

Devon and Cornwall Police Authority Race Equality Scheme 2008 - 2011

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DEVON AND CORNWALL POLICE AUTHORITY
RACE EQUALITY SCHEME
2008 - 2011

There is no doubt that the Police Authority area of Devon, Cornwall, Plymouth, Torbay and the Isles of Scilly is becoming racially more diverse. This increasing diversity serves to underline the need for the Police Authority to continue to be fully supportive of all those who choose to live, work and visit the far South West of England.

The Devon and Cornwall Police Authority has the fundamental responsibility of ensuring 'an efficient and effective police force' in this area and, of course, part of this responsibility is concerned with ensuring that the Constabulary meets its race equality responsibilities. The Authority was pleased, recently, to support the creation of a Black Police Association in our force and were reassured that, though called the 'B.P.A.', the organisation would itself include officers and staff who come from all different backgrounds and cultures.

It remains an important objective of the Police Authority's Members and Officers, to foster a 'joined up' approach to equality issues, aimed at removing any barriers to full community participation. The Authority has a statutory duty to address racial discrimination and to promote equality of opportunity and good race relations. To do this we will continue to work closely with the Constabulary and our other partners. The issues of diversity and racial equality are, and will remain, pivotal to our work.

I hope that you find this current version of the Authority's Race Equality Scheme both helpful and informative. As circumstances change this Scheme will also change and develop, but the commitment of the Authority to maintain these principles will not change. As Chairman of the Authority, I will do all that I can to ensure that the Authority continues to provide leadership and encouragement to the Constabulary and to those it can influence, to move ever closer to achieving equality of opportunity.

John N Smith
Chairman Devon & Cornwall Police Authority

DEVON AND CORNWALL POLICE AUTHORITY RACE EQUALITY SCHEME

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EXECUTIVE SUMMARY

The duty on public authorities to promote race equality arose from the Inquiry Report into the death of Stephen Lawrence, which identified institutional racism in some public organisations.

The Government responded by making a commitment to remove the potential for discrimination from the main public services. It amended the Race Relations Act 1976 and placed a statutory general duty on most public authorities, including Police Authorities and Forces, to promote race equality.

The duty's aim is to make sure that public authorities build race equality considerations into all aspects of their public services.

The Authority first published a Race Equality Scheme in May 2002; which was subsequently revised in 2005. This revised Race Equality Scheme (2008-11) includes a review of the earlier action plans; builds on work already undertaken; incorporates new information and establishes this within a risk management framework.

This scheme will set out how Devon and Cornwall Police Authority will embed race equality into the culture of the organisation in practical and demonstrable ways. It sets out how it will be meeting the duties, how it is already addressing many of the duties and how it will address any gaps within its functions and services.

The scheme is underpinned by a risk management approach designed to identify and evaluate the risks attached to all the activities performed by, and statutory duties vested in, the Police Authority and identify which of these might impact on the Police Authority's ability to achieve its aims and objectives under the Race Equality Duty.

Furthermore, the Race Equality Risk Register links into the Police Authority's Full Risk Register. The Authority's Corporate Governance Committee will monitor the Full Risk Register on at least a quarterly basis.

The Risk Register includes a clear, prioritised plan of what needs to be done, by whom and by when and will therefore also serve as the Police Authority's Action Plan. The higher risks have been mitigated, if within the control of the Authority, to within tolerable levels by the controls in place with residual risks being low to moderate and consequently well within our control. This is a dynamic document that will be regularly updated and reviewed. Updates on risks, as well as the controls in place to manage them and progress on the actions in place will be presented annually to the Full Authority until a comprehensive review of the entire Scheme in 3 years' time.

DEVON AND CORNWALL POLICE AUTHORITY RACE EQUALITY SCHEME

1. INTRODUCTION

This is the revised 2008 – 2011 Race Equality Scheme for Devon and Cornwall Police Authority. It describes the Authority and the work it does, sets out its values in respect of race equality, and the approach that the Authority will adopt to further these values. The production of this scheme is required by law (the Race Relations (Amendment) Act 2000), but the Authority sees this work as a natural extension of its commitment to ensuring fairness and equality of opportunity to all members of the community that it serves.

