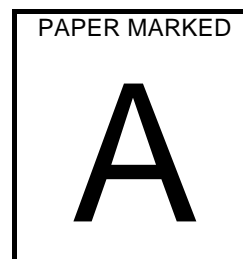


# LEICESTERSHIRE POLICE AUTHORITY



Meeting                    **DIVERSITY COMMITTEE**

Date                        **MONDAY 9 MAY 2011 – 9.00 A.M.**

Report of                 **CHIEF CONSTABLE/CHIEF EXECUTIVE**

Subject                   **CONSTABULARY AND POLICE AUTHORITY EQUALITY SCHEMES -  
UPDATE**

## **Summary**

1. This report provides members with the progress and developments in the Constabulary's Equality Scheme and the Police Authority's Equality Scheme, as well as the development in the equality legislation in the last 3 months.

## **Recommendation**

2. Members are recommended to:-
  - (a) be aware of the recent changes to the Equality Act 2010 and subsequent changes in implementation date for the specific duties;
  - (b) be aware of the changes in the equality and diversity governance within the Constabulary;
  - (c) note the progress and update of the Constabulary and Authority Equality Schemes action plans; and
  - (d) note and comment on the equality impact assessments appended to the report.

## **Background**

3. The following are the national developments in equality and diversity within the last 3 months.

## **National developments**

4. The Equality Act created 9 protected characteristics, namely age, disability, gender, gender re-assignment, marriage and civil partnership, maternity and pregnancy, race, religion and belief and sexual orientation. Whilst there are still some differences in the separate protected characteristics, there is in the main a unified and common approach. In April in the budget speech, George Osborne announced that further consultation would be forthcoming on whether or not to implement the third party harassment concept. In addition he

announced that dual discrimination was being put on hold for 3 years, whilst consideration was being given as to whether to implement the provision.

5. The Equality Act introduced 3 new general duties, on April 5<sup>th</sup> which are:-
  - Eliminate discrimination and harassment
  - Advance equality of opportunity
  - Foster good relations between different groups.
6. The general duties will apply to 8 of the protected characteristics, marriage and civil partnership only applies to the duty to eliminate discrimination and harassment. The specific duties were due to be enacted on 31<sup>st</sup> July 2011, however, the Government have announced a further consultation on the specific duties, which is running until the 21<sup>st</sup> April 2011. The implementation date for the specific duties has been put back to 31<sup>st</sup> December 2011.
7. There is still an expectation that a profile of staff will have to be published by protected characteristics, by December 2011. In particular there is an expectation to publish gender, race and disability representation and information on the gender pay gap within the organisation. There is also an expectation that the Constabulary will have to publish equality information on policies and practices which identifies outcomes by service users, and all information must be accessible. Then following engagement over the next year with representatives from the protected characteristics, determination needs to be made on what equality objectives the Constabulary will adopt and prioritise for the next year. Objectives must be SMART and progress must be reported and made accessible to members of the public. Equality objectives must be published by 6<sup>th</sup> April 2012.
8. Three Statutory Codes of Practice in connection with the Equality Act 2010 became law on the 6<sup>th</sup> April 2011, the Statutory Code of Practice on Equal Pay, the Statutory Code of Practice on Employment and the Statutory Code of Practice on Services, Public Functions and Associations.
9. On the 6<sup>th</sup> April 2011 the new positive action measures were implemented. This has become known as the balancing measures and allows employers who have two candidates of equal merit to choose the candidate from the protected characteristic, which is under represented, to offer the post or promotion to.
10. Currently there are several government consultations being undertaken with respect to equality, they are listed as follows:
  - a. Civil partnerships on religious premises – closes on 23<sup>rd</sup> June 2011
  - b. Specific duties – closes on 21<sup>st</sup> April 2011
  - c. Employment tribunal reform – closes on 20<sup>th</sup> April 2011
  - d. Reform of the equality and Human Rights Commission – closes on 15<sup>th</sup> June 2011
  - e. Ending age discrimination in services, public functions and associations – closes on 25<sup>th</sup> May 2011
11. The Equality and Human Rights Commission formal enquiry into the steps taken by public authorities to eliminate disability harassment is still continuing. It is due to publish the final report by June 2011. The ACPO National gold and silver group still continues to meet.

