

# EQUALITY IMPACT ASSESSMENT TEMPLATE

To be completed for all new and reviewed policies and procedures as advised in the Force Equality Impact Assessment Guidance

Name of Policy/Procedure:	Disciplinary Procedure For Police Staff
Owning Department:	Human Resource Services
Author (Job Title):	Paul Stewart (Human Resources Adviser)
Date of assessment:	02 February 2007
Is this a new, or review of an existing, document?	Review
If it is a review of an existing policy has it previously been subjected to full impact assessment? If yes, has it changed significantly to warrant a further full impact assessment at this time?	<b>NO</b>

## **STAGE 1 INITIAL ASSESSMENT (SCREENING FOR RELEVANCE)**

### **1 IDENTIFY MAIN AIMS OF THE POLICY**

<b>1.1</b> What is the purpose of the policy?	<p>The Disciplinary Procedure for Police Staff is intended to encourage an employee, whose performance or conduct is unsatisfactory, to achieve a sustained and acceptable level of improvement.</p> <p>Ensure that there is a fair, systematic and legally compliant approach to the discipline of its employees.</p>
<b>1.2</b> What are the outcomes and associated aims you are trying to achieve?	<p>The use of the Guidelines, in conjunction with the Disciplinary Procedure for Police Staff, is an aid to good management and responsible employee behaviour.</p> <p>Intended to encourage an employee, whose performance or conduct is unsatisfactory, to achieve a sustained and acceptable level of improvement.</p>
<b>1.3</b> Who is intended to benefit from the proposed policy and how?	Staff subject to disciplinary proceedings and managers investigating and hearing disciplinary issues.

<p><b>1.4</b> Is responsibility for the proposed policy shared with another department or organisation? If so identify who is accountable and responsible, both internally and externally for the policy?</p>	<p><b>NO</b></p>
<p><b>1.5</b> Does the development/review of this policy present the Force with an opportunity to promote equality and good relations <b>with</b> and <b>between</b> any of the following:</p> <ul style="list-style-type: none"> <li>• <b>Older people?</b></li> <li>• <b>Young people?</b></li> <li>• <b>People with disabilities?</b></li> <li>• <b>Men?</b></li> <li>• <b>Women?</b></li> <li>• <b>Racial groups?</b></li> <li>• <b>Religious / faith communities?</b></li> <li>• <b>Lesbian, gay, bi-sexual &amp; Transgender communities?</b></li> </ul>	<p><b>NO</b></p>

**2 COLLECT INFORMATION**

<p><b>2.1</b> Do you have up-to-date and reliable information about the different racial and other social groups the proposed policy is likely to affect? If so describe what type of data/information you are using and implication of the findings.</p>	<p><b>YES</b></p> <p>Police staff establishment. Analysis of the subjects of disciplinary action.</p>
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**3 DECIDE IF THE POLICY IS RELEVANT**

<p><b>3.1</b> Will the proposed policy involve, or have consequences for, the people the Force serves and/or employs? If YES:</p> <ul style="list-style-type: none"> <li>• Who are the main internal stakeholders?</li> <li>• Who are the main external stakeholders?</li> </ul> <p>If NO - go to <b>5</b>. – Assessment complete.</p>	<p><b>YES</b></p> <p><b>All police staff. All managers, including managers who are police officers ,charged with investigating and hearing disciplinary cases.</b></p>
<p><b>3.2</b> Could these consequences differ for some sections of the community because they have particular needs, experiences or priorities?</p>	<p><b>NO</b></p>

