

# Nottinghamshire Police Equality Analysis



Sometimes, not everyone enjoys an equal access to public services or the benefits that a service may deliver. This inequality may be due to a persons sex, age, race, disability etc.

An EA is a tool to help us make sure that any proposal (i.e. policy, procedure, decisions, service review or change to services etc), does what we intended them to do, is for the benefit of everybody and where possible reduces barriers between groups. In particular, the EA helps us identify and address issues linked to diversity and equality and how our proposal may affect certain groups. Certain groups may be affected more than others and there may be different barriers between groups in accessing or benefitting from the services we provide. This step by step document should be completed in parallel with the development of any proposal and provides a record of the issues that you have considered and the consultation that has taken place in its development.

The EA focuses on how a proposal may affect people differently (be it negatively or positively) on the basis of what are termed by the Equality Act as protected characteristics. Below is a list of the protected characteristics detailed by the Act and need to be considered when developing a proposal, making a decision, creating a policy or reviewing an area of service delivery:

- ✓ **age**
- ✓ **disability**
- ✓ **gender reassignment**
- ✓ **marriage and civil partnership (but only in respect of eliminating unlawful discrimination)**
- ✓ **pregnancy and maternity**
- ✓ **race – this includes ethnic or national origins**
- ✓ **religion or belief – this includes lack of belief**
- ✓ **sex**
- ✓ **sexual orientation**

Please ensure that you read the guidance notes for completion of Equality Analysis at the rear of this document before continuing. [Click here to jump to the guidance section:](#)

[Link to guide](#)

**Title of Policy, Project or function:**

**Unmanageable Debt Procedure**

**Lead Officer:**

**Det Supt Alexander**

**People involved in completing EA:**

**John Hammond**

Please indicate which of the below applies to your proposal?

Existing

New/Proposed

Changed

**NOTE: you are required to explain your reasoning for each of your answers within this assessment. If you consider a section does not apply, you must explain why.**

## Step 1 – Setting out your aims and objectives

It is important that your aims and objectives are clearly defined. This will help you to identify who on the basis of their protected characteristics might be affected by your proposal and whether that effect is likely to be positive or adverse. You should also consider any potential barriers to achieving your desired outcomes and how they can be overcome.

### What is the aim of the proposal, policy, project or function and what outcomes do you want to achieve?

UNMANAGEABLE DEBT PROCEDURE. The purpose of this procedure is to provide guidelines to individuals whilst also ensuring that the integrity, reputation and security of Nottinghamshire Police is protected. Police personnel are expected to discharge all lawful debts in accordance with the terms and conditions directed by the lender. If the level of debt owed by an individual is or is likely to become unmanageable, then he or she is to be encouraged to seek advice, help and guidance at the earliest opportunity. The outcomes are:

1. Decrease vulnerability for coercion, manipulation and corruption by officers and staff having unidentified unmanageable debt issues.
2. Offer welfare support at local and force level at an early stage.
3. Support the officer and staff with information to assist in resolution of unmanageable debt issues.

### Who will this affect and how?

A recent survey showed that 1 in 4 people have unmanageable debt issues, if those figures are extrapolated out through Nottinghamshire Police, this could be potentially 1000 officers and staff. This procedure will inform them how to report unmanageable debt issues through their line manager to the Professional Standards Directorate. It will provide reassurance that where officers and staff have unmanageable debt issues, they can be given the correct level of support and welfare assistance when reporting such issues

### Who will you consult with and how will you consult?

Record all consultation on the consultation log (step 4)

Police Federation, Unison, Supts Association and all support networks

## Step 2 – Information, Data and Evidence

There is a need to research the area under consideration in terms of the experience of protected characteristic groups in that area and how your proposal may affect them. An examination of available information or evidence should be undertaken when carrying out an equality analysis. This could include diversity monitoring data, surveys, statistical databases, consultation results, reports, academic publications and other sources. This may be information about the make up of our customers/service users, groups that may be affected and information about any specific problems or barriers faced by certain groups or individuals? Evidence-based policy making and delivery of our functions is more likely to be successful in achieving the desired outcomes.

