



Policy Impact Assessment (including Equality Impact Assessment)

The purpose of conducting this Policy Impact Assessment is

- to ensure that the activities of the Force when delivering policy, strategy, function or working practice do not have an unjustified and adverse impact on policing minority groups and communities of Devon, Cornwall and Isles of Scilly.
- to ensure that the activities of the Force when delivering policy, strategy, function or working practice does not have an unjustified and adverse impact on its staff, particularly those from minority groups.
- to ensure any new or revised policy, together with its associated **working practices** complies with our obligations, some of which are statutory, in respect of:
 - Reducing Bureaucracy – Section A
 - Freedom of Information – Section B
 - Data Protection – Section C
 - Management of Police Information – Section E
 - Health & Safety/Environmental – Section D
 - Equality and Human Rights Impact (screening decision) – Section F
 - Equality Impact Assessment (full) - Section G

Please complete this form in conjunction with the Force Policy Handbook and assessment guidance notes available on the Force Policy Admin Website or by contacting the Force Policy Admin Team on 22826/22336/22557.

Policy (function/procedure/working practice/strategy) Title and Number	D69 Liquor Licensing Including Betting, Gaming and Lotteries		
Name and contact details of Assessor	LPP Policy Officer Ext 23642		
Policy Owner (Department)	Local Policing		
Portfolio Owner (COG)	ACC Taylor		
Date of Assessment	18 March 2013		
Policy Version date (to be completed by Policy Admin)	04 February 2014		
Verified by : (Policy Officer)	LPP Policy Officer		
Associated working practices :	Closure Orders – TP12 Licensing Information Disclosure Scheme – TP13 Licensing Hearings and Appeals – TP14 Exclusion Orders & Drinking Banning Orders (DBO) – TP15		
Date submitted to Policy Admin	31/01/14	Check completed and registered	04/02/14

NOT PROTECTIVELY MARKED

- For the purposes of ease of reference 'Policy' as referred to within this Assessment equates to : Policy/Function/Project/Procedure/Working Practice/Strategy/Step by Step Guidance.

Reducing Bureaucracy – Section A (to be completed for new policies only)
Please complete in conjunction with the guidance notes

1.1 What has changed or emerged to trigger this new policy and are the objectives of the policy clear and linked with Force Strategy?

Working practices TP12 – 15 were created out of policy D69 - Liquor Licensing including Betting, Gaming & Lotteries in an attempt to rationalise and clarify the processes.

1.2 Does the new policy impact unnecessarily on any front-line staff. If it does, how?

No

1.3 What is the full impact on implementing this new policy? (eg are new processes required/cost implications/bureaucratic burden/risks involved)

No new processes etc.

Freedom of Information – Section B

Please complete in conjunction with the guidance notes

2.1 Has the Policy been FOI marked in accordance with the relevant exemptions? (Where a paragraph/section is 'Closed' one or more of the 23 exemptions must be identified and justified – for further details see guidance notes)

All documents have been appropriately FOI marked

Data Protection – Section C

Please complete in conjunction with the guidance notes

3.1 Does the Policy refer to personal information? (i.e. any information which identifies a living individual)

D69 – No

TP12 – No

TP13 – Yes

TP14 – No

TP15 – Yes

If yes please complete the following :

If No – go to Section D

3.2 Please list the personal information that will be collated? (eg name, dob, address etc)

NOT PROTECTIVELY MARKED

TP13 – Image of person subject to

- Court imposed orders
- A civil ban under a local scheme, such as the Three Strikes Scheme
- Disclosure deemed necessary to support a joint civil agreement to ban an individual from Licensed premises, such as Pubwatch.

TP15 – DBO suspects images, Exclusion Orders

3.3 How will it be collated? (Where will we get the personal information? the individual?)

TP13 – As part of the Licensing Information Disclosure Scheme

TP15 – As part of the DBO or Exclusion Order application process

3.4 Why is it to be collated and how will it be kept up to date?

TP13 – As part of the Licensing Information Disclosure Scheme

TP15 – Data collated as part of the DBO or Exclusion Order processes

3.5 Are the time periods for retention of the personal information defined? (See Policy D32)

TP13 – See policy D53 – External Use of Police Images

TP15 – See policy D53 – External Use of Police Images for DBO data, or D32 for Exclusion Order data

3.6 Is the process for removal and disposal of the personal information defined?

TP13 – See policy D53 – External Use of Police Images

TP15 – See policy D53 – External Use of Police Images for DBO data, or D32 for Exclusion Order data

