

# **Police and Crime Commissioner for Essex**

## **Equality Information Report**

**The Police and Crime Commissioner for Essex's  
vision for equality and diversity**

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## Introduction

The Police and Crime Commissioner (PCC) for Essex has updated this Equality Scheme to reflect the significant structural changes that the Office of the PCC has undergone. At appendix D, the PCC has updated the action plan to ensure that this office and Essex Police are compliant with the general and specific duties under the Equality Act.

The PCC is responsible for securing and maintaining an efficient and effective police service for the people of Essex. The Office is independent of the police and has a statutory duty and for the PCC an electoral mandate, to hold the police to account on behalf of the public.

The vision for equality and diversity is that every person and every employee who receives, or is affected by the PCC's activities and services should perceive their experience to be fair and equitable.

There is an expectation that all the people of Essex, whether resident, visitor, someone who works in the county or is just passing through, are to be treated fairly and with dignity, free from harassment, bullying, victimisation or discrimination. The PCC's office wishes to be open and transparent in the way in which its functions, policies, roles and responsibilities are delivered.

In short, the promotion of equality and diversity shall be at the heart of the PCC's work and is encapsulated within this living document.

A range of people, organisations and partners, together with the staff of the PCC's office have helped to shape this document. Without their support, this document would not have been so comprehensive.

We look forward to working with all our partners and friends in the future to drive this important agenda to the forefront of our activity.

## Executive summary

The Equality Scheme describes how the office of the Police and Crime Commissioner for Essex will fulfill its legal and moral obligations to put the promotion of equality and diversity at the heart of the PCC's work.

As a public authority, the Office of the PCC has certain legal requirements under the Equality Act 2010<sup>1</sup> (the Act) to promote equality in respect of the 'protected characteristics' (previously known as the strands of diversity). These are as follows:

- Age
- Disability
- Sex
- Race
- Religion or Belief
- Sexual Orientation
- Gender Reassignment
- Pregnancy and Maternity
- Marriage and Civil partnership

This Equality Scheme sets out what the PCC will do to meet the general and specific duties.

The main priorities for action in this scheme are to:

- monitor the work of Essex Police for compliance with relevant equality duties;
- ensure that the appointment of chief constable is compliant with the Act;
- make sure that the public area of our building and our working practices are accessible to all;
- make sure that our publications and website are accessible, relevant, user friendly and publications are available in alternative formats;
- consult and involve representatives and networks covering all equality areas to help develop our future activities. Such as equality analysis, PCC documents, partnership working and the setting of police and crime priorities;
- monitor the effectiveness of our services to ensure they reach all groups and that people are satisfied with those services;
- establish monitoring and analysis systems for PCC staff across all equality areas;
- provide training for all staff on equality, diversity and human rights;
- ensure that contractors providing us with goods, facilities and services meet our procurement criteria for all equality areas:
- We will undertake equality impact assessments before any significant programmes or other pieces of work.

The PCC recognises that a real commitment to equality, diversity and human rights is a continuous process. Therefore, this is a living document intended for use by the PCC, staff, members of the public, Essex Police and our partners, that will be monitored, reviewed and updated on an ongoing basis.

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<sup>1</sup> The Equality Act 2010 brings together and replaces previous legislation such as the race relations Act 1976, the Disability Discrimination Act 1995 and the Equalities Act 2006

## 1. Who we are

**This section discusses what the Police and Crime Commissioner (PCC) for Essex is and what the equality duties mean to the PCC.**

### 1.1 The Police and Crime Commissioner for Essex

The Police and Crime Commissioner (PCC) for Essex is a statutory public office, to which the incumbent is elected by the people of Essex. The PCC for a police area must secure the maintenance of the police force for that area and secure that the police force is efficient and effective. The office of the PCC is an independent body, separate from Essex Police. In summary the PCC's other statutory duties are to:

- set the strategic direction and objectives of the force through the Police and Crime Plan (the Plan), which must have regard to the Strategic Policing Requirement set by the Home Secretary;
- scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Plan;
- hold the Chief Constable to account for the performance of the force's officers and staff;
- decide the budget, allocating assets and funds to the Chief Constable; and set the precept for the force area;
- appoint the Chief Constable subject to the process set out in sections 9 – 12 of the Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012;
- remove the Chief Constable subject to following the process set out in Part 2 of Schedule 8 to the 2011 Act and regulations made under section 50 of the Police Act 1996;
- maintain an efficient and effective police force for the police area;
- enter into collaboration agreements with other PCCs, other policing bodies and partners that improve the efficiency or effectiveness of policing for one or more policing bodies or police forces in consultation with the Chief Constable (where this relates to the functions of the police force, then it must be with the agreement of the Chief Constable);
- provide the local link between the police and communities, working to translate the legitimate desires and aspirations of the public into action;
- hold the Chief Constable to account for the exercise of the functions of the office of Chief Constable and the functions of the persons under the direction and control of the Chief Constable;
- publish information specified by the Secretary of State (by virtue of the Elected Local Policing Bodies (Specified Information) Order 2011 as amended) and information that the PCC considers necessary to enable the people who live in the force area to assess the performance of the PCC and Chief Constable;
- comply with all reasonable formal requests from the Police and Crime Panel to attend their meetings;
- prepare and issue an annual report to the Panel on the PCC's delivery against the objectives set within the Plan;

- monitor all complaints made against officers and staff, whilst having responsibility for complaints against the Chief Constable;
- a specific responsibility for the delivery of community safety and crime reduction;
- the ability to bring together Community Safety Partnerships at the force level;
  - the ability to make crime and disorder reduction grants within their force area;
  - a duty to ensure that all collaboration agreements with other Local Policing Bodies and forces deliver better value for money or enhance the effectiveness of policing capabilities and resilience;
  - a wider responsibility for the enhancement of the delivery of criminal justice in their area.

