



POLICE AND CRIME COMMISSIONER

EQUALITY IMPACT ASSESSMENT POLICY

Chief Executive

02/01/2019

CONTENTS

Purpose of policy: This policy sets out when EIAs are required, who is responsible for undertaking an EIA, and how they will be undertaken at the OPCCN.

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Applies to: All OPCCN policies, functions, activities or decisions

Implementation date: Under review

Review date:

Contents

- 1 Introduction
- 2 Policy Statement
- 3 Definitions
- 4 Appendix 1 – Initial EIA
- 5 Appendix 2 – Full EIA
- 6 Appendix 3 – Procedure

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1. Introduction

1.1. Reason for this policy

1.1.1. The Office of the Police and Crime Commissioner for Norfolk (OPCCN) must comply with the Public Sector Equality Duty, in accordance with the Equality Act 2010. The Public Sector Equality Duty sets out that local authorities must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

1.1.2. These are sometimes referred to as the three aims or arms of the general equality duty. The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

1.1.3. To ensure that the OPCCN applies this duty it will undertake Equality Impact Assessments (EIAs) to determine if policies, functions, activities or decisions have a positive or negative impact on nine protected characteristics. It also provides a template to respond to any negative impacts identified.

1.1.4. This policy sets out when EIAs are required, who is responsible for undertaking an EIA, and how they will be undertaken at the OPCCN.

1.2. Benefits of the policy

1.2.1. EIAs allow for reflection on the policy creation process, which can identify efficiencies and identify problems within the policy more generally.

1.2.2. In relation to equalities, an EIA ensures protected characteristic groups are considered in the policy creation process.

1.2.3. Implementing this policy ensures that the OPCCN complies with the Equality Act 2010.

1.3. Development of the policy

1.3.1. The development of this policy has been led by the Equalities Officer and has been informed by several examples of best practice in EIAs. It has been informed by the Senior Management Team at the OPCCN.

2. Policy Statement

2.1. All OPCCN staff leading the development of policies, functions, activities or decisions are required to undertake an Initial EIA on said policies, functions, activities or decisions. This should be undertaken as soon after the initiation of this work as possible.

2.2. Initiating the EIA process:

2.2.1. As highlighted, the EIA process should begin as soon after the initiation of a policy, function, activity or decision as possible.

2.2.2. For policies, functions, activities or decisions that do require a decision notice, EIAs form part of the checklist which must be completed before a decision notice can be signed off. However, the Responsible Officer should begin the EIA process at the same time they begin to develop a policy, function, activity or decision.

2.2.3. For policies, functions, activities or decisions that do not require a decision notice EIAs are a requirement. The Responsible Officer is accountable for completing the EIA process. The Chief Executive Officer will not sign off any policies, functions, activities or decisions without evidence of the EIA process being followed.

2.3. Initial EIA:

2.3.1. If the initial assessment identifies that the policies, functions, activities or decisions are major (as defined in section 3) or have a high potential to impact upon protected characteristic groups then a full EIA will be required.

2.3.2. If the policies, functions, activities or decisions are identified as minor and there is a moderate impact on protected characteristic groups the decision to undertake an EIA should be made on a case by case basis. If a decision notice is required for the policy, function, activity or decision and the no Full EIA is undertaken the reason for not undertaking a Full EIA must be recorded in the decision notice. If no decision notice is required and no EIA is undertaken justification for this must be provided to the Chief Executive Officer.

2.3.3. If the policies, functions, activities or decisions are identified as minor and there is no impact on protected characteristic groups, an EIA is not required. If a decision notice is required for the policy, function, activity or decision then the reason for not undertaking a full EIA must be recorded in the decision notice.

2.4. Full EIA:

2.4.1. A Full EIA is required if an Initial EIA identifies the need. Full EIAs should be completed by the Responsible Officer.

- 2.4.2. Completing an EIA requires knowledge of the policy, function, activity or decision and reflection on the potential impacts for protected characteristic groups. Guidance on how to complete the document is included within it and support can also be provided by the Equality Officer.
- 2.4.3. Based on the information collected the Responsible Officer needs to identify if the policy, function, activity or decision will impact negatively on any protected characteristic group.
- 2.4.4. If a negative impact has been identified, then the Responsible Officer must determine how these impacts will be responded to. The Full EIA allows for three broad outcomes:
- Outcome 1: Adjust the policy to remove or reduce the negative equality impact.
 - Outcome 2: Make no change to the policy, with justification that this approach is the appropriate option.
 - Outcome 3: Stop the policy, function, activity or decision and rethink.
- 2.4.5. For Outcome 1 and Outcome 2, the next step is to achieve director level sign off. Sign off should be gained from the director responsible for the policy, function, activity or decision. Once this has been achieved, the EIA will then follow the steps set out in 2.6 and 2.7.
- 2.4.6. For Outcome 3, this is the end of the EIA process and no more action is required.
- 2.4.7. If no impact is identified then the next step is to achieve director level sign off. Sign off should be gained from the director responsible for the policy, function, activity or decision. Once this has been achieved, the EIA will then follow the steps set out in 2.6 and 2.7.