3.7 Are access controls in place, for the defined personal information, in accordance with the Government Protective Marking Scheme? (ie Not Protectively Marked, Restricted or Confidential) - Please contact the Information Assurance Unit for further guidance. Their contact details can be found on the attached [link](#)

TP13 – See policy D53 – External Use of Police Images

TP15 – See policy D53 – External Use of Police Images for DBO data, or D32 for Exclusion Order data

3.8 If personal information is to be routinely disclosed please identify the relevant lawful basis - (please contact the Data Protection Unit for guidance on this issue) Their contact details can be found on the attached [link](#)

TP13 – See policy D53 – External Use of Police Images

TP15 – See policy D53 – External Use of Police Images for DBO data, or D32 for Exclusion Order data

Records Management and Management of Police Information – Section D
Please complete in conjunction with the guidance notes

4.1 Will the application of this policy generate information which will be held for policing purpose? ie

NOT PROTECTIVELY MARKED

- Protecting life and property
 - Preserving order
 - Preventing the commission of offences
 - Bringing offenders to justice
 - Any duty or responsibility on the police arising from common or statute law
- OR

Does it generate formal records? - If it “comprises sufficient content, context and structure to provide evidence of the activity – that is, it contains information that is worthy of preservation in the short, medium or long term”.

This will mainly incorporate the information held to meet **legal** requirements **or** information that is required to be maintained for operational and/or business reasons, e.g. MoPI, PACE, HR Records etc. The managers of your specific business function will provide the guidance on what is encompassed in this scope.

If Yes - list the records generated by this Policy :

POLICY PARAGRAPH NUMBER	RECORDS GENERATED	RETENTION PERIOD	AUTHORITY FOR RETENTION
D69 – section 2.8	Records will be maintained for the purposes of processing applications	As D32	D32
TP13 – 2.3	Image of person subject to Court imposed orders A civil ban under a local scheme, such as the Three Strikes Scheme Disclosure deemed necessary to support a joint civil agreement to ban an individual from Licensed premises, such as Pubwatch.	As D32	D32
TP15	Suspects images	As D32 & D53	As D32 & D53

4.2 Does this policy have any connection with :

- Collection
- Recording
- Evaluation and actioning
- Sharing
- Review retention and disposal of information

If No - then this policy does not fall under MoPI requirements - go to Section E

If Yes - does the Policy contain links to documented working practices/guidance covering roles and responsibilities?

Yes – All documents are appropriately linked

Health & Safety/Environmental/Green Agenda – Section E

Please complete in conjunction with the guidance notes

5.1 Does this policy have health and safety implications for the public or for our staff?
If yes – are they detailed within a generic risk assessment? (please include GRA reference if a risk assessment has been completed. If not covered by a generic risk assessment – a specific risk assessment should detail any significant risks.)

No

5.2 Who has been consulted in respect of health and safety issues? (eg Health & Safety Advisor/Occupational Health/Operations/Federation/Unions)

Not considered relevant

5.3 Has compliance with environmental legislation and the 'green agenda' been considered with respect to this policy?

If so, please provide details
If not, explain why

Not considered relevant

Equality Impact Screening and Human Rights – Section F
- Initial Impact Screening - decision checklist -
Please complete in conjunction with the guidance notes
(6.1-6.10 - to be completed by Policy Officer/Assessor)

6.1 What is the purpose of the policy?

The aim of the policy is to ensure a uniform approach Force wide to specific licensing matters and, through robust enforcement of the relevant legislation, reduce the impact of Licensable activities on the community.

6.2 Does the policy contain any potential interference with an individual's rights as set out in the Convention Articles listed within the Human Rights Act?
(the articles most likely to impact are listed within the guidance notes at Appendix 'A')

No
(Potential for impact on article 8 - to respect for private and family life considered in relation to 'name and shame schemes', however, the directions given in the relevant working practices are considered justifiable, necessary and proportionate.)

6.3 Does the policy contain a statement explaining what the specific legal basis is for any potential interference within the Human Rights Act?

Explain in full (including whether the interference is justifiable, necessary and proportionate)

N/A

6.4 What are the positive/adverse impacts of the implementation of the policy?
Explain in full

The policy and supporting working practices provide comprehensive guidance in relation to issues surrounding, Liquor Licensing including Betting, Gaming & Lotteries.