The roles, responsibilities and functions of the PCC are conducted through a Consultative Board, with further support provided by a small team of staff <sup>2</sup>.

## 1.2 The difference between the Police and Crime Commissioner and Essex Police

The responsibilities of the PCC have been articulated in section 1.1 above. The PCC is independent of the police and has a statutory duty and electoral mandate to hold the police to account on behalf of the public, in addition to the wider role to enhance the delivery of criminal justice.

The Chief Constable is responsible for the operational day-to-day provision of policing such as investigating crime, patrolling the streets to make them safer and responding to emergencies.

It is important to have an independent, locally elected individual to monitor the work conducted by the force to ensure that the policies and practices and use of resources are fair, open and transparent.

## 2. What we must do

**This section considers the general and specific equality duties and the PCC's approach to these.**

### 2.1 The Police and Crime Commissioner's Equality Information Report

As there is no longer an obligation<sup>3</sup> for public authorities to produce an Equality Scheme under the Act, the PCC for Essex has retained this Equality Information Report which commits the PCC to meeting the general and specific duties, as defined by the Act.

### 2.2 Protected Characteristics

The Act covers individuals grouped together by their '**protected characteristics**'. The protected characteristics are:

#### a) Age

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<sup>2</sup> Please visit the website [www.essexpcc.com](http://www.essexpcc.com) or contact the PCC direct for further information.

<sup>3</sup> Previously a requirement under Equality legislation prior to the 2010 Equality Act

The act protects people of all ages however different treatment because of age is not unlawful if it can be justified. Compulsory retirement at any age is unlawful unless objectively justified.

**b) Disability**

It is discrimination to treat a disabled person less favourably because of something connected with their disability. This discrimination is unlawful where the employer knows the person has a disability. It is only justifiable if the employer can show that it is a proportionate means of achieving a legitimate aim. There is no need for a comparator to show discrimination arising from disability.

**c) Sex**

Both men and women are protected under the Act.

**d) Race**

For the purpose of the Act 'race' includes colour, nationality and ethnic or national origins. A racial group can be made up of two or more different racial groups.

**e) Religion or belief**

Religion includes any religion or lack of religion. A religion must have a clear structure and belief. To be protected a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief.

**f) Sexual orientation**

The Act protects bisexual, gay, heterosexual and lesbian people.

**g) Gender reassignment**

The Act provides protection for transsexual people, defined as someone who is proposing to undergo, is undergoing or has undergone a process to change their gender. A person is not required to be under medical supervision to be protected.

**h) Pregnancy and maternity**

A woman is protected against discrimination during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination. An employee's period of absence due to pregnancy related illness must not be taken into account when making a decision about her employment e.g. redundancy.

**i) Marriage and civil partnership (not covered for all aspects of the duty)**

The Act protects employees who are married or in a civil partnership against discrimination. Single people are not protected.

## 2.3 Discrimination

Legislation protects employees from seven different types of discrimination;

### a) Direct discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have or because of their association with someone who has a protected characteristic.

### b) Associative discrimination

This is direct discrimination against someone because they associate with another person who has a protected characteristic. This applies to race, religion or belief and sexual orientation, age, sex, disability and gender reassignment.

### c) Perceptive discrimination

Perceptive discrimination is direct discrimination against an individual because others think they have a particular protected characteristic. This applies even if the person does not actually possess that characteristic.

Perceptive discrimination applies to age, race, religion or belief and sexual orientation, disability, gender reassignment and gender.

### d) Indirect discrimination

Indirect discrimination can occur when there is a condition, rule, policy or practice that applies to everyone, but particularly disadvantages people who share a protected characteristic. Indirect discrimination *can* be justified if it can be shown that the action is reasonable business management i.e. a proportionate means to achieving a legitimate aim.

Indirect discrimination applies to age, race, religion or belief, gender, gender orientation, and marriage and civil partnership, disability and gender reassignment.

### e) Harassment

Harassment is defined as 'unwanted conduct *related* to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. Employees are also protected from harassment because of perception and association i.e. where the conduct is not specific to them but is related to a protected characteristic.

Harassment applies to most protected characteristics, with the exception of pregnancy and maternity, and marriage and civil partnership.

### f) Third party harassment

The Act makes an employer potentially liable for harassment of their employees by third parties who are not employees of their organisation, e.g. customers or clients. An employer will only be liable however when harassment has occurred on at least two previous occasions, where they are aware that it has again taken place and have not taken reasonable steps to prevent its repetition.

Third party harassment applies to gender, disability, gender reassignment, race, religion or belief and gender orientation.

### **g) Victimisation**

Victimisation occurs when an employee is treated unfairly because they have made or supported a complainant or raised a grievance, or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

There is no requirement to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

### **h) Positive action**

Positive action provisions enable public sector organisations to take proportionate steps to help those with protected characteristics who may be disadvantaged or under-represented, to overcome their disadvantages or to meet their needs.

There is no requirement to take positive action and there is no restriction on treating disabled people more favourably than non-disabled people.