2.5. Responsible Officer

- 2.5.1. The Responsible Officer is the OPCCN staff member responsible for the development of the policy, function, activity or decision. The Responsible Officer is accountable for completing an EIA and ensuring it is signed off correctly.

2.6. Signing off EIAs

- 2.6.1. As highlighted, initial EIAs (and full EIAs where necessary) are a requirement of a decision notice. For a decision notice to be completed the related EIA must have been signed off at director level. The Chief Executive Officer must also be satisfied with the EIA relating to the decision notice in order to sign off the decision notice.
- 2.6.2. For policies, functions, activities or decisions that do not require a decision notice, approval is required from the Chief Executive Officer. The Chief

Executive Officer must be satisfied the EIA process has been followed in the development of the policy, function, activity or decision.

2.7. Publication

2.7.1. The OPCCN do not publish Initial EIAs. However, if an Initial EIA relates to a decision notice, and the decision is made that a Full EIA is not required, then the justification for this decision must be included in the published decision notice.

2.7.2. The OPCCN publishes all complete Full EIAs unless the Government Security Classification is OFFICIAL – SENSITIVE. Full EIAs will be published on the webpage: www.norfolk-pcc.gov.uk/equalities.

2.8. Equality Officer:

2.8.1. The Equality Officer is able to provide support to those responsible for completing an EIA, though ultimate responsibility for undertaking an EIA remains with the Responsible Officer. The Equality Officer is able to provide support in accessing protected characteristic groups, equality legislation and EIA guidance.

2.9. Government Security Classification

2.9.1. Incomplete and complete Initial EIAs should be marked as OFFICIAL, unless the policies, functions, activities or decisions they relate to are sensitive. If the content is sensitive then Initial EIAs must be marked as OFFICIAL – SENSITIVE.

2.9.2. Incomplete Full EIAs should be marked as OFFICIAL until complete, unless the policies, functions, activities or decisions they relate to are sensitive. If the content is sensitive then incomplete Full EIAs must be marked as OFFICIAL – SENSITIVE. When complete Full EIAs should be published.

2.9.3. For more information Government Security Classification please visit: <https://www.gov.uk/government/publications/government-security-classifications>

3. Definitions

- 3.1. **Major** – those that are important to the Office of the Police and Crime Commissioner for Norfolk’s core functions. If a policy is defined as major, then a full EIA will be required.
- 3.2. **Protected characteristic groups** – The equality duty covers the nine protected characteristics. They are:
- Age.
 - Disability.
 - Gender reassignment.
 - Marriage and civil partnership.
 - Pregnancy and maternity.
 - Race.
 - Religion or belief.
 - Sex.
 - Sexual orientation.
- 3.3. **Equality Impact Assessment (EIA)** – An assessment of the potential impact on the nine protected characteristic groups of a policy, function, activity or decision.

4. Appendix 1 – Initial EIA



Initial Equality Impact Assessment

Directorate:

Policy, strategy, review or function name:

Completion date:

Name of assessor:

Office of the Police and Crime Commissioner for Norfolk,
Building 1,
Jubilee House,
Wymondham,
Norfolk,
Nr18 0ww.

The Initial Equality Impact Assessment (EIA)

Purpose

This document is designed to facilitate deciding whether a full EIA is required and to record this assessment. It does this by guiding the assessor in their decision as to whether the policy is relevant to the Public Sector Equality Duty. By undertaking initial EIAs and full EIAs we are able to pay due regard to the Public Sector Equality Duty set in the Equality Act 2010. Please ensure that you read the guidance available in the full EIA before completing this document.

Relevance

To understand whether the policy is relevant or not to promoting equality and preventing discrimination it is important to determine whether it will affect people because of a protected characteristic. The degree to which a person is affected by a policy can be categorised as either high, moderate, or not at all. A policy will have some relevance if it effects the public, service users or staff.