### What information, data or evidence is available?

The Serious Organised Crime Agency (SOCA) National Strategic Assessment identifies that money is one of the common motives for corruption and that unmanageable debt can place Police personnel (police officers, police staff, PCSOs and members of the Special Constabulary) in a vulnerable position and more likely to become engaged in corrupt activities in order to try and relieve their debt.

### What does this tell you?

SOCA has also stated that those who identify themselves as having problems with debt are more likely to seek to deal with their indebtedness by lawful means than those who attempt to conceal the issue. The emphasis of this procedure therefore is on encouraging staff to disclose their debt problems at the earliest opportunity, in order that the Force may provide help, welfare and advice before any individual's financial difficulties deteriorate to such a level that formal court proceedings become likely or inevitable.

### What gaps are there in the available information, data or evidence?

There is no empirical evidence in force due to a lack of data previously collected. This procedure is based on national guidance from the ACPO Counter Corruption Advisory Group (ACCAG) and they have identified from work undertaken by PMAS regarding debt levels and officers and staff attitudes to debt. A meeting has been arranged on 13<sup>th</sup> June 2012 in force to identify whether the information held by PMAS should be presented to the COT,

Where there is no data or information available or there are significant information gaps, consideration should be given to commissioning new research or extending your information gathering to speaking with groups and individuals to try to get as full a picture as possible. Record such information-gathering in the consultation log. Remember, the information you need to consider should relate to protected characteristics, how these may be affected either negatively or positively by your decision and any opportunity for promoting equality amongst these groups and those outside these groups.

To assist, the list of protected characteristics are repeated here:

- ✓ **age**
- ✓ **disability**
- ✓ **gender reassignment**
- ✓ **marriage and civil partnership (but only in respect of eliminating unlawful discrimination)**
- ✓ **pregnancy and maternity**
- ✓ **race – this includes ethnic or national origins, colour or nationality**
- ✓ **religion or belief – this includes lack of belief**
- ✓ **sex**
- ✓ **sexual orientation**

### **Step 3 – What is the impact on groups with protected characteristics**

It is important that you use the information, data and evidence you have considered and collected in Step 2 and the results from your consultation to identify the potential impacts on the basis of the protected characteristics. You should always consult and engage with the people who could be affected by your policy, project or function, to ensure that you can identify opportunities to promote equality as well as mitigating any adverse effect. It is only the people who experience our service (internally and externally) who truly understand how changes may affect them.

<b>Is there any adverse impact on any group based on a protected characteristic?</b>
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<b>Record your reasoning.</b>
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All cases are considered on an individual basis and any issues that are identified as having an effect on equality and diversity will be referred to Corporate Services (Equality and Diversity Advisor) for the post holder's information.
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<b>Can any adverse impact be explained or justified?</b>
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<b>Record your reasoning.</b>
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The only adverse impact is where an officer fails to discharge a lawful debt in accordance with Regulation 6, Police Regulations 2003.
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<b>What action have you taken to mitigate or remove any adverse impact?</b>
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<b>Record your reasoning.</b>
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Publishing and circulation of a 'Debt Matters' leaflet, circulated to all officers and staff. Weekly Order inserts.
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**Is there any positive impact on any group based on a protected characteristic?**

**Record your reasoning.**

**None identified**

You must also describe what arrangements will be made for monitoring and reviewing the effect of your policy, project or function on equality. This monitoring information will help you to understand whether your policy or project has produced the expected outcome, or requires further changes to achieve the desired outcome.

**How are you going to monitor and review the impact of the proposal, policy, project or function?**

**How often will it be reviewed and who will be responsible.**

Monthly reporting to the Head of PSD by the Head of Vetting and Information Security.  
Updates from SOCA Strategic Threat Assessment, minutes of meetings of ACCAG

## Step 4 – Make a decision

Based on the above evidence you must now decide what recommendation to make in relation to your proposal. There are four possible outcomes from an EA as listed below. For any option other than No major change, you must provide the required additional information in the box provided.