## **2.4 The General Equality Duties**

The general equality duty is set out in the Act. In summary, those subject to the equality duty 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. This is the only element of the Act that applies to marriage and civil partnerships.
- Advance equality of opportunity between people who share a protected characteristic and those who do not. This includes removing or minimising disadvantages suffered by people due to their protected characteristics, meeting the needs of people from protected groups and encouraging people with protected characteristics to participate in public life or in other activities where participation is low.
- Foster good relations between people who share a protected characteristic and those who do not. This involves tackling prejudice and promoting understanding between people from different groups.

Compliance with the duty may involve treating some people differently to others. Due regard requires the PCC to consider the general equality duty when making decisions so that equality issues influence the outcome, whether about the PCC's role as an employer, the development, evaluation and review of policies, or the design, delivery and evaluation of services.

To ensure due regard to the aims of the duty it is necessary to consider all functions to determine which are relevant to the aims of the duty.

The PCC undertakes equality analysis on policies and procedures, at a formative stage as a matter of good practice. The analysis carried out provides a means of considering the effect on protected groups and identifying practical steps to tackle any negative effects or discrimination. The process is also an opportunity to identify ways to advance equality and foster good relations.

## 2.5 The Specific Duties

The Act provides a power to make regulations imposing specific duties on the PCC to support improved performance of the general duty. The specific duties came into force in September 2011.

They require the PCC to:

- Publish equality objectives, at intervals of not greater than four years, beginning with the date of the last publication.
- Publish information to demonstrate their compliance with the equality duty, at intervals of not greater than one year, beginning with the date of the last publication.

The equality objectives and information about the delivery of equality must be published in a way which makes it easy for people to access it. The information may be published within another document.

## 2.6 Implications for the Police and Crime Commissioner

The PCC has a two-fold responsibility:

- to meet the general and specific duties in relation to the PCC's own functions/policies and staff
- to ensure that the force meets the general and specific duties

This scheme sets out the PCC's arrangements for achieving these responsibilities.

## 3. How we do it

**This section considers how the PCC's functions, policies, processes, and procedures will be subject to equality analysis and the actions that are taken to ensure compliance with the equality duties.**

### 3.1 Equality analysis

#### a) What is equality analysis?

Equality analysis is a way of systematically and thoroughly assessing and consulting on, the effects a proposed policy is likely to have on people, depending on their protected characteristics. It can also be used as a way of estimating the likely equality implications of existing functions or policies on people of different protected groups.

The aim is to improve the way in which we develop functions and policies by making sure that the way that they are designed, developed or delivered does not disproportionately disadvantage any particular protected groups and that, wherever possible, equality is promoted.

Functions are the full range of activities carried out by a public authority to meet its duties while policies define the different ways in which the public authority carries out these duties and powers.

## b) The benefits of using equality analysis

By implementing the requirements of equality duties and equality analysis the PCC will benefit from:

- better targeted policies
- representation of different groups at all levels
- improvements in public perception and confidence of our role
- opportunity to identify ways to advance equality and foster good relations
- more informed decision-making
- attracting a more representative workforce
- avoiding losing or undervaluing staff
- improved staff morale and productivity
- avoiding claims of unlawful discrimination, and
- improved customer service and satisfaction

## c) When should we undertake an equality analysis?

All our functions and policies will be reviewed to determine which are relevant to the aims of the general duty and should be the subject of full equality analysis. Please see the Equality Relevance Screening Form at **Appendix A**.

New or revised policies or functions will be screened for relevance as they are being developed or revised, as well as policies or functions where monitoring has identified significant adverse impact.

If a policy is shared with the force, the force and PCC will need to work together on relevance screening.

Even where a policy is screened out, as not requiring an equality impact assessment, the policy still remains subject to the general duties. It is essential therefore that any opportunities to promote equality are not missed.

## d) How will we carry out full equality analysis?

Full equality analysis should be undertaken on those policies/functions identified as relevant to the aims of the equality duty.

Equality analysis will be undertaken by the PCC staff member responsible for the relevant function or policy. Advice will be sought from force representatives with specialist equality assessment awareness, skills and experience.

Where the screening process identifies that the policy is relevant to a particular duty, for example the disability equality duty, the resulting equality impact assessment would only focus on the aspects of the policy which are relevant to the particular duty.

The form at **Appendix B** should be used to complete the full equality analysis which comprises of 6 distinct stages. The template includes guidance on how to complete the form.

### 3.2 Making information accessible

The PCC recognises that a critical part of the role is to communicate effectively with local communities. The PCC is committed to ensuring that there are no barriers preventing any community member from knowing about, finding or accessing information.

To meet this specific duty, the PCC will:

- ensure that the 'language' of the PCC's documentation is not biased, with respect to any of the protected characteristics
- find out what information people need or would like, monitor how they use this information and obtain feedback
- upon request provide information in a range of formats such as the more common alternative languages, large print, Braille or CD
- consider how information can best be distributed and publicised
- ensure that information is regularly fed back and the public kept informed of the work that the PCC is undertaking on their behalf
- ensure that the PCC's accessible and alternative format statement continues to appear on all publications
- review how the website is used, its content and format to enable easy navigation by all users

PCC publications, Consultative Board agenda papers and other specific information can be found by visiting the PCC's website.

### 3.3 Monitoring applicants

The PCC wishes to understand if policies and practices with respect to the recruitment or selection of staff and independent custody or animal visitors are fair and attract a range of people from the demographic profile of Essex. The form used to undertake equal opportunities monitoring for this can be found at **Appendix C**.