Recording the decision

Completing this form and recording its outcome will show how the decision to undertake a full EIA or not was arrived at. Initial EIAs do not need to be published but the reasoning for the decision not to undertake a full EIA should be summarised in a decision notice.

Major policies

Major policies are those that are important to the Office of the Police and Crime Commissioner for Norfolk's core functions. If a policy is defined as major, then a full EIA will be required.

What is the Public Sector Equality Duty?

The Public Sector Equality Duty sets out that local authorities must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the general equality duty. The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The equality duty covers the nine protected characteristics:

- Age.
- Disability.
- Gender reassignment.

- Marriage and civil partnership.
- Pregnancy and maternity.
- Race.
- Religion or belief.
- Sex.
- Sexual orientation.

Procedure

please follow these four steps when undertaking an Initial EIA:

- 1.) Complete the below form using all information available to you. The Equality Officer is able to support those responsible for completing an EIA.
- 2.) Secure sign off of the completed Initial EIA at director level.
- 3.) Send the completed form to the Equality Officer so that they can store it.
- 4.) If:
 - a. The assessment finds there is no relevance to equality, record the justification in the relevant decision notice.
 - b. The assessment finds there is relevance to equality, you will need to complete a Full EIA. The template and guidance can be found [here](#).

Initial EIA

Name of the policy (*functions, activity or decision-making process*):

Description of the policy:

(Include the aims, objectives and purpose. Is there any relevant legislation? Does it relate to the Police and Crime Plan or Business Plan? And is it a major or minor policy?)

Major

Minor

What will the impact on protected characteristic groups be?

(Please describe the potential impact of this policy on any of the nine protected characteristic groups and/or the aims of the general equality duty. Once this has been completed then rate the impact of the policy as either high, moderate or none. Consider the impact on internal and external staff, service users, the general public and those implementing the policy.)

High

Moderate

None

Is an EIA needed?

(If a policy is defined as major and it has an impact on people, then an EIA is required. Minor policies with no impact do not need a full EIA. For moderate impact minor policies, a decision should be made on a case by case basis. Please provide justification for your decision.)

Yes

No

Justification:

5. Appendix 2 – Full EIA



Equality Impact Assessment

Directorate:

Policy, strategy, review or function name:

Completion date:

Name of assessment completer:

Office of the Police and Crime Commissioner for Norfolk,
Building 1,
Jubilee House,
Wymondham,
Norfolk,
Nr18 0ww.

Equality Impact Assessments (EIA) – what you need to know

When do we need to undertake EIAs?

EIAs are needed when developing new, or considering changing current policies (this refers to functions, activities or the way we reach decisions). This will relate to most decision notices the Office of the Police and Crime Commissioner for Norfolk (OPCCN) makes. **The EIA procedure should be integrated with the policy creation process from the outset.** It may be the case that a full EIA is not needed. This should be determined by completing the [Initial EIA](#), which will determine the relevance of the policy to equality. The greater the relevance of a policy to equality, the greater the regard that should be paid to it.

What is an EIA?

An EIA is a tool that enables a local authority to assess the impact of a policy on different protected characteristic groups and develop steps that can be taken to promote equality where necessary. This tool ensures that the OPCCN pays due regard to the Public Sector Equality Duty by asking a series of questions that will help identify if a policy impacts on a protected characteristic group.

Who should undertake an EIA?

The officer responsible for the policy should undertake and own the EIA as they have an in-depth knowledge of the policy being created and have the ability to make changes to the policy where necessary. This does not mean that EIAs must be undertaken alone. In fact, a good EIA should be informed by subject matter experts and other key contributors in the policy creation process. The Equality Officer is also able to support those responsible for completing an EIA.

Why is it important?

Undertaking an EIA is not a legal requirement but complying with the Public Sector Equality Duty is, and completing an EIA is a good way to ensure compliance. It also ensures that policies are developed in an informed and effective way. As you will find when working through this document, it encourages thought on the policy landscape, evidence, consultation and, of course, equality. This method of reflecting on a policy when producing it can result in efficiencies being identified, it ensures that policy is evidence based and initiates taking steps to meet equality requirements.

What is the Public Sector Equality Duty?

The Public Sector Equality Duty sets out that local authorities must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the general equality duty. The Act explains that having due regard for advancing equality involves:

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- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.

- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The equality duty covers the nine protected characteristics:

- Age.
- Disability.
- Gender reassignment.
- Marriage and civil partnership.
- Pregnancy and maternity.
- Race.
- Religion or belief.
- Sex.
- Sexual orientation.