The Authority first published a Race Equality Scheme in May 2002; which was subsequently revised in 2005. This revised Race Equality Scheme (08-11) includes a review of the earlier action plans; builds on work already undertaken; incorporates new information and establishes this within a risk management framework.

1.1 Background

The duty on public authorities to promote race equality arose from the Inquiry Report into the death of Stephen Lawrence, which identified institutional racism in some public organisations.

The Government responded by making a commitment to remove the potential for discrimination from the main public services. It amended the Race Relations Act 1976 and placed a statutory general duty on most public authorities, including Police Authorities and Forces, to promote race equality.

The duty's aim is to make sure that public authorities build race equality considerations into all aspects of their public services.

1.2 The Legal Framework

The Race Relations Act 1976 made it unlawful to discriminate on racial grounds in relation to employment, training and education, the provision of goods, facilities and services, and certain other specified activities.

Under Section 71 of the 1976 Act, Police Authorities had to carry out their functions with due regard to the need to eliminate unlawful racial discrimination, promote equality of opportunity, and good relations, between persons of different racial groups.

The Race Relations (Amendment) Act 2000 strengthened and extended the 1976 Act:

- To include all public services and
- To make chief police officers and Police Authorities liable for acts of racial discrimination committed by police officers, unless it can be shown that reasonable steps were taken to prevent this.

The General Duty

The legislation places a general duty on Police Authorities and Forces to:

- Eliminate unlawful racial discrimination
- Promote equality of opportunity and
- Promote good race relations between people of different racial groups

The Specific Duties

In order to comply with the general duty, there are two specific duties that the Authority must meet:

- To prepare and publish a Race Equality Scheme and
- To monitor the authority's employment procedures and practices

This Race Equality Scheme sets out how the Devon and Cornwall Police Authority will meet these duties.

2. ABOUT DEVON AND CORNWALL POLICE AUTHORITY

2.1 Role, Functions and Policies

The key role for the Devon and Cornwall Police Authority is to secure the maintenance of an efficient and effective police service for the people of Devon, Cornwall and the Isles of Scilly. A summary of the Police Authority's statutory duties and responsibilities is available on request by contacting the Police Authority offices on 01392-268333. The way the Police Authority carries out these duties needs to be audited for relevance to the general duty and any potential impact on any (minority) groups. The Police Authority has been systematically auditing its policies against all seven strands of diversity (race, disability, sexual orientation, gender, transgender, religious beliefs, and age¹) since the publication of the Race Equality Scheme in 2005.

One of the Police Authority's duties is to monitor the performance of Devon and Cornwall Constabulary. The Constabulary has published its own Race Equality Duty Scheme and associated Action Plan and the Police Authority will monitor how the Constabulary implements its scheme and complies with its race equality duties. Via the Police Authority's committee structure the Constabulary will report back on its progress and achievements in relation to the general duty.

The Police Authority will work to ensure that the functions, policies and practices of both the Police Authority and the Constabulary conform both to the letter and spirit of the law.

The Constabulary will place its Race Equality Duty Action Plans on the Continuous Improvement Database, which is a formal recording process that reviews and monitors progress made and actions undertaken in relation to the recommendations.

Regular updates will be submitted to the Police Authority's Diversity Working group and via the Police Authority's Human Resources Committee. (These two committees will also receive updates on the Police Authority's Race Equality Duty Scheme and Action Plans)

If appropriate, updates by exception reporting will also take place to the PA Performance Monitoring Committee.

¹ To include issues affecting 'children and young people'

The Constabulary's Equality and Diversity Panel will retain an overview of their Race Equality Scheme and Action Plan. This meeting is attended by one of the Police Authority's members.

Furthermore, an annual Diversity Report will be presented to the Full Authority meeting with updates on progress made against the Race Equality Action Plans. This Diversity Report will also include updates from the Gender and Disability Equality Schemes.