### Final Recommendations: (these must be endorsed by senior management)

**No major change:**



The EA shows that the current policy or practice is robust and there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken.

**Adjust the policy, project or function:**



The EA shows potential problems or missed opportunities. Indicate below how you will adjust the policy or activity to remove barriers or better promote equality.

**Continue the policy or activity despite known issues:**



The EA identifies the potential for adverse impact or missed opportunities to promote equality. Clearly indicate below the justification for continuing with the policy or project. Any justification must be in line with the duty to have due regard.

**Abandon the policy, project or function:**



The EA shows actual or potential unlawful discrimination, it must be stopped or removed.  
(Please state below how the implications of abandoning this activity will be managed).

### Additional information:

Procedure circulated to all staff associations and support networks, no changes requested as a result of the consultation. Changes made after advice given by Corporate Services to

## Step 5 – Publish the EA

Send an electronic copy of your EA to Corporate Documentation to arrange publication after obtaining sign off from the identified lead officer.

Lead Officer Authorisation (name & role) Det Supt J Alexander, Head of PSD

Date forwarded to Corporate Documentation 7/6/12

## Consultation Log

You should record all of the consultation you have undertaken in the development of your policy, project or function, as well as any changes that have been made in response to feedback from consultation. It is also important that the people or groups consulted are informed of any decision made in relation to their feedback and the reason for that decision.

**To create more boxes, go to the last box on the bottom right of the table and press the TAB key**

Person or group consulted (show how consulted)	Date	Feedback received (give details)	Were any changes made in light of this feedback? (include reasons)	Date fed back to consulted person or group
Police Federation	9/9/11	None		
Unison	9/9/11	None		
Supts Association	9/9/11	None		
Outnetwork	9/9/11	None		
D.A.W.N.	9/9/11	None		
Womens Integrated Network	9/9/11	None		
HQ CS	25/10/11	Feedback given and considered	Changes made regarding potential criminal investigation	3/5/11

# Nottinghamshire Police

## Equality Analysis (EA) – Guidance for practitioners

### What is an EA?

An EA is the thorough and systematic analysis of a proposed or existing policy, practice, procedure or strategy, to determine what effect, or likely effect, it will have on different groups in the community.

EAs may anticipate and identify the equality consequences of particular policy initiatives and ensure that as far as possible any negative consequences for a particular group or sector of the community are eliminated, minimised or counterbalanced by other measures. They help us by:

- ✓ Identifying whether we are excluding different groups from any of our policies, procedures, strategies and services.
- ✓ Identifying and eliminate any direct or indirect discrimination.
- ✓ Assisting us in considering alternative policies or measures that might address any adverse impact.
- ✓ Incorporating equality into our policies and practices.
- ✓ Giving us a better understanding of the needs and aspirations of our employees and the communities we serve.

### When do we need to do an EA?

We are required by law to conduct an EA for all our policies, procedures, strategies, function and service to ensure we do not discriminate against people in respect of:

- ✓ **Age,**
- ✓ **Disability,**
- ✓ **Gender Identity,**
- ✓ **Marriage and civil partnership, (employment only)**
- ✓ **Pregnancy and maternity,**
- ✓ **Religion or belief,**
- ✓ **Race,**
- ✓ **Sex, or**
- ✓ **Sexual orientation.**

These are known under legislation as protected characteristics and we are under a duty to ensure we do not discriminate against people on the basis of these characteristics and aim to promote equality of opportunity for people falling within these groups.

In particular, we should complete an EA whenever:

- The policy affects employment or employment opportunities.
- The policy affects the service we deliver to our communities.
- The policy is of significant interest to our communities or the wider public.
- The policy relates to an area of known inequality.