How to undertake an EIA

The first step is to complete the [Initial EIA](#), to make sure that an EIA is needed. If you identify that a Full EIA is needed, you will need to consider the below information and complete the below assessment.

You will need to use your knowledge of the policy you are developing, the evidence surrounding the policy and to consider how this may impact, positively or negatively, on protected characteristic groups. You need to consider the following:

- Age equality – the effects on people because of their age, including young people and the elderly.
- Disability equality – the effects on all disabled people, including deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties and people with physical impairments.
- Gender identity – the effects on trans people.
- Marriage and civil partnership equality.
- Pregnancy and maternity equality – women who are pregnant or who have recently had a baby, including breast feeding mothers.
- Race equality – the effects on minority ethnic communities, including newer communities, Gypsy, Roma and Traveller communities.
- Religion and belief or non-belief equality – the effects on religious and cultural communities, customers and employees.
- Sex equality – the effects on men, women, boys and girls.
- Sexual orientation equality – the effects on lesbians, gay men and bisexual people.

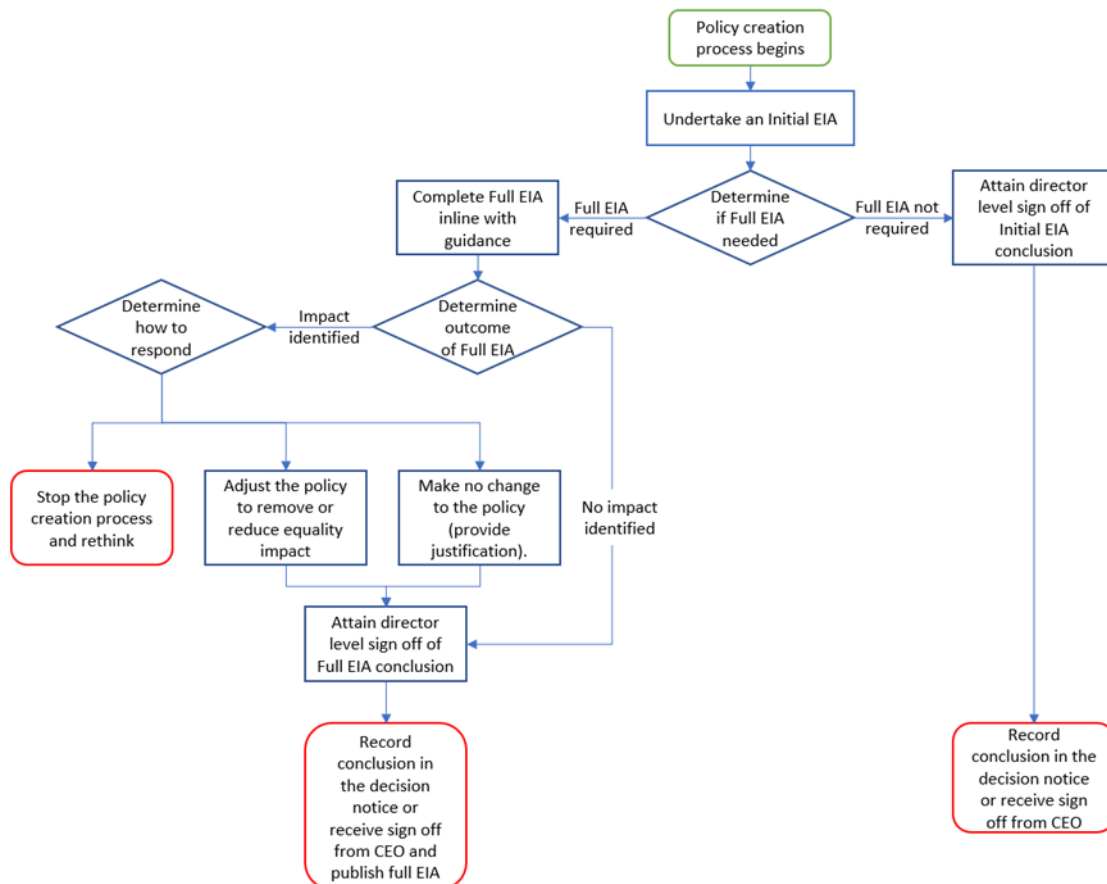
As previously mentioned, you don't need to undertake this assessment alone. You should work with other key stakeholders in the development of the policy and seek advice on equalities issues where appropriate. You need to identify how you will consult and who with. If you would like support with accessing specific communities then please contact the Equalities Officer. Undertaking consultation will help you to identify the impact of your policy, positive or negative. It should also be informed by any other relevant sources of information, such as surveys or similar EIAs.