12. The Constabulary signed a formal agreement with the Equality and Human Rights Commission following scrutiny of the Force's stop and search data in December 2010. This agreement includes a comprehensive action plan, which will be monitored and overseen by a gold group within the Force.
13. Nationally the Home Office have removed all funding from the National Diversity Staff Associations. The expectation is that staff associations will continue to be funded locally.
14. Steve Otter (Chief Constable of Devon and Cornwall), the ACPO lead for equality diversity and human rights has proposed a new governance structure for this ACPO area of business. His proposals will mean there will no longer be an ACPO group looking specifically at this area of work but that each ACPO portfolio will have to show progress on equality, diversity and human rights and this will be overseen by the ACPO president. These proposals are currently out for consultation.

### **Equality and diversity governance within the Constabulary**

15. The Equality Standard introduced this year by ACPO and the NPIA have developed 22 competency areas broken down into three areas of Operational Delivery, People and Culture and Organisational Processes. There are 3 levels upon which each Force is benchmarking, which are baseline, integrating and excelling. The expectation from the HIMC is that all forces will reach baseline by April next year and a plan to move towards the higher levels in the future. The HMIC will in future inspections use the Equality standard to identify progress on equality.
16. Following discussions with a number of stakeholders, the new governance structure has been agreed, which will allow for equality and diversity knowledge and practice to be embedded in all areas of the constabulary:-
  - A new Strategic Equality Board chaired by the Chief Constable to be established by the end of July 2011 and become the strategic meeting which sets the direction and focus for the Constabulary on areas of risk and confidence to the Force in the areas of equality and diversity. The membership to include BCU Commanders and all Heads of Departments.
  - An internally focused Equality Board established and chaired by the Director of HR to scrutinise equality issues internally. This will include key stakeholders and members of staff associations, trade unions and support networks. The first meeting of this Board has already taken place.
  - The Safer and Confident Communities Board, chaired by the ACC to scrutinise equality and diversity issues raised via service delivery monitoring, including work arising out of the EHRC scrutiny on stop and search.
  - Members of the ACPO and Executive group to take a champion role on 7 of the protected characteristics when required.
  - Fairness and Equality action groups chaired by the BCU Commander or Head of Department to be developed in both BCUs and Directorates, with one for HQ departments. The groups to be used to develop localised equality and diversity action plans which fit in with the Equality Standard competencies and identifies the specific areas of disproportionality, risk or confidence which might arise. Where appropriate for external partners or members of the community to be involved.

17. Externally the Constabulary will retain the 3 main Force Independent Advisory groups, which are:-
- PAGRI – originally the Policy Advisory Group on Race and Religious and Issues, recently extended to include representatives from all protected characteristics and widened to discuss all equality issues and called PAGRE. This meeting is chaired by the ACC and meets quarterly.
  - LGBT Community Safety Forum – chaired externally by a member of the LGBT community and meets quarterly.
  - The Disability IAG – chaired by the Head of Diversity and meets quarterly.

### **Force Equality Scheme Action Plan update**

18. Work is currently ongoing to update the Constabulary Equality Scheme. This has been delayed due to recent changes and consultations in connection with the Equality Act.
19. The Constabulary have 8 years of employment monitoring data (2002/2010) which has been published on the external website. Currently the 2010 – 2011 data is being developed, due to the new areas of monitoring required by the new public general duties. The new report is likely to be published by the end of June 2011. The simplified data, as well as the more detailed breakdowns are all available on the external website. The weblink is:- [http://www.leics.police.uk/departments/13\\_diversity\\_unit/44\\_employment\\_statistics/](http://www.leics.police.uk/departments/13_diversity_unit/44_employment_statistics/). Ongoing monitoring of all the areas of the employment duty continues to be scrutinised by the Internal Strategic Equality and Confidence Board on a quarterly basis.

