



## 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	D115 – Special Constabulary		
Name and contact details of Assessor	Policy Officer, Ext 23642		
Policy Owner (Department)	Local Policing & Partnerships		
Portfolio Owner (COG)	ACC Sharon Taylor		
Date of Assessment	27 <sup>th</sup> February 2014		
Policy Version date (to be completed by Policy Admin)	06 February 2014		
Verified by : (Policy Officer)	Policy Officer		
Associated working practices :	TP08 – Special Constabulary Working Practice		
Date submitted to Policy Admin	28/02/2014	Check completed and registered	28/10/2014

- **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?

A need to separate policy from working practice was identified. In addition, there was also a requirement to update those practices in line with current circumstances.

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 additional impact envisaged. The processes detailed in the working practice and policy represent a reiteration of what was already in the policy prior to the creation of the working practice.

## 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)

Both documents are FOI open, and marked appropriately.

## 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)

No

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)

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

**NOT PROTECTIVELY MARKED**

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

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

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

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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](#)

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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](#)

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**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

- 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 :

No

POLICY PARAGRAPH	RECORDS GENERATED	RETENTION PERIOD	AUTHORITY FOR RETENTION
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**NOT PROTECTIVELY MARKED**

NUMBER			

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?

## **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.)

Special Constabulary officers will be subject to the same GRAs as regular sworn officers when carrying out similar duties.

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

H&S Advisor

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?
To provide clarity and guidance in relation to the role of the special constabulary within Devon and Cornwall.	

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	

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)
Yes	

6.4	What are the positive/adverse impacts of the implementation of the policy? Explain in full
<p><u>Positive</u></p> <p>This policy and supporting working practice assists in detailing the role of the personnel within the special constabulary. This clarity in roles would assist to enhance the reputation of the force by making procedures transparent.</p> <p><u>Negative</u></p> <p>The public perception of the use of the special constabulary may lead to claims that it is being used to replace full time regular officers.</p>	

6.5	Proceeding to full Equality Impact Assessment?
YES	NO

6.6	Date of screening decision
9 <sup>th</sup> May 2012	

6.7	Deadline for completing assessment or proposed deferred date

6.8	<b>If NOT proceeding to a full Equality Impact Assessment, complete ONE of the following :</b>
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**NOT PROTECTIVELY MARKED**

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):

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	02/01/2013 E&D

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

Agree, there is no need to proceed to Full EIA with regards to this Policy. Other working practices and Policies are mentioned within the body of the text and these will be subject to their own EIA. As this policy refers to the deployment of Specials it is presumed that all appropriate process regarding recruitment and any reasonable adjustments have been applied. At this time given my current knowledge I believe that there are no issues impacting on the General Duties of the Equality Act 2010, or specific impact on any protected characteristic group or groups.

**(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?

**Low level risk**

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

**Reason to support decision : Low level of risk Full assessment not required.**

Deadline for completing the assessment or deferred proposed	Date
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6.13 Decision approval by Departmental Head / Function Owner or appropriate Chief Officer:

**Name:**P J Kennedy

**Position held:**LPP Commander

**Date:**27/02/2014

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