Every Full Authority meeting also receives a verbal update from the Chief Constable on the Chief Constable's Report which includes a section on the representation of female and minority ethnic groups within the Force structures.

2.2 Organisational Structure and Committee Process

This section sets out how the Authority is made up and how it works. Full details of membership, meeting dates and committees can be found on the Authority's website – www.dcpa.police.uk.

Structure

The Devon and Cornwall Police Authority has 19 Members - 10 Councillors, 3 Lay Justices, and 6 Independents. All Members are appointed to the Police Authority for a fixed term and the membership can change during the year. (This structure is set to change as from 1 October 2008 to include 10 Council Members and 9 Independent Members of whom at least one should be a Lay Justice.)

Councillor Members

The Councillor members are nominated from:

- Devon County Council,
- Cornwall County Council,
- Plymouth City Council,
- Torbay Council and
- Council for the Isles of Scilly.

A joint Committee representing all of these Councils determines the political composition of the appointments to reflect the overall political balance across the Councils' membership.

Lay Justice Members (Formerly known as Magistrates)

The Lay Justices are appointed by the Councillor and Independent Members. Any Lay Justice Member in the Force area can apply for appointment to the Police Authority.

Independent Members

Police Authorities want their Independent Members to represent as wide a range of people as possible.

The full Authority meets five times per year. Meetings are open to the public.

Committee Processes

Committee Processes

The Police Authority has the following committees and working groups:

- Diversity Working Group
- Corporate Governance Committee
- Human Resources Committee

- Professional Standards and Complaints Monitoring Group
- Performance Management Committee
- Community Engagement Committee
- Resources Committee
- Standards Committee
- Chairmen's Group
- Police Staff Disciplinary Appeals
- Property Sub Committee
- Regulation A20

Because the intention is to 'mainstream' race equality issues i.e. make them a central thread running through everything we do, each of the committees will have an ongoing duty to review their own procedures and activities in this respect. This means incorporating race equality standards and objectives into routine organisational procedures such as policy and budget approval documentation, organisational targets and objectives and individual job descriptions and appraisals. The Police Authority is committed to undertaking this work and much of it is already done and in place, however, it will be added to the Action Plan to ensure that it gets the scrutiny it deserves and forms a meaningful part of the Police Authority's way of doing business.

In addition, it is proposed that the appropriate committees will have additional specific responsibilities for monitoring Constabulary as well as Police Authority performance.

Examples of this would be:

Human Resources Committee

- Ensuring that employment procedures are fair and accessible to all.
- Monitoring the Constabulary and the Police Authority in relation to the general duty with regard to their collection of data around employment, training, promotion and retention of staff.
- Monitoring the Police Authority's progress in relation to the general duty through regular updates from the Police Authority's Officers.

Diversity Working Group

- Receives regular updates from the Constabulary's Diversity Unit about the Constabulary's achievements in relation to race equality, but also areas of concern and improvements that need to be made. Any issues, which suggest that the Constabulary is not meeting the race equality duty, will be brought to the attention of the Human Resources Committee.
- Overviews the Police Authority's policy auditing processes and advises when impact assessments need to be carried out.
- Keeps Police Authority Members up to date in their requirements and duties under the Race Equality Scheme.
- Identifies training requirements for members and staff.

Community Engagement Committee

- When consulting and liaising with local communities ensuring an awareness and understanding of the race perspective and accessibility issues.
- Determining local priorities for policing after consultation with the local community.

Professional Standards and Complaints Monitoring Group

- Ensuring that the processes in place for dealing with complaints are fair and accessible to everyone.
- Monitoring of complaints – are there a disproportionate number from any particular racial group?

2.3 Lead Members

Members of the Police Authority take a lead role in one or more particular aspects of policing. This is to enable a much more detailed knowledge and involvement than could otherwise be achieved. Lead members take an objective and questioning role at a strategic level for their allocated areas and report back to the Police Authority on areas of concern. There are Lead Members for diversity and also training which includes the topics of learning and development.