The following are further areas of progress on the Equality scheme action plan:-

- work has continued to ensure that our staff diversity monitoring is up to date on NSPIS. This includes updating information on NSPIS via the self service aspect of the HR system.
- equality impact assessments continue to be completed. At Appendix A are examples of 2 equality impact assessments. Currently most of the completed equality impact assessments are published externally on the website. The weblink for the equality impact assessments are:- [http://www.leics.police.uk/library/17\\_equality\\_impact\\_assessments/](http://www.leics.police.uk/library/17_equality_impact_assessments/).
- the reasonable adjustments policy is still out for consultation and has been circulated to members of the disability independent advisory group.
- staff are still attending the Positive Action Leadership programme. This forms one element of the strategy of the Race and Diversity Learning Requirement. The NPIA are proposing that these courses will now be run at a cost to individual forces.
- the Disability Independent Advisory Group, PAGRE and the LGBT Community Safety Forum have all met in the last quarter.
- a new leaflet on communication tips for people with autism and dementia have been developed. In addition guidance for carers of people with dementia and Alzheimers, as well as an information sheet have also been developed. These were all launched at the Celebrating Disability day run by

the Constabulary and the Police Authority on March 30<sup>th</sup> 2011. The day attracted over 90 people including a wide range of people with disabilities, carers and organisations. The morning was opened by the Chief and had a range of police speakers, highlighting some of the latest initiatives.

20. Other areas of equality and diversity work undertaken are as follows:-
- The Constabulary are still awaiting the results of the 2010 Opportunity Now benchmarking exercise looking at issues effecting gender.
  - The Constabulary have been named as one of the Times/Opportunity Now top 50 employers for women on April 13<sup>th</sup> 2011. National and local publicity have followed this recognition, including an article in the Leicester mercury and a radio interview.
  - The Constabulary continue to be part of the County Equality Forum and work has continued on areas of impact assessment, common equality training, hate crime monitoring and case work, across Leicester City, County and smaller district councils in Leicestershire. A County wide equality conference was held on Friday April 8<sup>th</sup> with over 100 attendees from all the partner agencies. A joint hate crime conference is being planned for June 22<sup>nd</sup> to highlight best practice and emerging trends.

#### **Police Authority Equality Scheme Action Plan update**

21. Work is currently ongoing to update the Police Authority Equality Scheme. This has been delayed due to recent changes and consultations in connection with the Equality Act.
22. Equality impact assessments have been conducted and a couple can be found at Appendix B.
23. The Police Authority along with the constabulary organised the Celebrating Disability Day on March 30<sup>th</sup>, as explained above.
24. The Regional Efficiency and Improvement Project are funding continues to provide diversity training to members of councils/authorities free of charge. This training will be provided to members and officers of the Police Authority on 14 June 2011. As well as being provided with an update on the legislation members will observe a series of scenarios provided by a group of actors to promote discussions on how the legislation applies to the work of a Police Authority member.
25. Diversity training will be provided to volunteers in Autumn 2011 as part of the induction training for new volunteers as well as a refresher for existing custody visitors.
26. An easy read version of the Policing Plan will be produced by the end of August 2011 and be published on the Police Authority website.

#### **Implications**

Financial: none. Legal: none. Diversity: Those highlighted in the report above.  
Risk Management: none.

**Background Papers**

Equality Act 2010

**Officer to Contact**

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Angela Perry, Deputy Chief Executive, tel 0116 229 8982

Email [angela.perry@leicestershire.pnn.police.uk](mailto:angela.perry@leicestershire.pnn.police.uk)



# LEICESTERSHIRE POLICE AUTHORITY

## Equality Impact Assessment

### Purpose

The purpose of an Equality Impact Assessment is to work out how a policy will affect people from different groups and communities. This is so that we can ensure as far as possible, our policies are developed in full recognition of the diverse needs, circumstances and concerns of the people who will be affected by them.