<b>3.3</b> Is there any reason to believe that people could be affected differently by the policy because they belong to a particular section of the community? E.g., in terms of access to a service, or the ability to take advantage of proposed opportunities. If so which group/s does it affect?	<b>NO</b>
<b>Older people?</b>	<b>NO</b>
<b>Young people?</b>	<b>NO</b>
<b>Disabled people?</b>	<b>NO</b>
<b>Men?</b>	<b>NO</b>
<b>Women?</b>	<b>NO</b>
<b>Racial groups?</b>	<b>NO</b>
<b>Religious / faith communities?</b>	<b>NO</b>
<b>Lesbian, gay, bi-sexual &amp; Transgender communities?</b>	<b>NO</b>
<b>3.4</b> Is there any evidence that any part of the proposed policy could discriminate unlawfully, directly or indirectly, against <b>any</b> of the above section(s) of the community?	<b>NO</b>
<b>3.5</b> Is there any evidence that some sections of the community may have different expectations of the policy in question?	<b>NO</b>
<b>3.6</b> Is the proposed policy likely to affect relations between different sections of the community, for example, because it is seen as favouring a particular group or denying opportunities to another?	<b>NO</b>
<b>3.7</b> Is the proposed policy likely to damage relations between any particular section of the community and Tayside Police?	<b>NO</b>
<b>3.8</b> Based on the information provided above, does the policy have implications for or affect on the promotion of equality for <b>any</b> section of the community?	<b>NO</b>

If the answer to any of the above is **Yes** - the policy is relevant to the statutory duties.

#### **4. MONITORING**

<b>4.1</b> What, if any mechanisms are used/will be used to monitor for any adverse impact, community concerns and complaints that may arise as a consequence of this policy?	Analysis by age, ethnicity, disability, gender, sexuality of those subject to disciplinary action.
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## 5 LEVEL OF RELEVANCE

<b>5.1</b> What is the level of relevance being allocated to this policy? eg. high, medium, low or not relevant (See Impact Assessment Guidance). <b>Please indicate level in relation to aspects of diversity as stated below:</b>	
<b>Older people</b>	<b>Medium</b>
<b>Young people</b>	<b>Medium</b>
<b>Disabled people</b>	<b>Medium</b>
<b>Men</b>	<b>Medium</b>
<b>Women</b>	<b>Medium</b>
<b>Racial groups</b>	<b>Medium</b>
<b>Religious / faith communities</b>	<b>Medium</b>
<b>Lesbian, gay, bi-sexual &amp; Transgender communities</b>	<b>Medium</b>

## 6. COMPLETION OF INITIAL ASSESSMENT

If the policy/guidance is considered to be **NOT RELEVANT** or **LOW** to all racial/social groups print this document, seek endorsement of decision from head of department and complete the section below. The document should then be forwarded to the Inspection Unit Sgt. An electronic version, together with the policy/guidance document itself, should be e-mailed to the Inspection Unit Sgt.

If the policy/guidance is graded as relevant at **HIGH** or **MEDIUM** levels for any racial/social group, move to Stage 2 and complete a FULL IMPACT ASSESSMENT.

<b>Date on which the initial assessment completed:</b>	<b>21 February 2007</b>
<b>Completed by:</b>	<b>Signature:</b>
<b>Head of Department:</b>	<b>Signature:</b>
<ul style="list-style-type: none"> <li>• <b>All original signed documents to be retained by the Inspection Unit Sgt (Business Change and Improvement Dept) (HQ Division).</b></li> </ul>	
<b>Inspection Unit Use Only:</b>	
<b>Date Received:</b>	
<b>Review Date:</b>	

\*Delete as appropriate

## **STAGE 2 FULL IMPACT ASSESSMENT**

### **1. IDENTIFY ALL AIMS OF THE POLICY**

**1.1** Clarify the purpose and the context in which this policy will operate. Answer the checklist questions in the guidance.

Procedure and guidance for conducting investigations into allegations of misconduct by Police Staff - affects Tayside Police staff only.

The Disciplinary Procedure for Police Staff is intended to encourage an employee, whose performance or conduct is unsatisfactory, to achieve a sustained and acceptable level of improvement.

Ensure that there is a fair, systematic and legally compliant approach to the discipline of its employees.