The question that needs to be asked is - under your proposal:

- would you receive a different outcome if you were from one the groups above
- would this outcome be adverse i.e. worse for you than for others not in your group
- can anything be done to address this adverse outcome

The aim of the EA process is to ensure that any proposal reflects the needs of the diverse communities we serve and ensure there is equality of access and shared benefit across all groups. It is important to recognise that providing the same service in the same way to everyone may create disadvantages to some groups. Different groups have different needs and indeed different people within the same group may have different needs. The aim of the process is to ensure that where practicable and reasonable, we can address an individual's need in a manner that is appropriate to them.

**Note:** there is a legal requirement to ensure that services undertake reasonable adjustments for persons who are disabled, even where this involves treating disabled persons more favourably than other persons.

EA should enable us to identify any negative impacts that a policy may have and help identify ways in which we can mitigate this or bring positive benefits for under-represented groups.

There are 2 types of negative impacts that screening could identify.

The first type of negative impact is **discrimination**.

Discrimination means to treat a person or group unfairly or less favourably than another in relation to the 6 equality strands.

Discrimination can be direct or indirect.

- **Direct discrimination** is when someone is deliberately treated unfairly due to their protected characteristic, such as their race, gender, age, disability, religion/belief or sexual orientation. An example is to not employ someone who is qualified for a job because he or she is disabled.
- **Indirect discrimination** occurs when a criterion or practice is applied to everyone, but has the effect of putting a particular group at a disadvantage. An example is an organisation having a requirement that all its jobs are full time. This could prevent those groups who are likely to want part time hours, such as women and care givers, from working for the organisation.

If you identify discrimination, action must be taken immediately to prevent or remove it. Otherwise, it may be determined that the Force is breaking the law. Conducting an equality impact assessment allows you to identify potential discrimination.

If you are screening a new policy or service before it is implemented and you identify that discrimination is likely to take place, you must not implement the policy or service until action is taken to remove discrimination. If you identify discrimination when screening an existing policy or service you should take immediate and urgent action to remedy it.

The second type of negative impact is **unmet needs**.

- **Unmet needs** are specific requirements of particular groups that might be overlooked. Whilst overlooking specific needs may not be against the law, doing so may have a negative effect on different groups, preventing them from accessing a service, applying for a job or taking part in society for example.

An example of unmet needs could be not asking about dietary requirements when organising a meeting or event. This could mean that people who cannot eat certain foods for religious or health reasons are not provided for.

If you identify unmet needs you should consider how you can make your service or policy more inclusive and accessible for all groups.

For example:

- Providing information in different formats
- Delivering the service in a different way for different groups
- Publicising the service in different ways and in different places so more people can learn about it

In this way you will be helping to promote equal opportunities and offer a better service to all customers.

**EA's are not a tick box exercise.** They are key to enabling the Force to make decisions and achieve better outcomes by taking account of the needs of the people we serve.

**EA's never really end.** Once we introduce our proposal we should continue to ensure that it delivers what we intended for all in our communities by monitoring the outcomes and consulting with the users or recipients of our service.

**EA's are not a separate bolt on at the end of our proposal.** Consulting with our communities is a key part of developing your proposal and should be done before a decision is finalised. Consultation is about engaging with others to improve our understanding of an issue and how it can be addressed. It is not merely a hoop to jump through to get a proposal 'rubber stamped'.

**EA's are not just about addressing discrimination and adverse impacts.** The process of the EIA should also aim to positively promote equality of opportunity and access to services.

## Outcomes of an EA.

There are four possible outcomes of an EIA:

### Option 1: No major change

The EA demonstrates that the policy is robust and that the evidence shows no potential for discrimination and that all opportunities to promote equality have been taken. If this conclusion is reached it will be essential to document the reasons why and the evidence used and to have the EA quality assured. The assessment and the reasons for it will need to be brought to the attention of the decision maker (if it is not the person assessing the policy).

### Option 2: Adjust the policy to remove barriers or better promote equality

In considering how to adjust the policy, two possible courses of action will need to be considered. Firstly, it may be possible to remove or change the aspect of the policy that creates the unwanted impact. This simply relates to the particular aspect of the policy and does not mean that the whole policy will have to be abandoned.