In respect of applicants, the PCC will monitor:

- Ethnic origin
- Age
- Sex
- Disability
- Faith and belief / or non-faith or belief
- Sexual orientation
- Family status
- Part- or full- time working
- Success rates at different stages in the selection process

The PCC will also monitor Essex Police's recruitment and promotion procedures for both police officers and civilian employees to ensure compliance with their own equality

objectives. We will do this by reviewing the monitoring information produced by Essex Police and holding them to account through the scrutiny process.

### **3.4 Monitoring the composition of the Police and Crime Commissioner's office**

Although, not strictly required by the legislation, as a matter of good practice, the PCC will monitor:

- PCC staff
- Independent Custody Visitors (ICV) and
- Independent Animal Welfare Group visitors (IAWG)

The PCC will also monitor the composition of any other committees such as the Strategic Policing Board, Ethics and Integrity, Finance and Audit Committees, once all these committees are in place. Monitoring will help ensure a balance of appointments, whether it is by equality and/or diversity factor, such as gender or black minority ethnic.

### **3.5 Recruitment**

The PCC ensures that its recruiting processes are fair and equal. Vacancies for staff and independent custody or animal visitors are advertised on our website, in appropriate newspapers and in the case of visitors through the many volunteer bureaux in Essex. Potential candidates are required to complete an application form and those selected at this stage will be asked to attend a formal interview for staff or ICVs or an informal discussion for IAWG visitors. Success at the final stage should lead to an offer of a post subject to the necessary security checks and references.

Appropriate health related questions will not be asked until after a job offer (conditional or un-conditional) has been made with the exception of:

- deciding whether reasonable adjustments to the selection process are required
- deciding whether the applicant can carry out a function essential to the job
- to monitor diversity
- to take positive action to assist disabled people

The abilities, merits and qualifications of all candidates must be considered in each recruitment exercise. Proportionate steps may be taken to help job applicants or employees overcome their disadvantages or to meet their needs. A protected characteristic may be taken into consideration in respect of recruitment or promotion if candidates are equally capable of undertaking the work. Evidence would be needed to show that people with the characteristic face particular difficulties in the workplace, or are under-represented in the workforce or job for which there is a vacancy.

The PCC is mindful that it is unlawful to prevent or restrict employees from discussions to establish the existence of any differences in pay that are related to protected characteristics, also that a claim of direct pay discrimination may be made, even if no real person comparator can be found.

The PCC recognises that it is under-represented in certain groups and strives hard to attract applicants from those groups. The PCC will take positive action to increase applications by advertising directly within the relevant community groups, making use of already available structures such as adverts in community newspapers.

### 3.6 The Action Plan

The PCC's four-year action plan and timetable is attached at **Appendix D** and aims to bring together in a realistic way the arrangements that the PCC has made for assessing, monitoring, consulting, publishing results and training.

The PCC's Office and Essex Police will report on progress to the PCC annually in March. The Information Report will be reviewed every second year.

### 3.7 Training

Arrangements will be made to provide training to all staff on the relevant aspects of the general and specific duties. The PCC will also ensure that staff and also independent custody and animal visitors are aware of and understand how the duties affect their responsibilities.

Staff surveys will be carried out to identify where additional training would be appropriate or is required. We will develop comprehensive training packages that can be delivered to staff at the appropriate level. They will consist of induction packs supported by briefings and refresher training through the use of training days, workshops, computer based training or presentations as appropriate.

### 3.8 Monitoring Essex Police

The PCC will monitor Essex Police's compliance to ensure it meets the general and specific duties of the equality legislation. The PCC ensures effective processes are in place for the Chief Constable to regularly report on progress to the PCC, including through regular scrutiny processes and also the Ethics and Integrity Committee. Reports considered by the PCC in connection with the exercise of these responsibilities will be published on the website.

Respect for equality and diversity is a key competency for the purposes of chief constable selection. The PCC also receives reports on other aspects of the force's work that impact upon equality and diversity; examples can be found below:

#### a) Procurement

The PCC will ensure, through the Finance Committee that the procurement procedure is accessible to a variety of firms, through delegated responsibilities to the force's finance director. Firms who want to work with the PCC must be able to demonstrate that they meet the general and specific duties under equality legislation, prior to delivering goods or services.

#### b) Stop and Search

The PCC recognises that nationally there are some concerns about disproportionality and the outcomes of the use of the various powers in regard to stop and search. The PCC will monitor Essex Police's use of stop and search powers. Provision of information at public

meetings and other partnership engagement events helps to ensure that communities understand their rights and responsibilities.

The PCC will monitor complaints made by members of the public on their treatment and will ensure that complaints regarding discriminatory behaviour are dealt with effectively and any lessons learnt are considered by the force.

#### c) Performance

The PCC monitors the performance of Essex Police. In respect of equality and diversity the PCC receives reports from the force and considers items such as parity of user satisfaction (of victims of crime).

#### d) Personnel

The PCC monitors and reviews the Force's workforce strength and diversity data. The PCC monitors the number of staff/officers employed by the police against rank/position, gender, age, ethnicity, disability and so forth.

### 4. How the public can get involved

**This section looks at the methods members of the public can use to compliment, comment or complain about the service they receive.**

#### 4.1 Further information and feedback

The office of the PCC is a learning organisation and welcomes feedback to help improve the delivery of functions and services.