### Function/Policy/Procedure/ Strategy

**Independent Custody Visiting  
V.1**

### Version

### Publication

**April 2011**

**Internal / External -**

### Policy Owner

**Unit**

**Author**

**Police Authority**

**Angela Perry**

### Date Impact assessment completed

**15 April 2011**

### Policy Review Date

**April 2012**

### Impact assessment author

**Angela Perry**

### Section 1: Impact assessment

This form should be completed for all policies/functions.

### Identify the aims and proposed outcomes of the function/policy/procedure/strategy?

Please answer here:

**This is a statutory function of the Police Authority. Its purpose is to ensure the welfare of individuals detained in police custody.**

The equality groups which need to be considered throughout the impact assessment area as follows:

- Minority and majority ethnic communities
- Disabled people
- Women and men, including transsexual people
- Lesbian, gay, bisexual and heterosexual people
- People of differing religions and beliefs, including those who have none
- People of differing age groups

### Data collection

There is a need when carrying out an equality impact assessment to understand what statistical data is available – e.g. diversity monitoring data, surveys, statistical databases, consultation results, publications and other resources.

### What data/statistical information will be used to identify the impact of the function/policy/strategy/procedure?

Please answer here:

**Equality monitoring data relating to custody visitors.**  
**Number of custody visits undertaken.**  
**Number of detainees seen by custody visitors.**  
**Log of issues identified as a result of custody visits.**

**What research material or data have you used?**

Please answer here:

Monthly data collated on visitors, visits, outcomes.

Comparison data from custody visiting schemes within the East Midlands Region.

**What qualitative/quantitative information/research has been considered?**

Please answer here:

Qualitative feedback at quarterly meetings with Constabulary  
Qualitative feedback from quarterly team meetings.  
Feedback from training delivered to ICVs and Custody Sergeants.

**What gaps in the information/research have been identified?** (Note if gaps have been identified consideration should be given to commissioning new research)

Please answer here:

Equality monitoring data relating to the detainees seen by custody visitors. This is not available and not appropriate to collect from the detainee at the time of the visit.

## **Section 2: Assessment of likely impacts**

**From the information/research has any adverse impact been identified on any of the equality groups listed above?**

Please answer here:

None

**Are there any factors that can explain or justify this adverse impact?**

Please answer here:

N/A

**Are there any positive impacts?**

Please answer here:

An increase in younger people and disabled people undertaking the role of custody visitor.

Positive impacts on the welfare of detainees from issues addressed as part of the visiting process.

## Mitigating adverse impact

**What actions can you take to mitigate any adverse impact?**

Please answer here:

None identified.

**What are the resource implications, if any, for mitigating adverse impact?**

Please answer here:

N/A

**Describe what consultation has been undertaken?** If no please state why, if yes please state who, how, outcomes and what the process was of feed back to consultees.

Please answer here:

N/A

**Outline any findings/outcomes of this impact assessment.**

Please answer here:

None

**Recommendations from assessment is: (please delete as appropriate)**

- A. **Policy maintained in current form** Please justify why especially if there is a possibility of adverse impact.
- B. **Policy amended** Please summaries the amendments.
- C. **Policy abandoned** Please state how the implications will be managed.

Please answer here:

- A. **Police maintained in current form.**

**Is the policy being monitored? If no monitoring is taking place, please state what will be implemented**

Please answer here: **Policy reviewed annually.**

**Any other comments:**

Please note that this template will be available as a public document unless otherwise stated.

<sup>[1]</sup> Note: A policy may be defined as a set of principles or a criterion an organisation develops to help carry out its functions such as strategies, procedures and guidance.

