



Equality Impact Assessment (EIA)

Name of policy, procedure or activity:

POLICE USE OF VEHICLES

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What is an EIA?

An EIA is an evidence based assessment of how a policy or activity will positively support Gwent Police’s general equality duties, as well as identify any potential negative disproportionate impact on people or groups of people.

The EIA will also outline any steps to redress this.

For ease of reference, within this document the term ‘policy or activity’ will be used, but must be taken to mean any functions, activities or decisions that may affect external communities or internal personnel.

1.0 Identification section

Title: Police Use of Vehicles

Reference: 307/1

Chief Officer Lead: ACC

Service Area: Uniform Operations

Document Written by: Policy Officer

Department Responsible: Uniform Operations

Document Lead: Chief Inspector Uniform Ops

Review Date: Ongoing

2.0 Purpose

Please answer all of the following questions, using guidance information in section 5 to help you with your responses.

2.1 Aims

What are the aims of the policy or activity and how do they fit with the wider aims of the organisation?

- To enable Police Personnel to only drive police vehicles appropriate to the driving grade they hold from the Force Driver Training Unit.
- To ensure the safety of the general public and police personnel.
- To ensure that police personnel comply with legislation and the highway code.
- To ensure that police personnel are aware that an incident data recorder has been installed in some operational vehicles to monitor the speed and manner in which the vehicle is driven, and to contribute to safety.
- To ensure that the operational mobility requirements of the force have sufficient resources in vehicle mobility in providing systems and procedures to meet their demands.
- To ensure vehicles are fully compliant with legislation and maintained to a high standard thereby ensuring the health safety and welfare of the public and police personnel

To ensure that persons subject to use of police transport are dealt with in a safe and professional manner ensuring compliance with the ACPO & NCPE document ' Guidance on THE SAFER DETENTION & HANDLING OF PERSONS IN POLICE CUSTODY 2006'

2.2 Motivators

What are the motivators or driving forces in the development of this policy or activity?

It is essential that drivers of police vehicles maintain a high standard of driving at all times. It must be remembered that members of the public critically observe the standard of driving of police vehicles and drivers must endeavour to set a good example.

2.3 Equality duties

This section outlines if and how this policy or activity helps support Gwent Police's equality duties. Protected characteristics are listed in the Guidance document in sections 3.1 to 3.10.

2.3.1 How does this policy or activity help to eliminate discrimination, harassment and victimisation?

This procedure does not aim to discriminate or disadvantage individuals with protected characteristics and aims to comply with existing legislation.

2.3.2 How does this policy or activity help to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it?

The standards are set for all police drivers. Gwent Police do provide financial assistance to those requiring eyesight tests. In relation to disabled drivers Gwent Police occupational health department is available to provide support on any health related issues, which may impact on driving standards. It is clearly the responsibility of individual officers and staff and report any concerns they have that may impact on the driving of police vehicles.

2.3.3 How does this policy or activity help to foster good relations between persons who share a relevant protected characteristic and persons who do not share it?

The policy aims to treat staff fairly whilst seeking to ensure public confidence is maintained through appropriate standards in driving and vehicle maintenance.

3.0 Assessment

This section assesses whether there are any aspects of the policy or activity, including how it is delivered, or accessed, that could contribute to inequality or discrimination. Please answer all of the following questions, using guidance information in section 6 to help you with your responses. You should provide evidence in this section for your answers.

3.1 Age

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

This policy should not have a negative disproportionate impact on age. However, driving can be an issue in old age. While many senior citizens are safe drivers, and in fact can be among the safest drivers on the road, statistics show that a driver older than age 75 is just as likely as a teenager to be involved in an automobile accident. According to the Insurance Institute for Highway Safety, a senior citizen is more likely than a younger driver to be at fault in an accident in which they are involved. The most common violations include failure to obey traffic signals, unsafe turns and passing, and failure to yield the right of way.

In some elderly people, senses vital to safe driving, such as vision and hearing, decrease to the point that driving safety is compromised. Those whose vision is impaired may continue to be able to drive safely during daylight, but may have difficulty driving at night. In some persons, corrective lenses may improve the ability of the individual to safely operate a motor vehicle.

3.2 Disability

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

This policy should not have a negative disproportionate impact on disability. However, the law says that you must tell the DVLA about any condition that may affect your ability to drive. Government web sites offer a list of conditions that should be considered.

3.3 Gender reassignment

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

This policy should not have a negative disproportionate impact on gender reassignment. However, the law says that you must tell the DVLA about any condition that may effect your ability to drive. Government web sites offer a list of conditions that should be considered.