If you would like to feedback to the PCC please visit our website at [www.essexpcc.com](http://www.essexpcc.com) and click on "Contact Us" or contact the Executive Director's Office at:

 The Executive Director, Office of the Police and Crime Commissioner for Essex, 3 Hoffmanns Way, Chelmsford, Essex CM1 1GU

 01245 291600  
 01245 291601 (Fax)  
 [pcc@essex.pnn.police.uk](mailto:pcc@essex.pnn.police.uk)

#### 4.2 The Information Commissioner

 [www.ico.gov.uk](http://www.ico.gov.uk) or contact the Information Commissioner's Office at:

 The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Call them on their helpline which is open from 9am to 5pm, Monday to Friday

 08456 306060 or 01625 545745



### **4.3 The Freedom of Information Act**

The Freedom of Information Act 2000 (implemented January 2005) places duties on all public authorities. Any individual or body has the right of access to information held by the PCC. This right of access includes both a right to be told whether the information exists, as well as the right to receive it. However, there are some restrictions on the release of information.

It is part of a wider initiative to make decision-making processes more open and accountable and provide an opportunity to review their openness and accessibility.

The Information Commissioner is responsible for promoting freedom of information, advising on good practice and may overrule a PCC's decision not to disclose information

The PCC has a 'publication scheme', which can be found on the PCC's website at [www.essexpcc.com](http://www.essexpcc.com)

### **4.4 Comments, compliments or complaints against the Police**

Complaints against officers and police staff are dealt with in accordance with the Police Reform Act 2002. In very serious cases (e.g. death, serious injury or serious assault) a case must be referred to the Independent Police Complaints Commission (IPCC).

The PCC cannot investigate individual complaints by members of the public against the actions of police officers directly, unless the officer complained about is the Chief Constable. Complaints against all other police officers are a matter for Essex Police and can be reported in person at a police station, or in writing to:

 Professional Standards Department, Essex Police HQ, PO Box 2, Springfield, Chelmsford, Essex, CM2 6DA

 01245 491491 or Text 07976 803064

 [www.essex.police.uk](http://www.essex.police.uk)

The PCC has an overarching duty to ensure that the complaints procedures operated by Essex Police are fair. It discharges this responsibility by receiving quarterly monitoring reports of the overall statistics. In addition, the PCC conducts regular random dip sampling of completed complaint files to check for the thoroughness and fairness of the action taken.

The PCC has specific statutory responsibilities to record and take action in respect of complaints against the Chief Constable. The Executive Director to the PCC reports directly to the PCC on receipt of any such complaints.

### **4.5 The Independent Police Complaints Commission**

The Independent Police Complaints Commission (IPCC) is funded by the Home Office, but by law is entirely independent of the police, interest groups and political parties and whose decisions on cases are free from external involvement. It has a legal duty to oversee the whole of the police complaints system and its aim is to transform the way in which complaints against the police are handled.

 The Independent Police Complaints Commission, 90 High Holborn, London, WC1V 6BH

 08453 002 002 (Local rate)

 enquiries@ipcc.gsi.gov.uk

 [www.ipcc.gov.uk](http://www.ipcc.gov.uk)

#### **4.6 Complaints against the PCC**

Any member of the public, or a nominated third party, such as a friend or relative (with your consent) can complain if they think the PCC or a member of staff has:

- treated them unfairly;
- not done something they should have done;
- done something badly; or
- not delivered a service within the time promised.

Complaints against the Police and Crime Commissioner in person are dealt with by the Police and Crime Panel. The PCC is bound to adhere to a published Code of Conduct and complaints should be addressed to the Police and Crime Panel, c/o Essex County Council, County Hall, Market Road, Chelmsford CM1 1QH. If a person believes that the PCC is failing to comply with its Equality Scheme, they can also make a complaint.

Complaints may be made either by writing to the Police and Crime Panel or contacting the Panel by phone 0845 743 0430.

The PCC will as soon as possible after the end of the financial year, publish the number of complaints received, the method of investigation and the outcomes.

Any complaints against the staff of the Office of the Police and Crime Commissioner must be made in writing to the Executive Director at the address quoted above (section 4.1)

#### **4.7 Monitoring**

The PCC will monitor the number and outcome of complaints in relation to the Equality Scheme and the profile of complainants, in order to ensure equality of access to the process.

## EQUALITY RELEVANCE ANALYSIS FORM

<b>Please complete the following form to establish whether the policy/function will have a high/low potential impact upon the protected characteristics.</b>	
<b>Area of Assessment :</b>	
<b>Date of Assessment :</b>	
<b>Owner :</b>	
<b>New or existing policy/function review:</b>	
<b>Aims, objectives and outcomes of the policy/function (in brief)</b>	
A 'yes' answer to any of these questions will score one point. Scores of 0-3 will result in the policy/function having a low impact and 4-7 a high impact.	
<b>1.</b>	Does policy/function impact directly on public or (for personnel issues) staff?
<b>2.</b>	Does this policy/function involve the use of a statutory power or PCC?
<b>3.</b>	Can discretion be exercised during the use of this statutory power or PCC?
<b>4.</b>	Is this area of activity concerned with equal opportunity for staff?
<b>5.</b>	Does policy/function present an opportunity for improving race/community relations?
<b>6.</b>	If evidence/data currently available, does it show potential discrimination or adverse impact?
<b>7.</b>	Is there any public/political concern in relation to race/community issues attached to this activity?
<b>8.</b>	Does it set quality standards for others to follow?
	<b>If yes, it should always be EIA</b>
<b>Potential impact score</b>	
<b>Is a full equality analysis required?</b>	
	Yes / No
<b>Indicate the priority for assessment (High, Medium or Low or not applicable as appropriate)</b>	

<b>Relevance assessed by:</b>		<b>Date:</b>	
<b>Approved by (owner):</b>		<b>Date:</b>	

**FULL EQUALITY ANALYSIS FORM**

**Appendix B**

<b>Area of Assessment :</b>			
<b>Date of Assessment :</b>			
<b>Owner :</b>			
<b>Partners / Decision Makers Involved:</b>			
<b>New or existing policy/function:</b>			
<b>Start Date</b>		<b>End Date</b>	

**Stage 1 – Detail of policy, function, project or proposal**

Briefly describe the aims, objectives and outcomes of the policy/function

*Why is the policy needed?*

*Provide a brief description of the aims, objectives and outcomes of the policy/function.*

*Are there ways in which equality could be better promoted?*

Relevance: What policies/procedures/functions are relevant to this area?

