



# Staffordshire Police Equality Impact Assessment



The purpose of this EIA is to ensure you consider any equality issues as part of your decision making when developing / reviewing your policy / procedure.

Please complete the sections below and send to the Equality and Diversity unit to be quality assured. New / revised policies cannot be published on the policy database until the EIA has passed the quality assurance process.

<b>Title of policy/procedure:</b>	<b>Police Staff Misconduct Procedure and Guidance</b>
<b>Department:</b>	<b>Human Resource Development</b>
<b>Date:</b>	<b>February 2013</b>

## **1. Identify the aims and purpose of the policy**

It is important that managers understand their responsibility to respond to, and deal promptly, and effectively with inappropriate behaviour and complaints about police staff conduct. This procedure underpins the Police Staff Council Standards of Professional Behaviour and sets out the approach to be taken when allegations of potential misconduct are identified. The Procedure takes account of the Police Staff Council Misconduct Guidelines and the Advisory Conciliation and Arbitration Service (ACAS) Codes of Practice on discipline, and describes the processes to be taken in respect of allegations that might amount to misconduct or gross misconduct.

The procedure sets out the right to be accompanied, how matters should be investigated, who should chair meetings/hearings and the process for appeals. Impartiality must be ensured between those investigating matters and those making decisions at meetings/hearings; it is a key responsibility for all managers to understand and apply this procedure in a fair, proportionate and timely manner.

The procedure is intended to encourage a culture of learning and development for individuals and/ or the organisation. Improvement will always be an integral dimension of any outcome (even in the case where an individual has been dismissed there can be learning opportunities for the Police Service).

## **2. Identify the individuals and organisations who are likely to have an interest in, or be affected by the policy.**

The procedure and guidance apply to all Police staff employed by Staffordshire Police.

## **3. Data**

**Summarise the findings of any monitoring data / information which you have considered regarding the impact of this policy on people from all or any of the**

<b>protected groups. This could include national or local data.</b>
<p><b>3.1 Age</b> Age data is not monitored for misconduct proceedings.</p>
<p><b>3.2 Disability</b> Disability data is not monitored for misconduct proceedings.</p>
<p><b>3.3 Race</b></p> <p><b>National data</b> A report was published by the University Of Manchester in July 2012 following an investigation of internally raised misconduct proceedings in Greater Manchester Police West Midlands Police and British Transport Police. The report findings focus mainly on police officers however the findings in relation to police staff were:</p> <ul style="list-style-type: none"> <li>• In British Transport Police statistically significant over representation of BME staff was identified.</li> <li>• In Greater Manchester Police statistically significant over representation of BME staff being subjected to counter corruption intelligence</li> <li>• In West Midlands Police there was over representation for BME staff being subject to counter corruption allegations</li> </ul> <p><b>Staffordshire data</b> The Employee Relations records show the following race breakdown for formal discipline investigations: 2009 /10 - 8% (2) BME, 92% (23) White 2010/11 - 18% (5) BME, 82% (23)White 2011/12 - 2% (1) BME, 97% (35) White</p> <p>For the three years figures used above in every year the figures are disproportionate to BME staff as the percentage of BME staff subject to discipline investigations is higher than the percentage of BME police staff. However the numbers involved are very small which can cause the figures to fluctuate.</p>
<p><b>3.4 Religion or Belief</b> Religion or belief data is not monitored for misconduct proceedings.</p>
<p><b>3.5 Sex</b> The Employee Relations records show the sex breakdown for formal discipline investigations: 2009 /10 - 56% (14) male, 44% (11) female 2010/11 - 54% (15) male, 46% (13) female 2011/12 - 61% (22) male, 39% (14) female.</p>

<p>For the three years figures used above in every year the figures are disproportionate to male staff as the percentage of males subject to discipline investigations is higher than the percentage of male police staff.</p> <p>The PMAS (Police Mutual Assurance Society) has undertaken national research into the profile of individuals who may typically be vulnerable in respect of financial difficulties. The research has shown that males are more likely to be financially vulnerable than females and therefore may be more likely to be subject to an allegation of corruption and investigated under Misconduct proceedings. The Force has adopted an early intervention approach to manage potentially vulnerable staff which is operated outside of the Misconduct Procedure.</p>
<p><b>3.6 Sexual Orientation</b> Sexual orientation data is not monitored for misconduct proceedings.</p>
<p><b>3.7 Transgender</b> Transgender data is not monitored for misconduct proceedings.</p>
<p><b>4. Research</b> <b>Summarise the findings of any research you have considered regarding this policy for all or any of the protected groups. This could include information you have obtained from other sources e.g. ACPO, Home Office.</b></p> <p>No specific research has been considered regarding the protected characteristics, however the procedure is very closely aligned to the following:</p> <ul style="list-style-type: none"> <li>• Police Staff Council Police Staff Misconduct Guidelines</li> <li>• ACAS Guidance</li> </ul> <p>Generally, the impact on all groups listed will be positive in respect of all police staff being aware of the processes that Staffordshire Police will go through should an allegation of misconduct be made.</p>
<p><b>4.1 Age</b> See Above.</p>
<p><b>4.2 Disability</b> See Above.</p>
<p><b>4.3 Race</b> See above</p>
<p><b>4.4 Religion or Belief</b> See Above.</p>
<p><b>4.5 Sex</b> See above</p>
<p><b>4.6 Sexual Orientation</b> See Above.</p>
<p><b>4.7 Transgender</b> See Above.</p>