3.4 Marriage and civil partnership

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

This policy should not have a negative disproportionate impact on marriage and civil partnership.

3.5 Pregnancy and maternity

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

This policy should not have a negative disproportionate impact on pregnancy and maternity. However, appropriate risk assessments should be undertaken. Being safe in the car is important at all times, and especially so during pregnancy. Therefore advice should be sought. If for instance swollen ankles, cramps in legs tiredness or other medical problems are encountered it is essential that before driving medical advice is sought.

3.6 Race

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

This policy should not have a negative disproportionate impact on race.

3.7 Religion or belief

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

This policy should not have a negative disproportionate impact on religion and belief.

3.8 Sex

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

This policy should not have a negative disproportionate impact on the protected characteristic of sex.

3.9 Sexual orientation

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

This policy should not have a negative disproportionate impact on sexual orientation.

3.10 Welsh Language

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

This policy should not have a negative disproportionate impact on welsh language.

4.0 Actions and outcomes

This section lists any actions that will need to be taken in order to address any adverse impact that has been identified. Please complete all the sections below and see the guidance information in section 5 for a more detailed explanation.

4.1 Action Plan

Impact identified: This policy should have a positive impact on ensuring police use of vehicles is safe thereby inspiring public confidence.

Review date: This assessment and the policy or activity will be October 2013

4.2 Outcomes

This section summarises the outcome of the policy or activity following this assessment. (Delete as appropriate and see section 6 on outcomes for a more detailed explanation).

No change to policy or activity required

4.3 Review

This assessment and the policy or activity will be October 2013

5.0 Guidance

This section provides further detailed guidance information to help you complete the EIA template. EIAs are a mandatory part of Gwent Police's responsibility to comply with our Equality Duties. They enable us to assess and evidence how a policy or activity will positively support Gwent Police's general equality duties, as well as identify any potential negative impact on particular groups of people. The template will also allow you to take steps to redress this.

The EIA template will need to be completed by the writer of the policy, or owner of the activity concerned, and it is recommended that they seek advice and guidance from the Community Cohesion Team or the Policy Officer during this process. Completion of the template should not unduly delay the development process, particularly where there is an urgent operational need.

As part of our duty is to make our EIAs available for public scrutiny, if it relates to a policy or procedure, your EIA will be published externally on the policy page of Gwent Police's internet site by the policy officer. However, if your EIA does not relate to a policy or procedure, you should arrange appropriate external publication, provided the EIA is not restricted. If you believe that your EIA contains restricted information, this should not be made available to the public, and you should indicate this on the EIA template by ensuring it includes the appropriate protective marking.

Because EIAs are made available to the public, it is also important to ensure that the document is concise and user friendly, avoiding jargon. If you believe any of the sections are non applicable, you may indicate this, but must also provide a rationale for why this is the case.

For ease of reference, within this document the term 'policy or activity' will be used, but must be taken to mean any functions, activities or decisions that may affect external communities or internal personnel.

1.0 identification Page

This is the identification section which sets out who has responsibility and ownership for the policy or activity.

- The reference on the EIA should be that of the relevant policy or activity (if one exists)
- The relevant Chief Officer with the responsibility for the Area concerned should be indicated
- Ownership of the document will be the relevant Service Area Head
- The document writer should be identified by role and not name
- The department responsible for managing the document may be different to the individual who has responsibility for writing the document

2.0 Purpose

2.1 Aims

Any policy or activity should include clear, fair, and justified aims, linked to the Force Policing Plan and relevant strategic documents. These aims should be listed in this section, as well as any anticipated outcomes.

2.2 Motivators

The following could be considered for inclusion in this section:-

- What evidence do you have that the initiative, policy or procedure is needed?
- What are the local or national drivers?
- Who is intended to benefit from this policy and in what way?

2.3 Equality duties

2.3.1. Advance Equality of Opportunity

The below areas should be addressed in this section, which should describe how your policy or activity will help deliver a policing service that is fair and accessible to all:

1. **Operational Delivery** - delivering services that are accessible, responsive and meet the needs of all communities
2. **People and Culture** - building an inclusive and supportive working environment that encourages development and progression for all staff
3. **Organisational Processes** - embedding equality into organisational processes and the management of performance

2.3.2. Eliminate discrimination and harassment

This section should describe how your policy or activity will:

- Address discrimination
- Encourage participation of people with protected characteristics in decision making processes
- Protect people who access policing services from discrimination or harassment

- Take action to address poor quality decisions in the past
- Be clear as to how and to whom complaints should be reported; and what investigative and disciplinary actions will take place to correct the issue
- Provide any training or awareness to staff or officers around diversity or equality issues that are pertinent to this initiative, policy or procedure
- Treat people fairly and respectfully

2.3.3. Foster good community relations

‘Community relations’ refers to the relationships between different communities, between people that share protected characteristics and those who don’t, and between the community and the police.