#### Example 1

When developing its EA of a Bill on further education, the then DfES (now DCSF) identified that a disproportionate number of students from ethnic minority communities left full-time education at 16 and did not return until after the age of 19. This meant that the draft Bill's key proposal to provide financial support for students between the ages of 16 and 19 would not be of equal benefit to these students. Consequently, as a result of its EA, the department extended its financial support to 16-25 year olds

Secondly, the policymaker may introduce additional measures to reduce or mitigate the potential impact – by setting out the steps that the public authority will take to remove or reduce the potential impact. This could be an adjustment to the policy, substantially replacing the policy with a different approach or introducing additional measures that counteract the unwanted impacts. The impact of any changes needs to be fully understood and assessed to ensure that they do not have unintended consequences and can really achieve the impact expected.

#### Example 2

While considering its response to growing knife crime, the Metropolitan Police carried out an EA which identified a high probable impact on black and ethnic minority communities due to any action they might take. It was also aware that members of these communities were keen to see action taken. The Equality Analysis led to the development of an improved strategy to manage relations between officers and the community, especially during sensitive operations. This included:

- increased community engagement and involvement in operational activities
- members of the local community being part of street operations, leafleting, listening to local people and explaining police procedures,
- and specific training for operational staff to improve the experience of stop and search for all concerned. It was particularly important to ensure that those

### **Option 3:**

#### **Continue the policy despite potential for adverse impact or missed opportunities to promote equality**

The EA needs to clearly set out the justifications for doing this and must be in line with the duty to have due regard. For the most important relevant policies, particularly weighty reasons will be needed. It is important to underline that there can be no justification for direct discrimination and that indirect discrimination will need to be justified according to the legal requirements. Further details can be found in the relevant codes of practice from the Commission website.

### **Option 4:**

#### **Stop and remove the policy – if the policy shows actual or potential unlawful discrimination it must be stopped and removed or changed**

At the other end of the scale are policies that are discriminatory or that create or enable unlawful discrimination. These must be immediately stopped and changed. Identifying what is and isn't unlawful discrimination can be difficult, even for the courts. For help in identifying what is unlawful discrimination, please refer to the guidance on the Commission website, including the codes of practice on each of the public sector duties and the anti-discrimination legislation.

### **Data collection and evidence**

We should ensure that any proposal and the accompanying EA is made on the basis of evidence. Evidence may be obtained from a number of different sources. For example, there may be information from surveys done by the organization or data on the types of people using a particular service. There may be also data compiled nationally as part of social research into problems and issues faced by particular groups. Other organizations and forces may have useful evidence/data collected from their EA's. Evidence and data are important in helping identify our customers and gauging the potential impact of a new policy.

For example, survey data may suggest that a service is under-used by certain groups. Whilst there may be a perfectly good reason for this, investigation should be made to ensure that access to the service by these groups is not due to barriers not faced by others outside this group. It could be that service hasn't been promoted using approaches appropriate and sensitive to the needs to these groups such as different formats, languages, communication channels etc. It could be that service is less accessible to certain groups due to the way it is delivered. A service requiring internet access is likely to be unhelpful or accessible (or less accessible) for older people or persons with learning difficulties etc. By identifying potential barriers and the issues and problems faced by certain groups, we can take steps to ensure that access is wherever possible inclusive for all the communities and customers we serve.

While EA are designed to ensure that we make better decisions serving the needs of all the customers we serve, they are not designed to prevent decisions being made. In cases where it is not possible to hold off making a decision or adopting a policy in order to complete a full EA, you should undertake basic provisional EA with a plan to conduct a fuller EA with clear timescales for when this will happen. This should be recorded in the Action Plan.

## **Action planning**

An action plan should be developed, monitored and reviewed.

### **The action plan should include:**

- actions identified as necessary;
- Identification of who is responsible for implementation of actions timescale for implementation
- timescale and actions for review, and details of how the effects of actions will be
- evaluated to measure if expected outcomes are achieved in practice.