### **2. CONSIDER THE EVIDENCE**

<p><b>2.1</b> Monitoring: Describe any monitoring mechanisms in place for this policy or procedure.</p>	<p><b>Staff subject to procedure can be monitored and broken down for analysis by age, ethnicity and gender.</b></p>
<p><b>2.2</b> Public Concerns: Is there a public concern regarding this policy or procedure? Please describe how these concerns have been identified.</p>	<p><b>NO</b></p>
<p><b>2.3</b> Affected groups: Please describe how this policy or procedure is likely to affect any vulnerable groups within the diverse communities.</p>	<p>No evidence to suggest this procedure and guidance will differently affect diverse staff groups in Tayside Police. Staff subject to the procedure will be analysed by age, ethnicity, disability, gender and sexuality and any differing impact will be investigated.</p>
<p><b>Older people</b></p>	<p>No evidence</p>
<p><b>Young people</b></p>	<p>No evidence</p>
<p><b>Disabled people</b></p>	<p>No evidence</p>
<p><b>Men</b></p>	<p>No evidence</p>
<p><b>Women</b></p>	<p>No evidence</p>
<p><b>Racial groups</b></p>	<p>No evidence</p>
<p><b>Religious / faith communities</b></p>	<p>No evidence</p>
<p><b>Lesbian, gay, bi-sexual &amp; Transgender communities</b></p>	<p>No evidence</p>
<p><b>2.4</b> Legal guidelines, external and national drivers/recommendations affecting this policy: Please describe if there are new legal developments affecting the policy.</p>	<p>No new developments.</p>

### 3. ASSESS LIKELY IMPACT

<p><b>3.1</b> Does the analysis of the proposed policy indicate possible adverse impact on any racial group, people who have a disability, women, men, the elderly, young people, religious/faith groups or members of the lesbian, gay, bisexual and transgender community? Are any disparities in the ethnic or other data statistically significant, and not due to chance?</p>	<p><b>NO</b> No evidence.</p>
<p><b>3.2</b> Are there other factors that might explain the adverse impact?</p>	<p>N/A</p>
<p><b>3.3</b> Could the proposed policy lead to unlawful <b>direct</b> discrimination? <b>If YES explain how and abandon policy and consider alternative approach.</b></p>	<p><b>NO</b></p>
<p><b>3.4</b> Could the proposed policy lead to unlawful <b>indirect</b> discrimination? If YES explain how.</p>	<p>Whilst there is no evidence to suggest that the policy is applied or affects any group differently, the application of Disciplinary action is significant upon the member of staff.</p> <p>The Force will monitor those subject to the policy to see if there is any differing impact which requires investigation.</p>
<p><b>3.5</b> Could the proposed policy damage relations between Tayside Police and any particular sections of the community? If YES please explain how.</p>	<p><b>NO</b></p>
<p><b>3.6</b> Could the proposed policy be in breach of other legislation or international obligations? If YES please explain how.</p>	<p><b>NO</b></p>
<p><b>3.7</b> Can the differential in impact above be justified on the following grounds:</p> <ul style="list-style-type: none"> <li>• Promoting good community relations?</li> <li>• Promoting equality of opportunity?</li> <li>• Eliminating unlawful discrimination?</li> <li>• Is it part of a legal positive action exercise?</li> </ul> <p>If YES explain how in each relevant case.</p>	<p>N/A for all of the above.</p>

#### 4. CONSIDER ALTERNATIVES

<p><b>4.1 Analysis:</b> Using all of the information recorded above summarise the full impact this policy or procedure has on different racial / social groups considering the following points:</p> <ul style="list-style-type: none"> <li>• can any adverse impact be justified</li> <li>• can the policy/procedure or function be changed to remove the adverse impact</li> </ul>	<p>The investigation of alleged misconduct and any possible subsequent hearing and sanction can be distressing for staff.</p> <p>No evidence of differing adverse impact for any group exists.</p>
<p><b>4.2 Alternatives:</b> If your assessment shows that there is likelihood of adverse impact is there an alternative way in achieving the policy's aim, objective or outcome?</p>	<p>No.</p>
<p><b>4.3</b> What factors could assist or undermine the expected outcomes? e.g. training, additional guidance, etc.</p>	<p>Training of line managers in handling disciplinary matters</p> <p>On a case by case basis Human Resources adviser overseeing each case will discuss with colleagues any issues with application of the procedure and guidance and amend practice as appropriate</p>
<p><b>4.4 Recommendations:</b> What changes if any need to be made in order to minimise unjustifiable adverse impact?</p>	<p>N/A</p>