6.5 Proceeding to full Equality Impact Assessment?

YES	NO
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6.6 Date of screening decision

18th March 2013

6.7 Deadline for completing assessment or proposed deferred date

6.8 **If NOT proceeding to a full Equality Impact Assessment, complete ONE of the following :**

6.8.1 Policy Officer's/Assessor's reasons for deciding there is insufficient resource to proceed (eg insufficient time, staff, competing priorities, etc):

6.8.2 Policy Officer's/Assessor's reasons and evidence why it is not necessary to do an assessment on this policy (eg no adverse equality impacts likely within or between equality groups):

no adverse equality impacts likely within or between equality groups

6.9 **Advice taken?**

6.9.1 Has advice been taken from the Equality & Diversity Department?

YES/NO

6.9.2 Date advice taken and contact name within E&D Department

Sent to E & D 18/03/13

6.10 What was the advice provided or reason as to why advice was not sought?

I agree that this does not need to proceed to a full EIA. At this time with my current knowledge I believe that there are no issues impacting on the General duties to the Equality Act 2010 or any specific impact on any protected characteristic group or groups. Other working practices and policies are mentioned within and these will be subject to their own EIA.

E&D Sergeant 10/07/13.

(6.11 - 6.13 to be completed/verified by Departmental Head / Function Owner or appropriate Chief Officer)

6.11 What level of risk would the organisation be exposed to by not proceeding with an assessment?

Reason to support decision :

Low level of risk outlined above

6.12 **Decision whether to proceed with assessment and supporting comments**

Reason to support decision :

Full EIA not required

Deadline for completing the assessment or deferred proposed

Date

6.13 Decision approval by Departmental Head / Function Owner or appropriate Chief Officer:

Name:P J KENNEDY

Position held:LPP Department Head

Date:31/01/2014

Once completed an electronic copy of this completed form must be sent to Policy Admin



Devon & Cornwall Police
Building safer communities together

Equality Impact Assessment

Please complete in conjunction with the guidance notes

This equality impact assessment was completed by			
Name:		Signature:	
Position:		Date:	
Location:		Tel:	

A copy of this document should be forwarded to: Policy Admin Unit
This document will be retained by Policy Admin Unit for audit / publishing / monitoring purposes.

Equality Impact Assessment (full) – Section G

(same form used by E&D for general EIA)

Please complete in conjunction with the guidance notes

7. Aims, objectives & projected outcomes – set out why the main purpose of this function – identify the outcomes that the function / strategy / project /policy/ working practice/ step by step) is seeking to deliver.

7.1	Name of Function (strategy, project, policy, working practice/ or step by step)
7.2	Function Owner (chief officer lead)
7.3	Date agreed, implemented or changed
7.4	Brief description of function
7.5	Who is intended to benefit and in what way?
7.6	Which equality groups are likely to be affected by this function?
7.7	Who is responsible for implementing this function?

8. Consider existing evidence :

8.1	Use existing data to identify the current and potential impact of this function (strategy, project, policy or working practice) for different equality groups.

NOT PROTECTIVELY MARKED

8.2	Given the purpose and intended outcomes of this function/policy use this section to discuss in full the risks of any adverse/positive impacts on equality issues. Describe what these impacts might be and which groups might be affected. (Refer to guidance notes paragraphs 6.7 and 8.2)
8.3	In what ways have you already built-in steps to enhance a positive impact on equality groups in the way you carry out / deliver this function/policy? For example increasing representation, eliminating discrimination, progressing equality of opportunity, tackling harassment, promoting positive images and fostering community cohesion.

9. Consultation and Involvement - set out how you have involved and consulted with equality groups in the organisation and in the community with regard to the development, delivery and review of this function.

9.1	How have you consulted, engaged and involved internal stakeholders in considering the impact of this function on other functions and services.
9.2	How have equality groups been consulted and which equality groups (either/both internally/externally) have engaged in the consultation process?
9.3	How will you feed back the results of this involvement and consultation to participants?

NOT PROTECTIVELY MARKED

10. Assessment & Analysis – use the evidence from the data analysis and consultation to assess whether the delivery of this function has an adverse/positive impact on any equality groups.

10.1	What potential for positive impact for equality was identified through the consultation?
10.2	Did the consultation identify any concerns about barriers to access or adverse impact for any particular communities or equality groups? What were these and who is likely to be affected?
10.3	How will you mitigate any adverse impacts? (identify any resource implications)
10.4	If changes are required to be made - what are they? If no change is to be made, what is the justification for this.

11. Monitoring and Review

11.1	How will you monitor this function to ensure that the equality commitments are delivered?
11.2	How will you ensure that stakeholders and equality groups continue to be involved in shaping the development and delivery of this function?
11.3	Describe how and when the senior leadership will be involved in overseeing and reviewing monitoring outcomes.

11.4 Describe how, and where the results of this equality impact assessment and the outcomes of the monitoring will be published

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12. Quality Assurance (by E & D department)

This equality impact assessment was reviewed by			
Name:		Signature:	
Position:		Date:	
Location:		Tel:	