## **Involvement and consultation**

Whatever the policy, project or function you are assessing, It is vital that you consult and involve the people that the activity may affect. In the case of disabled people, the requirement is for involvement, which goes further than consultation, with the expectation that disabled people will be actively involved in the development of the work. This could include ensuring that disabled people are recruited as members of relevant planning groups or working groups where appropriate.

There are many ways of consulting or involving people in the development of a policy, project or activity. These could include personal contact or liaison with relevant individuals, planned consultation events or meetings hosted by the organisation or attendance at pre-existing meetings or groups with an interest in the potential issues that have been identified.

Previous feedback from communities has shown that people often prefer to have organisations come to their own meetings or focus groups, rather than organisations expecting people to take time out to attend hosted consultation events. It is vital that the EA is completed by someone with a detailed knowledge of the project, to ensure that the right people or groups are identified for consultation.

Finding the right people or groups can sometimes be difficult; however most areas will have voluntary or statutory organisations that hold directories of contact details for relevant groups or individuals. In Nottinghamshire there are a number of these groups including CVS, NAVO, Self help Nottingham etc. all of these can be easily found via the internet and may be able to advise on relevant groups or contacts for consultation.

All consultation and results should be recorded on the consultation log along with details of whether feedback has led to changes or not. The log should also contain details of how the organisation has fed back the results of the consultation to the people or groups consulted.

## **Monitoring and Reviewing**

The assessment, and the involvement and consultations associated with it, will have helped to anticipate the policy's likely effects on different communities and groups. However, the reality is that the actual impact of the policy will only be known once it has been introduced. It may become necessary to revise the policy where unintended and unexpected negative impacts occur. Additionally, a range of factors can affect a policy's effectiveness. Area demographics can change, leading to different needs that will have to be considered, alternative provision may become available through other sources, or options to reduce an adverse impact that were not there at the time of the initial equality analysis may become apparent.

Systems to enable monitoring of the actual impact of the policy therefore form a vital part of an EA and should be set out in the final section of the EA. In developing these, the following should be considered:

- What the type of data/information needed is and how often it will be analysed.
- How to continue to involve relevant groups and communities in the implementation and monitoring of the policy (in line with broader policy review and equality scheme commitments).
- Who will be responsible for the monitoring.
- When the policy will be reviewed and what evidence could trigger an early revision.

The type of data used during EA is also likely to be useful for monitoring. The following are likely to be of particular relevance to monitoring the actual impact:

- Service level data (including the additional data identified as part of the EA).
- Feedback, comments and complaints.
- Inspection reports and other performance evaluations.
- Involvement activities.

This data should be disaggregated for all relevant equality groups and can cover, for example:

- Levels of service take-up by different groups.
- Levels of satisfaction.
- Outcomes for different groups.

EA is an ongoing process that does not end once a document has been produced. The assessment and the monitoring and evaluation arrangements will need to be accompanied by a plan that sets out how and when the policy will be reviewed. It will also be important to use the findings of the analysis to identify appropriate 'triggers' that will indicate problems with a policy and suggest that a revision will be needed. The Commission suggests that a review that considers the actual impact of a policy should be undertaken no later than one year after its introduction. This is not repeating the EA, but going back to the original assessment and using the information and experience gained through implementation to check the findings and make any necessary adjustments. If the organization considers that one year is too short an amount of time in which to see how a particular policy operates, the EA should document the reasons for this and what the timescale should be.

## **Further guidance**

Detailed guidance on the completion of Equality Analyses is available from the Equality and Human Rights Commission website:

[www.equalityhumanrights.com](http://www.equalityhumanrights.com)

## **Publication**

It is a requirement that all EA are published. Therefore it is important to ensure that sensitive or personal information is removed from the published version as appropriate. Publication in Nottinghamshire Police should be arranged through the Corporate Documentation mailbox. Further advice on this can be obtained from Martin Bakalarczyk on ext 800 2649