#### 5. CONSULT FORMALLY

<p><b>5.1 Internal Consultations:</b> Describe any internal consultation on this issue, including details of consultation mechanisms (e.g. staff associations &amp; networks).</p>	<p>Human Resources Advisers UNISON Force Solicitor Diversity Adviser Equal Opportunities Adviser Professional Standards Department</p>
<p><b>5.2</b> Please describe the result/outcome of any internal consultation taking into account the views of those consulted and the available evidence.</p> <p>NB: Please clearly state the risks associated with the policy, weighing them against the benefits of the policy.</p>	<p>Changes made primarily to terminology</p>

<b>5.3</b> How will the views of any external consultative and community groups be obtained? Please place 'X' in the relevant methods used box.	
Constructive comments after circulation of documents	<input type="checkbox"/>
Meetings	<input type="checkbox"/>
Interviews	<input type="checkbox"/>
Focus Groups	<input type="checkbox"/>
Questionnaires	<input type="checkbox"/>
Conferences	<input type="checkbox"/>
Telephone Survey	<input type="checkbox"/>
Other	<input type="checkbox"/>
<b>5.4</b> External Consultations: please give details of all external consultations made in the formation of this policy or procedure. Please identify who was contacted:  <ul style="list-style-type: none"> <li>• All minority ethnic communities, groups, individuals consulted.</li> <li>• People with disabilities and/or representative organisations</li> <li>• Older persons and youth and/or representative organisations</li> <li>• Religious/faith groups</li> <li>• Women and men /or representative organisations</li> <li>• Members of the LGBT community and/or representative organisations</li> <li>• Date(s) of consultation and method used</li> </ul>	N/A
<b>5.5</b> Please explain in detail the views of the external consultative and community groups. Please clearly state the risks associated with the policy, weighing them against the benefits of the policy.	N/A

## 6. ANALYSIS AND DECISION-MAKING

<b>6.1</b> Does the assessment show that the proposed policy will have an adverse impact on any of the following sections of the community?	
<b>Older persons?</b>	<b>NO</b>
<b>Young persons?</b>	<b>NO</b>
<b>Disabled persons?</b>	<b>NO</b>
<b>Men?</b>	<b>NO</b>
<b>Women?</b>	<b>NO</b>
<b>Racial groups?</b>	<b>NO</b>
<b>Religious / faith communities?</b>	<b>NO</b>
<b>Lesbian, gay, bi-sexual &amp; Transgender communities?</b>	<b>NO</b>

<b>6.2</b> Is the proposal likely to make it difficult to promote equal opportunities or good relations between different sections of the community?	<b>NO</b>
<b>If the answer to both these questions is 'yes' - see guidance</b>	
<b>6.3</b> Decision: Will the Force adopt this Policy?	<b>YES</b>

## **7. MONITOR AND REVIEW**

<b>7.1</b> Monitoring arrangements:	
Should the policy be piloted, to see how it actually affects people, depending on their membership of a particular group in society?	<b>NO</b>
How will the results of the pilot be taken into account, before the policy is finally adopted and launched?	N/A
Who will be responsible for monitoring?	Human Resource Services
How will it be monitored and analysed?	Analysis of those subject to the procedure by age, disability, gender, sexuality.
How will the effects of the policy on equality of opportunity and good community relations be monitored?	Any concerns raised by those implementing or those subject to the procedure will be monitored. If concerns are raised relating to equality of opportunity these will be assessed and the procedure and guidance amended as appropriate.
How often will the policy be reviewed, and who will be responsible for this?	4 years. Human Resource Adviser
Has a formal monitoring programme been drawn up, to make sure the entire process is followed through systematically, and within a realistic timetable?	No formal monitoring process. Application of the procedure will be overseen by the relevant Human Resources Advisers on a case by case basis with any issues in practice addressed accordingly.
When will the analysis take place?	Application of the procedure and guidance is monitored on a case by case basis by the relevant Human Resources Adviser.