*Other policies, procedures or functions of relevance to the area being impact assessed to be listed and taken into consideration. Include the relevance to the general equality duties and the equality groups.*

*If policy is not relevant, the reasons are to be recorded.*

**Stage 2 – Consider the Evidence**

Impact – What is the actual/likely impact? Which individuals and organisations are likely to be affected by the policy/function and in what way?

*Any decision as to whether a function or policy is likely to have a differential or adverse impact on the protected groups must be based on evidence.*

*Consideration should be given to who will be affected by the function/policy and in what way.*

***Who benefits, who doesn't benefit and why not? Who should be expected to benefit and why don't they?***

What relevant quantitative data has been considered?

*Relevant quantitative and qualitative data should also be considered at this stage, which*

*provides an opportunity to demonstrate that consideration has been given to data and information from a wide range of available sources. It is important to clearly indicate where data and information that was considered can be accessed.*

What relevant qualitative data has been considered?

*See above*

Has the function/policy been subject to consultation? If no, why not? If yes, which individuals and organisations were consulted and what form did consultation take?

*External consultation is an integral part of the full equality analysis process and should be regarded as a process of ongoing dialogue to inform decisions throughout the process. The nature and extent of consultation will be dependent on the area being analysed and the results of the previous stages. Anyone with a legitimate interest in the matter particularly if they may be affected by the function or policy, including those identified during screening, should be consulted. Relevant organisations and stakeholders such as the independent advisory group (IAG) should also be invited to inform the equality analysis.*

*Consultation should always be timely, open and inclusive and the method employed should suit the subject and the groups involved. It may also be used to corroborate relevance to equality decisions where it is decided that equality analysis will not be required.*

Were any gaps in the evidence identified? If so, what consideration has been given to commissioning work where required?

*Any gaps in available data and information needs to be identified, but the existence of gaps does not necessarily lead to the commissioning of research. It is also possible that some relevant information may not come to light until the policy is actually implemented*

### Stage 3- Assessment of impact

		Yes/No	Comments and evidence where appropriate
<b>Potential for differential/ adverse impact based on analysis of data and information</b>	<b>Race</b>		<i>The evidence considered at Stage 3 should be used to identify any differential impact and then to make judgement as to whether this amounts to an adverse impact.</i>
	<b>Disability</b>		
	<b>Gender reassignment</b>		<i>Differential impact suggests that a particular protected characteristic group has been affected differently by a policy, in either a positive, neutral or negative way. Adverse Impact is a significant difference in patterns of representation or outcomes between protected groups, with the difference amounting to a detriment for one or more of the protected groups. In some cases differential impact may be justified. Any differential impact which cannot be justified is termed adverse impact.</i>  <b>Identify and document any identified ways to promote equality of opportunity and ensure greater access to public services.</b>
	<b>Age</b>		
	<b>Religion or belief</b>		
	<b>Sexual orientation</b>		
	<b>Pregnancy and maternity</b>		
	<b>Marriage and civil partnership</b>		

### Stage 4 – Deciding the way forward

If potential for differential/adverse impact remains explain why implementation is justifiable in order to meet the wider policy aims.

*This provides an opportunity to consider changes to the policy to remove or reduce the potential for differential or adverse impact while still delivering the aims of the policy or to explain why a function or policy might need to remain as it is even if the potential for impact has been identified.*

Summarise any changes made to the policy to reduce or remove the potential for differential/adverse impact

*Options for change include making changes to the policy or the way in which it is to be implemented, considering a different policy altogether which still achieves the aims and objectives of the original proposal but avoids any adverse impact on equality. Before making a decision, checks should be made to ensure that adopting an option that reduces adverse impact on one protected group does not create adverse impact on another protected group. If this is unavoidable, satisfactory justification should be provided.*

If the function/policy is to be abandoned please explain why and how the implications will

be managed
<p><i>If it is discovered during the impact analysis that a function or policy is likely to be unlawfully discriminatory, then it should be immediately abandoned although consideration must be given to the implications of taking this decision. Any new policy that is proposed would then be subject to equality analysis.</i></p>
Describe how the function/policy promotes good relations
<p><i>Any decision should explain clearly how the policy was decided, and what its effects and benefits are likely to be</i></p> <p>Address the impact (range of options to meet general duties. 1 no major change; 2 adjust the policy; 3 continue the policy; 4 stop and remove the policy. Document range of options and identify effects of each. Identify option chosen and reasons why.</p> <p><b><i>Identify range of options to address impact to meet general duties. Four possible options, of which more than one may apply:</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. No major change</i></b></li> <li><b><i>2. 2 Adjust the policy</i></b></li> <li><b><i>3. 3 Continue the policy</i></b></li> <li><b><i>4. 4 Stop and remove the policy</i></b></li> </ol> <p><b><i>Document range of options and reasons for action</i></b></p>
Action Plan
<p><i>The action plan should be developed, monitored and reviewed. Include evaluation of changes and out comes achieved. Include:</i></p> <p><i>Actions identified as necessary</i></p> <p><i>Details of whom is responsible</i></p> <p><i>Timescales for implementation</i></p> <p><i>Timescales for review</i></p> <p><i>Details of how effects of actions will be evaluated to measure if expected outcomes are achieved in practice</i></p>
<b>Stage 5 - Monitoring Arrangements</b>
Describe how the function/policy is (or will be) monitored
<p><i>Monitoring is an important way of measuring the effects of functions and policies in practice. This stage provides the opportunity to set out ongoing arrangements for monitoring and reviewing the function or policy and its impact e.g. monitoring of complaints or performance indicators such as satisfaction.</i></p> <p><i>Ongoing monitoring arrangements will be used to determine how functions and policies are affecting different groups with protected characteristics and whether they are having</i></p>

