coordinator  
South East Coast Ambulance Service NHS Foundation Trust**



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Serving Our Communities

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