If you have identified negative impacts on equality you will need to identify how you will respond, which in turn will determine the outcome of the EIA. In some cases, you will need to develop an action plan detailing how you will respond to the negative equality impact, who will own this response and how progress will be monitored.

What to do when you have completed the EIA

Ensure the assessment is considered when making decisions on your policy. Final decisions on how to proceed should be recorded in the assessment and you will need to record the outcome of the assessment in the decision notice relating to the policy. Sign off at director level is required to finalise Full EIAs and Initial EIAs that determine a Full EIA is not necessary. Once finalised Full EIAs should be published on the OPCCN's website. As the completed form will be open access, you should ensure that it is jargon free.

Procedure



The Full Equality Impact Assessment (EIA)

The Assessor/s

	Name	Role
Lead		
Support		
Support		
Support		
Support		
Support		

The Policy (this refers to functions, activities or the way we reach decisions)

Name of the policy:

Description of the policy:

(Include the aims, objectives and purpose. Is there any relevant legislation? Does it relate to the Police and Crime Plan or Business Plan? This box is expandable.)

What will the impact on protected characteristic groups be?

(Please describe the potential impact of this policy on any of the nine protected characteristic groups and/or the aims of the general equality duty then rate the impact of the policy as either

high, moderate or none. Consider the impact on internal and external staff, service users, the general public and those implementing the policy.)

Assessing impact

What relevant information already exists

(This could include customer feedback, surveys, national research or data. Good places to look include Equality and Human Rights Commission, Stonewall, Press for Change, Joseph Rowntree Foundation. This box is expandable)

Who have you engaged with and what did they tell you?

(Please include how you undertook your consultation and how you made it accessible for equality groups. This box is expandable.)

What does this tell us about the equality impact of the policy?

Age

How would this group be impacted by the policy?	Is it positive or negative?

Disability

How would this group be impacted by the policy?	Is it positive or negative?

Gender identity

How would this group be impacted by the policy?	Is it positive or negative?

Marriage and Civil Partnership

How would this group be impacted by the policy?	Is it positive or negative?

Pregnancy and maternity

How would this group be impacted by the policy?	Is it positive or negative?

Race

How would this group be impacted by the policy?	Is it positive or negative?

Religion or belief or none

How would this group be impacted by the policy?	Is it positive or negative?

Sex

How would this group be impacted by the policy?	Is it positive or negative?

Sexual orientation

How would this group be impacted by the policy?	Is it positive or negative?

Are there any gaps in information regarding equality impact?

(This box is expandable)

Next steps

Based on the information you have collected, how are you going to lessen any negative impacts that you have identified?

EIA outcome

<p>Which of the following outcomes does your assessment match?</p>	<p>✓</p>
<p>Outcome 1 – no major change needed – the EIA has not identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken.</p>	
<p>Outcome 2 – Adjust the policy to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?</p>	
<p>Outcome 3 – Continue the policy despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are:</p> <ul style="list-style-type: none"> • Sufficient plans to stop or minimise the negative impact. • Mitigating actions for any remaining negative impacts. • Plans to monitor the actual impact. 	
<p>Outcome 4 - Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination.</p>	

Why did you feel this was the outcome?

(This box is expandable.)

EIA Action Plan – setting targets and monitoring

Fill in the below table with the equality actions you have come up with during the assessment. Indicate how you plan to monitor the equality impact of the proposals, once they have been implemented.

Age

How can we advance equality	What difference will it make	Timescales and lead	Monitoring arrangements

Disability

How can we advance equality	What difference will it make	Timescales and lead	Monitoring arrangements

Gender identity - trans

How can we advance equality	What difference will it make	Timescales and lead	Monitoring arrangements

Marriage and Civil Partnership

How can we advance equality	What difference will it make	Timescales and lead	Monitoring arrangements

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Pregnancy and maternity

How can we advance equality	What difference will it make	Timescales and lead	Monitoring arrangements

Race

How can we advance equality	What difference will it make	Timescales and lead	Monitoring arrangements

Religion or belief or none

How can we advance equality	What difference will it make	Timescales and lead	Monitoring arrangements

Sex

How can we advance equality	What difference will it make	Timescales and lead	Monitoring arrangements

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Sexual orientation

How can we advance equality	What difference will it make	Timescales and lead	Monitoring arrangements

6. Appendix 3 – Procedure

