

INITIAL DIVERSITY SCREENING AUDIT FOR POLICE AUTHORITY POLICIES AND FUNCTIONS

DOCUMENT: _Harassment and Bullying

AUDITORS: Tamsin Kelland, Eelke Zoestbergen.

Date : February 2006

- The following provides a set of questions to be applied by those persons involved in auditing, drafting or amending Police Authority policy, procedures or working practices.
- The questions are prompts to ensure compliance with the key principles of the Race Relations (Amendment) Act 2000 and other diversity principles.
- This completed document must be attached to any policy subjected to this form of review, as this will demonstrate what steps have been taken by the Police Authority to ensure compliance with the Race Relations Act Amendment) Act 2000 and other diversity principles especially those relating to disability, age, gender, religion/belief or sexual orientation.
- The policy/function will be audited firstly from the viewpoint of a generic policy/function that could be used in any organisation and then secondly specifically from a Devon & Cornwall Police authority viewpoint;
- In an authority as small as Devon & Cornwall Police Authority, great care must be taken to ensure that actions such as monitoring activities do not provide opportunity for disclosure of information about an individual.

| <u>ISSUE</u> | <u>Question</u> | Response (THIS SECTION SHOULD BE COMPLETED BY THE INDIVIDUAL AUDITING OR DRAFTING POLICY/PROCEDURE/PRACTICE AND PROVIDES THE EVIDENCE TO SUPPORT ANY CERTIFICATION OF COMPLIANCE) | Page REFERENCE (cross reference to section in policy which addresses the issues raised) |
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| Initial Screening for key Human Rights Principles | 1. What is the intention of this policy/procedure/working practice? | To prevent harassment or bullying in the workplace by 1) underlining the serious view that the Authority takes of such actions, 2) by increasing awareness of what may constitute harassment or bullying and 3) by outlining the steps that will be taken in the event of a complaint being made | <i>Para 1, page 1</i> |
| | 2. Have the contents of this policy been previously audited for human rights compliance? | No | |
| | 3. Is there any potential interference with an individual's rights contained in the policy as set out in the Convention Articles? If yes please provide details and evidence and undertake a full impact assessment by completing the relevant template. | Only if the policy is not adhered to correctly or is unfairly applied. The appeals process (as part of the Disciplinary and Incapability Procedure) provides the opportunity to identify and redress any unfair applications of the policy. | |

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| GENERAL DUTY TO PROMOTE RACE EQUALITY AND OTHER DIVERSITY PRINCIPLES BOTH INTERNALLY AND EXTERNALLY | <p>4. Which if any of the three aspects of the General Duty does the policy/procedure have links with?</p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>Eliminate racial discrimination</i> <input type="checkbox"/> <i>Promote equality of opportunity</i> <input type="checkbox"/> <i>Promote good relations</i> <input type="checkbox"/> <i>The above 3 principles (eliminating discrimination, promoting equality of opportunity and promoting good relations) in relation to race, disability, age, gender, religion/belief or sexual orientation.</i> | <p>The policy has direct links with all these aspects of the general duty and diversity principles.</p> <p>The policy clearly states that the Authority is opposed to harassment, bullying or victimisation of employees on the grounds of their race, colour, ethnic or national origin, marital or parental status or age.</p> | |
| | <p>5. Is there evidence or reason to believe that some groups could be differently affected by the policy/procedure/practice and if so, which groups e.g. people from a particular race, culture or belief, gender, sexuality?</p> <ul style="list-style-type: none"> • How much evidence do you have? You should consider existing performance monitoring data recorded by the Police Authority and issues of public interest. | <p>No, the impact is the same on every employee. (Although there is a need to ensure that different individuals' needs are met and that every case is considered in its own right.)</p> <p>No evidence gathered – monitoring should be considered but must be approached with caution due to the small sample size</p> | |

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| | <p>6. Is there any potential for policy/ procedure /working practice to be applied in a discriminatory manner with respect to race or any other group of people to which diversity principles apply?</p> <ul style="list-style-type: none"> • How much evidence do you have? You should consider whether there is a chance for the policy to be applied disproportionately. | <p>Not if the policy and procedure is followed correctly and the appeals process is available. The aim of the policy is that everyone should be treated equally and with dignity.</p> <p>No evidence gathered – monitoring should be considered but must be approached with caution due to the small sample size</p> | |
| | <p>7. <i>Is there any evidence of public concern that the policy/ procedure /working practice has been or is being generated in a discriminatory way.</i></p> <p><i>How much evidence do you have? You should consider current and historical media and press interest.</i></p> | <p>No at this moment in time.</p> <p>This is a new internal policy /procedure (approved by the HR Committee in XXXXXX) it has been little used and is unlikely to come to public attention.</p> | |

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| | <p>8. Considering the answers to Qs 4-7, is the current policy/ procedure /working practice or proposed policy/procedure/ working practice relevant to the General Duty to promote race equality or the effect on any particular group of people?</p> <p>Please underline a level of priority.</p> | <p>None A little (3) <u>Some</u> (2) A lot (1)</p> <p>If None, complete a brief explanation for your reasons.</p> <p><i>If the policy is assessed as having “some” or “a lot” of relevance, then a Full Race Impact Assessment needs to be completed. Joy – can we discuss this pls? We think this should be discussed at the next meeting.</i></p> <p>No, but we should monitor that the policy is applied correctly if and when it is used.</p> | |

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| MONITORING IMPACT OF POLICY | 9. Are current recording arrangements and data collection methods sufficient to allow the policy to be monitored with reference to any particular groups of people? | <p>If <u>yes</u> please list what they are, where they are held and when and how they are collected.</p> <p>In such a small organisation it would be very difficult to monitor this policy without being easily able to identify individuals involved. <i>Joy – can we discuss this pls? We think this should be discussed at the next meeting.</i></p> <p>If <u>no</u> please identify what you think needs to be done to enable this policy to be appropriately monitored.</p> | |
| BUREAUCRACY GATEWAY CHECKLIST | 10. What has changed or emerged to trigger this policy (if it is a new policy which is being audited)? | The number of people directly employed by the Authority has increased. There is a desire to be a fair and non-discriminatory employer and follow employment best practice methods as suggested by ACAS. | |
| | 11. Are the objectives of the Policy & Procedure clear? | Yes | Page 1, section 2 and 3 |

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| | 12. Does the policy/procedure require new processes or documents for implementation (consideration must be given to the costs or of implementation against the anticipated benefits) | It won't so much affect documents but under certain circumstances could have a possible impact on processes and resources (e.g. if an investigation is necessary and / or external organisations need to be involved) | |
| Freedom of Information Act Considerations | 13. Does the policy contain clear information about the application of the Freedom of information Act? Is the policy / procedure to be published on the Authority's website - if no please give explanation | As far as the policy itself is concerned – there is no reason for it not to be released under the FOIA. However, as far as any matter is concerned that is reported within the context of this policy certain exemptions would apply e.g. the Data Protection Act. To be considered | |
| Declaration of Compliance | 14. Does the policy contain a declaration that it has been drafted in accordance with the Human Rights Act, Race Relations Act, Disability Discrimination Act, and the Freedom of Information act and the principles underpinning them? | No – this needs to be considered & included | |
| Policy Review Date | 15. The suggested review date to ensure continuing compliance with legislative and best practice principles. | February 2011 | |