*an adverse effect on any protected group.*

*Where an unintended or unexpected negative impact occurs the policy will need to be revised.*

**Stage 6 – Publication of results**

What form will the publication of the Impact assessment take?

*The PCC has a specific duty to publish information annually to demonstrate compliance with the general equality duty. This must include information relating to people who share a relevant protected characteristic, who are affected by our policies and practices.*

*The equality analysis process will be used to determine the qualitative and quantitative information that is already collected. If this information is not already published arrangements will be made to do so, steps will be taken to identify any gaps in information.*

*Compliance with the duty for publication of information may be achieved by the publication of information within another published document.*

Include an action plan which includes: actions identified as necessary; who is responsible; timescale for implementation; timescales for actions for review; details of how the effects of the actions will be evaluated to measure if expected outcomes achieved in practice

Have the assessment outcomes been fed back to those consulted?

*See above*

<b>Impact assessed by:</b>		<b>Date:</b>	
<b>Approved by Executive Director:</b>		<b>Date:</b>	

**EQUAL OPPORTUNITIES MONITORING FORM**

The following questions are included for the purposes of Equal Opportunities monitoring only. Most of this monitoring is required to ensure we comply with legislation (specifically the Equality Act 2010) i.e. so that we can check that our policies and practices do not have an adverse impact on any group of people. The information you provide will be treated in the strictest confidence and will be processed in accordance with the Data Protection Act 1998. It will then be collated anonymously and the results will be analysed for our Annual Workforce Monitoring Report which is published on our website. Anonymous results will be published to meet legislative requirements. Our staff associations and Unions are fully supportive of these actions.

**The information you give here will be used for monitoring purposes only.**

Please tick the appropriate box:

**I am**

- Full time
- Part time

**Age**

- 16-24
- 25-35
- 36-55
- 56 and over

**Gender**

- Male
- Female

**Sexual Orientation**

- Bisexual
- Gay/Lesbian
- Heterosexual
- Prefer not to say

**My family status is**

- Married
- Civil partnership
- Single
- Other, please specify

**Disability**

- Yes
- No

**Religious belief or faith**

- |                                    |                                 |  |
|------------------------------------|---------------------------------|--|
| <input type="checkbox"/> Buddhist  | <input type="checkbox"/> Jewish | <input type="checkbox"/> None                |
| <input type="checkbox"/> Christian | <input type="checkbox"/> Muslim | <input type="checkbox"/> Other, please state |
| <input type="checkbox"/> Hindu     | <input type="checkbox"/> Sikh   | <input type="checkbox"/> Prefer not to say   |

**Ethnic origin categories**

Please note: ethnic origin questions are not about nationality, place of birth or citizenship. They are about broad ethnic groups – UK citizens can belong to any of the groups indicated below. Please tick appropriate box:

**(a) White**

- British - English W
- British - Scottish W1
- British - Welsh W1
- Irish W2
- Any other W9

**(b) Mixed**

- White and black Caribbean M1
- White and black African M2
- White and Asian M3
- Any other mixed M9

[NOT PROTECTIVELY MARKED]

**(c) Asian or Asian British**

- |                          |             |    |
|--------------------------|-------------|----|
| <input type="checkbox"/> | Indian      | A  |
| <input type="checkbox"/> | Pakistani   | A1 |
| <input type="checkbox"/> | Bangladeshi | A2 |
| <input type="checkbox"/> | Any other   | A3 |
|                          |             | A9 |

**(d) Black or Black British**

- |                          |           |    |
|--------------------------|-----------|----|
| <input type="checkbox"/> | Caribbean | B  |
| <input type="checkbox"/> | African   | B1 |
| <input type="checkbox"/> | Any other | B2 |
|                          |           | B9 |

**(e) Chinese or Chinese British or other ethnic group**

- |                          |           |    |
|--------------------------|-----------|----|
| <input type="checkbox"/> | Chinese   | O  |
| <input type="checkbox"/> | Any other | O1 |
|                          |           | O9 |

[NOT PROTECTIVELY MARKED]