2.4 Relationship with the Constabulary

Devon and Cornwall Police Authority and Constabulary are separate organisations, each with their own Race Equality Scheme. As described above, the Police Authority has a duty to monitor and review the implementation of the Constabulary's Scheme and Action Plan. The following table provides a brief summary of how it will fulfil that duty. Regular reports will be presented to the relevant committee to consider in some detail. Overall monitoring of the scheme will remain the responsibility of the Full Police Authority.

Members of the Police Authority also sit on the Constabulary's Strategic Panels. These include panels for Human Resources and Training, Equality and Diversity, Professional Standards and a Business Change Panel.

Element of Constabulary Scheme	Main monitoring route
Overall monitoring of scheme	<ul style="list-style-type: none"> • Human Resources Committee and Diversity Working group. • Report also to be submitted to the Full Police Authority meeting • Member attends the Constabulary's Equality and Diversity panel
Constabulary diversity structures	<ul style="list-style-type: none"> • Human Resources Committee • Diversity Working Group
Policy-making	<ul style="list-style-type: none"> • Human Resources Committee • Diversity Working Group
Stop and Search	<ul style="list-style-type: none"> • Diversity Working Group
Recruitment, Retention and Progression (and related employment issues)	<ul style="list-style-type: none"> • Human Resources Committee
Complaints and Grievances	<ul style="list-style-type: none"> • Professional Standards and Complaints Monitoring Group
Training	<ul style="list-style-type: none"> • Human Resources Committee
Consultation strategy	<ul style="list-style-type: none"> • Community Engagement Committee

2.5 Strategic Aims and Objectives

Devon and Cornwall Police Authority is committed to the fulfilment of its duties under the Race Relations Act 1976 and the Race Relations (Amendments) Act 2000 in the performance of all its functions, duties and powers.

It views this as an essential element of delivering the Public Service Agreement “to increase trust and confidence in policing amongst all the diverse communities in Devon and Cornwall”.

Through the development of this Race Equality Scheme the Police Authority will:

- ‘Mainstream’ race equality by making it central to the day to day operation of the Police Authority.
- Incorporate race equality aims and objectives into relevant strategies and plans
- Work in partnership with the Constabulary (and where appropriate other organisations e.g. the Black Police Association) to ensure an integrated approach to race equality issues.
- Develop a fuller understanding of the communities (incl. new & emerging communities) that the Police Authority serves.
- Liaise with partner agencies to provide an integrated approach (compliant with race equality principles) where appropriate.
- Monitor and scrutinise the Constabulary’s approach to race equality.

3. MEETING THE DUTIES

3.1 Meeting the General Duty I

- ***To eliminate unlawful racial discrimination***

Discrimination is the 'treatment or consideration based on class or category rather than individual merit; partiality or prejudice.' So it means treating a particular group of people or a person differently because of (in this context) their race.

*'This general duty is a positive one i.e. it requires public authorities to be pro-active, to seek to avoid unlawful discrimination before it occurs.'*²

This is reinforced by the Police and Justice Act 2006, which states that 'a Police Authority shall promote equality and diversity within that force and within the authority'.

Devon and Cornwall Police Authority has a range of policies and working procedures in place to ensure that the Police Authority complies with the legislation detailed above. We have a zero tolerance approach to discrimination and harassment, which is set out in our 'Employment Policy' and 'Harassment and Bullying Policy'. Instances of harassment or discrimination can also be reported through the 'Grievance Procedure Policy'. All these policies have been audited to ensure compliance with all the seven diversity strands.

Furthermore, the 'Policy on Diversity in Employment' clearly states that 'the Police Authority is committed to the principles of equal opportunities in employment and in equal pay for work of the same or similar nature or work of equal value. The Police Authority is opposed to any form of less favourable treatment (unless justifiable in law) whether through direct or indirect discrimination, harassment, bullying or victimisation accorded to employees or job applicants on the grounds of their race, colour, ethnic or national origin, nationality, religion, belief, sex, sexual orientation, marital or parental status, age or disability.'

