

A Case for Change

Equality Impact Assessment

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OFFICE OF THE POLICE & CRIME
COMMISSIONER FOR NORFOLK



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Equality Impact Assessment

Office of Police and Crime Commissioner for Norfolk

Directorate: All

Policy, strategy, review or function name: Fire Governance Review

Completion date: 16/11/18

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

When do we need to undertake EIAs?

EIAs should be undertaken when we are developing new, or considering changing current policy (the word policy here refers to functions, activities or the way we reach decisions). **EIAs should be integrated with the policy creation process from the outset.** It may be the case that a full EIA is not needed for a specific policy. This can be determined by assessing, in the interest of meeting the Public Sector Equality Duty, a full EIA is both proportionate and relevant. The weight that the Office of the Police and Crime Commissioner should give to equality should be proportionate to its relevance to particular functions. The greater the relevance of a policy to equality, the greater the regard that should be paid to it.

What does an EIA do?

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. This EIA asks a series of questions with guidance on how to answer. This tool ensures that the Office of the Police and Crime Commissioner has due regard to the Public Sector Equality Duty.

Who should undertake an EIA?

The policymaker should undertake and own the EIA as they have an intricate knowledge of the policy being created and the ability to make changes 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 to the policy creation process.

Why is it important?

Undertaking an EIA is not a legal requirement but complying with the Public Sector Equality Duty is. However, this is not the only reason to undertake an EIA. It ensures that policy is 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 led and initiates taking steps to meet equality requirements.

What is the Public Sector Equality Duty?

The Public Sector Equality Duty set 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 Equality Act 2010.
- 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 Equality Act 2010 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.

How to undertake an EIA

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

- Age equality – the effects on younger and older people.
- Disability equality – the effects on the whole range of 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, gypsies and travellers and the Roma community.
- Religion and belief or non-belief equality – the effects on religious and cultural communities, customers and employees.
- Sex equality – the effects on both men and women and 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 parties in the development of the policy and seek advice on equalities issues where appropriate. You need to identify how and who you will consult with. If you would like support with accessing specific communities then please contact the Equalities Officer.

Undertaking a 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 that you can find, 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 it will be required that you 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 it is considered when making decisions on your policy. Final decisions on how to proceed should be recorded in the assessment. The assessment needs to be agreed by the senior management team at the Office of the Police and Crime Commissioner. Once finalised the form should be made accessible to the public. As the form will be open access, you should ensure that the completed form is jargon free.

The Equality Impact Assessment (EIA)

The Assessor/s

	Name	Role
Lead:	Mark Stokes	Chief Executive Officer, OPCC
Support:	Liam Bannon	Policy, Research and Equalities Officer, OPCC
Support:	Peter Jasper	Joint Head of Finance, Norfolk Constabulary
Support:	Elizabeth Cook	Head of Human Resources, Norfolk Constabulary
Support:	Martin Barsby	Director of Communications, OPCC
Support:	Duncan Potter	Head of Estates, Norfolk Constabulary

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

Name of the policy: Fire Governance Review

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.)

The Policing and Crime Act, which became law on 3 April 2017, includes provisions that enable Police and Crime Commissioners (PCCs), where a local case is made in the interest of economy, efficiency and effectiveness, or public safety, to take on responsibility for the governance of fire and rescue services.

The Norfolk PCC commissioned a local business case to investigate whether changing Norfolk Fire and Rescue Service's governance is beneficial to Norfolk. That business case was split into two phases. Firstly, an options appraisal and the development of an outline business case. If, at the options appraisal and outline business case stage, a case for change could be made then the development of a full business case would begin. The PCC took the decision in February 2018 to proceed to a full business case.

Based on detailed analysis of the economy and efficiency, effectiveness, public safety, and deliverability of four distinct proposed models it was found that a 'governance model' offered the best option. This option appraisal set out to disaggregate the Fire and Rescue Authority and Norfolk Fire and Rescue Service from Norfolk County Council and set it up as an independent entity under the Police and Crime Commissioner, who would serve the same purpose as the Fire and Rescue Authority. Norfolk Constabulary would remain in its current form under the Chief Constable.

The reported benefits of this policy include improving community safety, improving collaboration between police and fire services, speeding up decision making processes, and achieving financial and operational benefits.

The full business case can be found [here](#).

Regarding equality, the Norfolk Fire and Rescue Service would remain responsible for complying with the Public Sector Equality Duty. Under the new governance model, the Police and Crime Commissioner would become the Police, Fire and Crime Commissioner with the responsibility of holding the Chief Fire Officer to account regarding performance. Therefore, the new governance model enables the Chief Fire Officer to be held to account on achieving the Public Sector Equality Duty.

Who will the policy impact?

(This could be internal staff, staff from other organisations, the general public, those who will implement the policy or any other group. This box is expandable.)

The policy will impact on three interrelated groups:

- Staff of Norfolk Constabulary and Norfolk Fire and Rescue Service: these groups will be impacted by the potential of their organisation changing its structure and increasing joint working.
- The general public, who are the recipients of services provided by Norfolk Fire and Rescue Service

Why is an EIA needed?