<p><b>5. Consultation</b></p> <p><b>Summarise the opinions of any consultation for all or any of the protected groups. Who was consulted and how e.g. survey, discussion, forum.</b></p> <p><b>If there was no consultation please justify why.</b></p> <p>Extensive consultation has been undertaken in respect of the 7 criteria below with UNISON. In addition, HR colleagues have been consulted via HR Development Group upon the practical application of the procedure and the possible impact on equality/diversity. As the procedure and guidance are very aligned to the national guidance, no additional work in respect of the local impact on the protected characteristics was deemed necessary.</p>
<p><b>5.1 Age</b></p> <p>See above</p>
<p><b>5.2 Disability</b></p> <p>See above</p>
<p><b>5.3 Race</b></p> <p>A meeting was held with the Multicultural Association and the disproportionality for BME staff was discussed. The MCA accept that the low numbers of BME staff are contributing to the disproportionality and as the new procedure includes monitoring there were no concerns raised.</p>
<p><b>5.4 Religion or Belief</b></p> <p>See above</p>
<p><b>5.5 Sex</b></p> <p>See Above.</p>
<p><b>5.6 Sexual Orientation</b></p> <p>See Above.</p>
<p><b>5.7 Transgender</b></p> <p>See Above.</p>
<p><b>6. Conclusions</b></p> <p><b>Taking into account the results of the monitoring, research and consultation, set out how the policy impacts or could impact on people from the following protected groups? (Include positive and/or negative impacts).</b></p>
<p><b>6.1 Age</b></p> <p>There is no perceived impact on staff due to age.</p>
<p><b>6.2 Disability</b></p> <p>There is no perceived impact on staff due to disability.</p> <p>Discretion may be applied in respect of determining appropriate Reasonable Adjustments in cases where disabled staff are involved in cases. (Positive impact)</p>
<p><b>6.3 Race</b></p> <p>The figures show there is disproportionality for BME police staff however the numbers involved are very low which can cause the figures to fluctuate. The procedure does apply</p>

<p>equally to all staff and will be used in a fair and equitable manner across all staff; this prevents unfair or bias application of misconduct proceedings where they are initiated. Additional assistance is provided to individuals who are identified by the separate early intervention process (outside of Misconduct Procedure) in order to prevent incidents escalating to Misconduct proceedings. This intervention will assist as a preventative measure for BME staff who may otherwise be subject to this procedure.</p>
<p><b>6.4 Religion or Belief</b> There is no perceived impact on staff due to religion or belief.</p>
<p><b>6.5 Sex</b> The figures show there is disproportionality for male police staff. The procedure does apply equally to all staff and will be used in a fair and equitable manner across all staff; this prevents unfair or bias application of misconduct proceedings where they are initiated. Additional assistance is provided to individuals who are identified by the separate early intervention process (outside of Misconduct Procedure) in order to prevent incidents escalating to Misconduct proceedings. This intervention will assist as a preventative measure for male staff who may otherwise be subject to this procedure.</p>
<p><b>6.6 Sexual Orientation</b> There is no perceived impact on staff due to sexual orientation.</p>
<p><b>6.7 Transgender</b> There is no perceived impact on staff due to an individual being Transgender</p>
<p><b>7. Decisions</b> <b>If the policy will have a negative impact on members of one or more of the protected groups, explain how the policy will change or why it is to continue in the same way. If no changes are proposed, the policy needs to be objectively justified.</b></p>
<p>By having a published procedure Police Staff can hold Staffordshire Police to account and the force can ensure that it has processes in place to treat everyone in a fair and equitable way when dealing with allegations of this kind. The procedure promotes equality through having a clear, fair and transparent published process for dealing with allegations of misconduct. The procedure will be published on for Force Policy Database giving all staff the opportunity to understand what can be seen to constitute misconduct and how any allegations of misconduct will be dealt with on a local level and by the force. The procedure ensures that all managers follow a fair and consistent process in dealing with such allegations at a local level, so that all police staff are treated equitably.</p>
<p><b>8. <u>Monitoring arrangements</u></b> <b>If the policy is new what consideration has been given to piloting the policy?</b> <b>If monitoring is not already in place what arrangements have been made to monitor the effects of the policy on equality and diversity?</b></p>

The impact of the procedure will be assessed via data collection from HR information systems and monitoring/feedback from the support and staff associations / UNISON.

Any interventions applied or not applied inappropriately will be reviewed and if necessary, decisions will be overturned and additional advice and coaching support will be given to line managers.

**This equality impact assessment will be published on the force website.**

EIA Form Dated  
01/11/11