3.2 Meeting the General Duty II & III

- ***To promote equality of opportunity***
- ***To promote good race relations between people of different racial groups***

*'Avoiding unlawful discrimination should have the effect of promoting equality and good relations between people of different racial groups and vice versa. These two aspects of the duty are therefore complementary.'*³

The general duty is proportionate so public authorities will be expected to give appropriate weight to the promotion of race equality when performing their functions. However, In order to achieve actual equality of opportunity, it is necessary to recognise that in certain situations certain racial groups might not be in the same position. Therefore, in some circumstances it may be appropriate for public authorities to treat these groups differently, if that action is aimed at overcoming previous disadvantage.

² *Race Relations (Amendment) Act 2000 – Home Office, February 2001, p.15.*

³ *Race Relations (Amendment) Act 2000 – Home Office, February 2001, pp.15-16.*

The Police Authority will keep under review whether there might be any possible indirectly discriminatory effects arising from its standard working practices. When considering requests for variations to these standard working practices, the Police Authority will refuse requests only if it considers it has good reasons, unrelated to any prohibited ground of discrimination, for doing so.

The Police Authority does monitor the race composition of the existing workforce and of applicants for jobs (including promotion) and will consider and take any appropriate action to address any problems which may be identified as a result of the monitoring process.

The Police Authority cannot lawfully discriminate in the selection of employees for recruitment or promotion, but the Police Authority may use appropriate lawful methods, including lawful positive action, to address the under representation of any group which the Police Authority identifies as being underrepresented in particular types of job.

The above principles will also apply in the Police Authority's approach to others who are not directly managed by the Authority (e.g. Constabulary personnel) but, in respect of whom the Police Authority has employment responsibilities.

3.2.1 Independent Custody Visitors (ICVs)

The recruitment process for ICVs is a good example where the Police Authority has worked hard to promote equality of opportunity from an overall diversity viewpoint. (See Chapter 8 for further information.)

Ethnicity breakdown of ICVs of the Police Authority:

For the 52 Independent Custody Visitors the ethnicity is as follows:

- 46 White British
- 1 White & Asian
- 5 Not stated

3.2.2 Police Authority Members

The current ethnicity status of the Police Authority Members is highlighted in the RES Risk Register and Action Plan (see Appendix C) as one area that should be considered as in need of further work. It is, however, worth highlighting that the Police Authority has no influence over the selection of those members that are councillors. During the last recruitment process of independent members the Police Authority worked hard to promote equality of opportunity from an overall diversity perspective and advertised widely and included the use of local radio stations to advertise the posts. A new independent member recruitment process is about to start and will again have a committed and dedicated approach to the wider diversity agenda.

The Devon and Cornwall Police Authority is committed to be as representative as possible of the communities of Devon and Cornwall and the Isles of Scilly. This representation must necessarily encompass all seven strands of diversity and will be approached by the Police Authority as such.

Ethnicity breakdown of the Members of the Police Authority:

12 – White British
6 – Not Declared

3.2.3 Police Authority Officers

The ethnicity breakdown of Police Authority officers is as follows:

Ethnicity breakdown of staff working for the Police Authority:

- 9 – White British
- 1 – Any other White Background
- 1 – Mixed White and Asian

3.3 Meeting the Specific Duties: Race Equality Scheme

- *To prepare and publish a Race Equality Scheme.*

3.3.1 The Devon and Cornwall Police Authority's Race Equality Scheme

The Devon and Cornwall Police Authority Revised Race Equality Duty Scheme will be published on our dcpa.police.uk website by May 31, 2008.

If English is not your first language we can also arrange for it to be produced in another language.

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The Race Equality Scheme sets out how the Police Authority will meet its duties under the Race Relations (Amendment) Act 2000. The scheme will reinforce and support its work around race equality, impacting on the Police Authority and all its policies, working practices and functions.