Where will the results be recorded?	<p>Outcomes of disciplinary investigations and hearings are reported to those subject to it.</p> <p>Manual files are kept of investigations and hearings are kept in a separate confidential file.</p> <p>Any issues that may arise during the course of an investigation and/or hearing would be logged in this file or made known to the relevant Human Resources Adviser. It is incumbent upon the relevant Human Resources Adviser in each case to address any minor issues in respect of practice. Any continuing or more serious issues would be reported to the Human Resources Manager.</p>
Where will the results be reported?	<p>Due to the confidential nature of disciplinary investigations and hearing results or outcomes are not generally reported.</p> <p>Also, due to relatively small numbers of cases reporting of breakdown of those subject to the policy would infringe upon confidentiality.</p> <p>Any significant continuing issues will be addressed by Human Resources Advisers in conjunction with the Human Resources Manager and/or the Director of Human Resource Services.</p>

**8. OTHER POLICIES/PROCEDURES AFFECTED**

8.1 Describe any other associated policies or procedures that this impact assessment may have relevance for.	Support Staff Complaints Procedure
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## 9. SUMMARY (PUBLICATION OF RESULTS)

**9.1** Please provide a summary of the assessment, consultation and monitoring findings. This summary will be used by the Force to inform the public, and will be published by the Inspection Unit Sgt on the Force website and provided to all relevant consultative groups.

The Disciplinary Procedure For Police Staff is an internal staff related process. This impact assessment relates to a review of the existing procedures. Due to it's application to internal staff only, consultation involved relevant internal stakeholders such as heads of departments of Tayside Police, Force Solicitor, HR Staff, Professional Standards and employee representative groups.

The consultation exercise identified minor issues regarding terminology and existing practice in Tayside Police, these have been adopted and the relevant changes made.

There is no evidence of discrimination against any specific social group or staff concerns related to this policy/guidance. It is recognised, however, that as with any process where there is an element of discretion there is the potential for adverse impact if procedures are not applied fairly and professionally. However, the procedure is very prescriptive and all cases involve more than one individual assessing what action requires to be taken, one of whom will be a Human Resources Adviser. It is felt these factors will minimise any potential for variability in application or unwitting different treatment. Nevertheless any complaints and concerns raised by staff and/or managers will be passed to HR Advisers and appropriate steps will be taken to address any issues on an on-going basis.

## 10. COMPLETION OF FULL IMPACT ASSESSMENT

Please complete the section below, print, sign and forward to the Inspection Unit Sgt. An electronic version, together with the policy/guidance document itself, should be e-mailed to the Inspection Unit Sgt.

<b>Date on which full assessment completed:</b>	<b>21 February 2007</b>
<b>Completed by:</b> <b>Paul Stewart</b>	<b>Signature:</b>
<b>Policy Owner:</b>	<b>Signature:</b>
<b>• All original signed documents to be retained by the Inspection Unit Sgt (Business Change and Improvement Dept) (HQ Division).</b>	
<b>Inspection Unit Use Only:</b> <b>Date Received: 30/07/2007</b> <b>Review Date: July 2010</b>	

For additional information and advice please contact Mrs Nasreen Mohammed, Force Diversity Adviser on ext 6742 or email: [nasreen.mohammed@tayside.pnn.police.uk](mailto:nasreen.mohammed@tayside.pnn.police.uk)