**Police and Crime Commissioner Equality Objectives: Action Plan 2013-2017**

Action		Owner	Timescale	Progress
<b>Oversight and Scrutiny of the Force</b>				
To ensure parity of service experienced by all groups.	Monitor parity of treatment between all service users. To monitor action taken arising from Hate Crimes	Assistant Director Performance and Scrutiny	Ongoing	
To ensure that the use of Stop and Search is appropriate	Representation of the PCC on the Equality Delivery Group. To publish appropriate reports submitted on the use of Stop and Search	Assistant Director Performance and Scrutiny	Ongoing	
To ensure the complaints process is open fair and transparent	Monitor the type of complaints. Survey the experience of the complaints process.	DPCC	Ongoing	Quarterly report and meetings between the DPCC and Head of PSD now take place. Dip sampling of completed cases undertaken by DPCC. Dip sample review of Head of PSD

				decision making initiated to provide confidence in process.
<b>Monitoring Policies</b>				
To assess new functions and policies for relevance	Complete equality analysis screening	Assistant Director Performance and Scrutiny	As required	All screening decisions should be published
To continue assessment of relevant functions and policies	Complete full impact assessment where appropriate	Assistant Director Performance and Scrutiny	As required	To be carried out when the screening process identifies the need. EIA's are to be published

Action		Owner	Timescale	Progress
<b>Assessing and Consulting on proposed policies</b>				
Identify whether any proposed policies will treat a person less favourably due to their protected characteristic	Set up consultation exercises with those groups most likely to be affected by these functions or policies	Executive Director	Continuous review Ongoing	
	Engage in joined up consultation exercises with local partners	Assistant Director Scrutiny and Performance	Ongoing	Need to identify opportunities
Develop consultation techniques.	Review list of groups consulted and consider adding new groups if necessary	Assistant Director Engagement	June 2014	
<b>Publication</b>				
To publicise the PCC's Equality Information Report and its availability  To ensure that information is provided to the Communities of Essex on Stop and Search  Ensure communication on the Equality Information Report is relevant and up to date	Public Engagement Events and Roadshows	Assistant Director Engagement	Published November 2013	Equality Scheme updated November 2013 to be published December 2013
	Website	Press and Communications Manager	January 2014	Initial publicity required
			Ongoing	Annual process
<b>Procurement</b>				
Ensure goods and services provided to	Review procurement		March 2014	



To make sure any information relating to the work of the PCC is accessible to all people regardless of gender, race, age, disability, sexual orientation, faith or belief	Ensure that documents produced by the PCC include alternative format statement and documents made available on the PCC Website	Assistant Director Public Engagement	Ongoing	Strategy to be developed by P&CM
Review existing arrangements for providing information in alternative formats.	Assess demand for information requests	Press and Communications Manager	Ongoing	
Ensure OPCC processes are compliant with Equality Act	EIA all policies in the next year	Executive Director	Before December 2014	
Ensure that results of screening activities are made available to the public	Publish all EIA screening forms	Assistant Director Public Engagement	Before December 2014	
<b>Training</b>				

<p>To ensure that the general and specific duties are communicated effectively to:</p> <ul style="list-style-type: none"> <li>• PCC / DPCC</li> <li>• OPPC Staff</li> <li>• Independent Custody Visitors</li> <li>• Independent Animal Welfare Lay Visitors</li> </ul>	<p>Consult staff and Visitors on their training requirements</p> <p>Organise and carry out equality training</p>	<p>Executive Director</p>	<p>March 2014</p>	
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	Action	Owner	Timescale	Progress
<b>Employment</b>				
<p>To ensure a fair process for the appointment of the Chief Constable</p>	<p>To monitor applicants attracted to chief constable vacancies</p> <p>To ensure recruitment processes fully address equality and diversity requirements</p>	<p>Executive Director</p>	<p>As required</p>	<p>To document a recruitment and selection process which pays due regard to the general and specific duties</p>
<p>Ensure that the Force's commitment to Equality and Diversity is recognised at the highest levels.</p>	<p>To ensure Equality and Diversity features as part of Essex Police's performance management process.</p>	<p>Assistant Director Scrutiny and Performance</p>	<p>Annually</p>	

<b>Continual Improvement</b>				
Ensure that services delivered by the OPCC continually improve and that they are compliant under both the general and specific duties.	Monitor the number and outcome of complaints in relation to the Equality Information Report and monitor the profile of complainants in order to ensure equality of access to the process.	Executive Director	Ongoing	
Ensure that the PCC's commitment to Equality and Diversity is recognised and visible to the public	To ensure Equality and Diversity features as part of PCC's processes and publications	Assistant Director Scrutiny and Performance	Annually	
<b>Crime Prevention Initiatives</b>				
To monitor the equality of provision of Community Safety Grants made to prevent crime and disorder and improve community safety	To understand the demographics of grant applicants To publish details of grants made Ensure the new commissioning and	Assistant Director Commissioning  Press and Communications	To develop a process to monitor equality in successful and un-	

	grant making framework is equality impact assessed	Manager	successful applications,	
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	Action	Owner	Timescale	Progress
To ensure Equality and Diversity is considered within partnership working	Ensure that relevant Equality and Diversity legislation is adhered to by supporting the partnership where appropriate	Executive Director  Assistant Director Public Engagement	Ongoing	
<b>Review of the Equality Impact Report</b>				
To regularly review the Equality Impact Report and action plan	Publish regular monitoring reports and a full report annually	Assistant Director Public Engagement  Press and Communications Manager	Annually	Annually in November
To regularly monitor the implementation of Essex Police's equality obligations and objectives	Receive updates and full report annually	Assistant Director Performance and Scrutiny	Quarterly	

[NOT PROTECTIVELY MARKED]

FULL Review of the Equality Impact Report				
Assess and review what has been achieved over the four-year life of the Equality Impact Report	Consider how lessons learned can be incorporated into the PCC's policies and procedures	Executive Director	Four yearly	Next review November 2016

*These objectives will be reported upon annually and updated as appropriate.*

[NOT PROTECTIVELY MARKED]