# Leicestershire Police Authority

## Legislative Compliance Pack for Policies & Procedures

Policy or Procedure Title: **Procedure for Dealing with  
Complaints against ACPO Officers**

Reference Number: PA/7/E/5/002

### Review Log

Date	Author	Reason for completion (is the policy/procedure new, reviewed without change or revised?)
2.12.08	Robert Swinfield	Policy maintained in current form.
14.4.11	Angela Perry	Policy maintained in current form.

# LEICESTERSHIRE POLICE AUTHORITY

## Equality Impact Assessment

### Purpose

The purpose of an Equality Impact Assessment is to work out how a policy will affect people from different groups and communities. This is so that we can ensure as far as possible, our policies are developed in full recognition of the diverse needs, circumstances and concerns of the people who will be affected by them.

<b>Function/Policy/</b>	<b>Procedure for Dealing with Complaints Against ACPO Officers</b>	
<b>Procedure/ Strategy</b>		
<b>Version</b>	V.2	
<b>Publication</b>	April 2011	Internal / External -
<b>Policy Owner</b>	<u>Unit</u> Police Authority	<u>Author</u> Angela Perry
<b>Date Impact assessment completed</b>	15 April 2011	
<b>Policy Review Date</b>	April 2012	
<b>Impact assessment author</b>	Angela Perry	

### Section 1: Impact assessment

This form should be completed for all policies/functions.

#### **Identify the aims and proposed outcomes of the function/policy/procedure/strategy?**

Please answer here:

**Provides the framework for dealing with complaints received against ACPO officers.**

The equality groups which need to be considered throughout the impact assessment area as follows:

- Minority and majority ethnic communities
- Disabled people
- Women and men, including transsexual people
- Lesbian, gay, bisexual and heterosexual people
- People of differing religions and beliefs, including those who have none
- People of differing age groups

### **Data collection**

There is a need when carrying out an equality impact assessment to understand what statistical data is available – e.g. diversity monitoring data, surveys, statistical databases, consultation results, publications and other resources.

**What data/statistical information will be used to identify the impact of the function/policy/strategy/procedure?**

Please answer here:

None

**What research material or data have you used?**

Please answer here:

- Police Reform Act 2002
- IPCC Statutory Guidance
- Police (Conduct) Regulations 2008

**What qualitative/quantitative information/research has been considered?**

Please answer here:

Number of complaints received against ACPO officers and outcomes.

**What gaps in the information/research have been identified?** (Note if gaps have been identified consideration should be given to commissioning new research)

Please answer here:

None

## **Section 2: Assessment of likely impacts**

**From the information/research has any adverse impact been identified on any of the equality groups listed above?**

Please answer here:

None

**Are there any factors that can explain or justify this adverse impact?**

Please answer here:

N/A

**Are there any positive impacts?**

Please answer here:

None identified.

**Mitigating adverse impact**

**What actions can you take to mitigate any adverse impact?**

Please answer here:

None identified.

**What are the resource implications, if any, for mitigating adverse impact?**

Please answer here:

N/A

**Describe what consultation has been undertaken?** If no please state why, if yes please state who, how, outcomes and what the process was of feed back to consultees.

Please answer here:

Consultation originally undertaken with ACPO officers.

**Outline any findings/outcomes of this impact assessment.**

Please answer here:

None

**Recommendations from assessment is: (please delete as appropriate)**

D. **Policy maintained in current form** Please justify why especially if there is a possibility of adverse impact.

E. **Policy amended** Please summaries the amendments.

F. **Policy abandoned** Please state how the implications will be managed.

Please answer here:

A. **Police maintained in current form.**

**Is the policy being monitored? If no monitoring is taking place, please state what will be implemented**

Please answer here: **Policy reviewed annually.**

**Any other comments:**

Please note that this template will be available as a public document unless otherwise stated.

<sup>[1]</sup> Note: A policy may be defined as a set of principles or a criterion an organisation develops to help carry out its functions such as strategies, procedures and guidance.