In completing this section, you could consider the following points:

- Does this policy or activity encourage any particular community to have better engagement with other communities or with the police?
- Does this policy or activity aim to address any barriers that exist for particular communities?
- Will you be sharing best practice and consultation with any partner agencies that will allow communities to further benefit?
- Will you provide opportunities for dialogue between different communities when decisions are being made that affect them?

3.0 Assessment

This part of the template requires you to evidence any impact that you may have to suggest that your policy or activity will have a negative differential impact on people who share one or more protected characteristic. You can consider:

- How your service will be delivered to people with different needs
- Who will be able to access it and how
- Who will be directly and indirectly affected by it
- If any group will benefit whilst others will not
- If your policy is designed to address a particular issue, whether this issue is more relevant to certain groups
- If there are any public or political concerns related to certain protected characteristics that may be associated with the policy

Remember to consider any 'perceived' negative impacts that may occur, where a group may believe that they are being disadvantaged by a policy or activity, when in reality, this may not be the case.

Assessment Evidence

Evidence provided in this section can be gathered in a range of ways, and may include:

- Demographic data and other statistics, including census findings
- Available research findings
- Comparisons between similar policies in other public authorities and police forces.
- Survey data
- Equality monitoring data
- One off data gathering exercises
- Specially commissioned research
- Consultations
- Surveys (e.g. face-to-face, telephone, postal)
- Observations of behaviour
- Administrative databases
- Secondary analyses of existing databases
- Focus group interviews

- In-depth interviews
- Pilot projects
- Review of complaints made
- User feedback
- Academic publications
- Consultants' reports
- Citizens' juries

It is important to be mindful of human rights and data protection issues when considering appropriate data collection techniques. It should always be made clear that individuals have the right to decline to provide information and they should be made aware of how resulting data will be processed. Be aware that particular issues of sensitivity and confidentiality may arise in relation to a person's protected characteristic.

Any data must be presented in a manner which is easily accessible and understandable and which gives sufficient detail of the procedures used in the collection to allow for replication. Where reasonable and practicable, raw data should be made available for inspection on request, with summary statistics included within the EIA template.

For more information and assistance with gathering community based evidence, contact the Community Cohesion Team.

The Protected Characteristics covered by the Equality Act 2010 are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

3.1 Age

Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

3.2 Disability

A person is a disabled person if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

3.3 Gender reassignment

A person is covered under this protected characteristic if they are proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning their sex by changing physiological or other attributes of sex.

3.4 Marriage and civil partnership

Marriage is defined as a union between a man and a woman. Same-sex couples can have their relationships legally recognised as a civil partnership.

3.5 Pregnancy and maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

3.6 Race

Race refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

3.7 Religion and belief

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

3.8 Sex

A man or a woman.

3.9 Sexual orientation

A person's sexual orientation is towards persons of the same sex, the opposite sex or either sex.

3.10 Welsh Language

Gwent Police also recognises its duty in relation to the Welsh Language:

Writers should consider the following questions in relation to the Gwent Police Welsh Language Scheme:

- Will the policy or activity have an impact on the delivery of the Welsh Language Scheme?
- Will you offer a language choice for users?
- Will you publish information in Welsh?
- Is there a risk that Welsh speakers will be discriminated against?
- Are Welsh language arrangements likely to lead to a delay in the service being provided?

4.0 Actions and outcomes

4.1 Action plan

If an adverse impact has been identified for people who share one or more protected characteristic, you should note the action that has been, or will be taken to address this, and provide your rationale. If no action is to be taken to reduce or eliminate an adverse impact, you should explain why. A review date must be set as future action may be possible to mitigate the impact.

4.2 Outcomes

If there is no adjustment that can be reasonably made, you must consider whether the adverse impact is justifiable, or is in fact, unlawful discrimination. The Equality and Human Rights Commission website contains useful information on what constitutes unlawful discrimination.

www.equalityhumanrights.com

For more information and support with completion of this EIA template, please contact the Community Cohesion Co-ordinator or Policy Officer.