(Consider why the policy is relevant to the Public Sector Equality Duty and if undertaking an EIA is proportionate. An EIA is needed when a policy will impact on members of the public or employees and there is a need to ensure that this impact is equal. If you determine that there is no need for an EIA then there is no need to complete all parts of the Assessment. This box is expandable.)

An EIA is needed to ensure that the proposed policy (which will impact upon the public, internal and external staff) is not discriminatory, provides equality of opportunity and fosters good relations between groups with protected characteristics.

Undertaking an EIA provides transparency to the decision making processes regarding policy development, which is needed when considering a policy that will impact on the impacted groups. Further, it ensures that equality is considered and central to the development of the policy.

Lastly, undertaking an EIA will provide the opportunity to assess the impact of a policy prior to enactment through consultation. This consultation will identify issues that may occur if the policy was introduced, including negative impacts on protected characteristic groups.

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)

This EIA will assess the potential impact through consultation and the evidence presented in this section. Seven PCCs have already undertaken fire governance business cases, of which an EIA was a requirement. This has provided some indication of equality impacts that may occur and provided content for the consultation. No negative effects have been identified through these other seven business cases submitted to the Home Office. In fact, some of the submissions had identified positive equality impacts associated with the Fire and Rescue Service being exposed to an increased level of accountability.

The policy has been developed through co-operation between several different police departments, including Human Resources, Finance and Estates. The leads from these departments were asked to consider how the three aspects of due regard have been achieved. For Human Resources, their contribution to the business case has been the potential transfer of staff, which found that as both Norfolk Constabulary and Norfolk County Council adhere to the Equality Act and comply with the Public Sector Equality Duty, meaning there is no cause for concern. All staff will be transferred on the same terms and due consideration will be given to specific needs of staff which will be identified through co-operation of human resource departments. For the financial and estates work-streams there were no identified equality considerations with the business case.

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.)

The consultation on the business case was open to all those living in Norfolk. The OPCCN understands that there are barriers to taking part in consultation, such as not speaking English and having sight or hearing issues. Therefore the consultation was designed to be as inclusive as possible by:

- Ensuring consultation material is easy to understand.
- Providing content in different media types (audio, text and video).
- Undertaking targeted and accessible engagement events with a variety of groups.
- Acting on reasonable adjustment requests to enable members of the public to participate in the consultation.
- Using a mixed media approach to reach a diverse sample of Norfolk population, including those from protected characteristic groups. This does not require the responder to engage directly with the OPCCN as responses can be undertaken remotely.
- Monitoring the demographics of consultation responses to determine if any group are underrepresented in the consultation and taking steps to reduce this.

Responses were collected online and through a paper survey. The survey asks responder whether they agree or disagree with the following: 'It is proposed that the Police and Crime Commissioner should become the Police, Fire and Crime Commissioner, having overall responsibility for the governance of both Norfolk Fire & Rescue Service and Norfolk Constabulary'.

The results of the consultation tell us that there were no specific concerns regarding the impact of the policy on any protected characteristic group. The consultation engaged with various protected groups as part of the consultation. 10% of responders said that they were from an ethnic minority, which is similar to that reported in 2011 Census data (8%). The age profile of respondents was also similar to that of the general population in Norfolk. The responses provided suggest that a common concern was that of rural fire stations closing as this may impact response times to vulnerable people living in rural communities. However, this was not linked to any specific protected characteristic group. Further, the policy makes no mention of closing rural fire stations so this cannot be considered a negative of the policy.

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?
No impact	

Disability

How would this group be impacted by the policy?	Is it positive or negative?
No impact	

Gender identity

How would this group be impacted by the policy?	Is it positive or negative?
No impact	

Marriage and Civil Partnership

How would this group be impacted by the policy?	Is it positive or negative?
No impact	

Pregnancy and maternity

How would this group be impacted by the policy?	Is it positive or negative?
No impact	

Race

How would this group be impacted by the policy?	Is it positive or negative?
No impact	

Religion or belief or none

How would this group be impacted by the policy?	Is it positive or negative?
No impact	

Sex

How would this group be impacted by the policy?	Is it positive or negative?
No impact	

Sexual orientation

How would this group be impacted by the policy?	Is it positive or negative?
No impact	

Are there any gaps in information regarding equality impact?

(This box is expandable)

There are no obvious gaps in information regarding equality impact for this policy.

Next steps

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

This EIA has not identified any negative equality impacts associated with the policy. The Norfolk Fire and Rescue Service will remain an organisation in its own right and will be responsible for compliance with the Public Sector Equality Duty. Further the Office of the Police and Crime Commissioner for Norfolk and Norfolk Constabulary must also comply with this duty. Therefore, all three organisations will continue to work towards achieving the Public Sector Equality Duty and provides an opportunity for them to work together to advance equality.

EIA outcome

Which of the following outcomes does your assessment match?	✓
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.	✓
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?	
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: <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.	
Outcome 4 - Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination.	

Why did you feel this was the outcome?

(This box is expandable.)

The EIA identified no negative equality impacts; therefore it is not necessary to make changes to the policy.

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

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

Sexual orientation

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

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