In order to meet the general duty the Authority will undertake the following processes:

- Identify which of the Police Authority's functions, policies and practices are relevant to the general duty.
- Prioritise those functions, policies and practices based on their relevance to race equality.
- Assess whether the functions, policies or practices have an adverse impact on race equality.
- Consider what changes may need to be made to the functions, policies or practices.

The Authority will consider basic questions about the Authority's functions and policies, for example:

'How does this function, policy or practice affect different racial groups in the communities we serve?'

The following questions can then be asked:

- Does this function or policy have different effects on different racial groups?
- Could there be an adverse impact on any particular group?
- Is there any evidence (e.g. complaints, lower levels of satisfaction) that some racial groups are being differently affected?
- Is there any public concern - especially amongst minority ethnic communities - that functions/policies are discriminatory?
- Is there an opportunity to promote equality of opportunity and good race relations more effectively?

This includes the responsibilities for Independent Custody Visiting Schemes.

The Police Authority has begun to undertake this work by reviewing and assessing its key functions and policies. A list of the Police Authority's policies and strategies are available on request. There is further work to do in reviewing and assessing *all* of its policies and practices.

Policies, which have been audited in relation to all seven strands of diversity, are published on the Police Authority website: www.dcpa.police.uk

The Diversity Working group has already decided, after an audit was undertaken, that the policy on 'Community Engagement' warrants a full Equality Impact Assessment. It will include an extensive consultation process ensuring that all relevant groups will have the ability to impact on the policy.

Community Engagement is a vital part of Police Authority business and service delivery and it is to ensure that:

- The diverse communities of Devon and Cornwall are provided with a range of opportunities to express their views about the provision of policing services.
- All staff of the Police Authority and Constabulary are provided with a range of opportunities to express their views about the provision of policing services and working practices.
- To disseminate the results of consultation exercises and provide feedback about actions taken to address the issues identified.
- To undertake to keep communities briefed on policing issues that affect them.

3.3.2 Risk Management

It was decided that the scheme should be directed by a risk management approach as in this way it will consider all the relevant activities performed within the Police Authority and identify which one could impact on the Police Authority's ability to achieve its aim and objectives under the Race Equality Scheme.

This should be viewed as a positive and enabling process highlighting potential problems before they happen by following a well-defined and structured process. It will ensure that objectives are achieved and that issues are addressed and actions/opportunities are emphasised in a timely fashion. This fits in well with the guidance outlined in the 2000 Act that states that 'as the requirement is to have **due regard**, the general duty is **proportionate**'.⁴ Furthermore the Race Equality Risk Register will link into the Police Authority's Full Risk Register. The Police Authority's Corporate Governance Committee will monitor the Police Authority Full Risk Register on at least a quarterly basis.

The Risk Register includes a clear indication what needs to be done, by whom and by when in a prioritised way and will therefore also serve as the Police Authority's Action Plan.

3.3.5 Monitoring

Devon and Cornwall Police Authority and Constabulary are separate organisations, each with their own Race Equality Scheme. As described in Chapter 2, the Police Authority has a duty to monitor and review the implementation of the Constabulary's Scheme and Action Plan. Regular reports will be presented to the relevant Committee to consider in some detail.

Updates about the objectives in the Police Authority's Scheme will go to the Diversity working group, whilst the scheme will also be monitored by the Human Resources Committee. Annual progress against objectives will also be provided via a Diversity Report to the Full Police Authority. This will also include updates on the Gender and Disability Duty Schemes.

⁴ Race Relations (Amendment) Act 2000, Home Office February 2001, p.16.

The Police Authority will report against its Race Equality Scheme and review it annually to:

- Assess how it has complied with the duties under the Race Relations (Amendment) Act 2000.
- Consider how equality of opportunity and positive attitudes towards different racial groups has been advanced during the life of the scheme.
- Think about how it can improve upon what it has already achieved.
- Look at any areas in which it has not made as much progress as it had hoped and
- Consult local communities in order to monitor public perception and satisfaction.

Reviewing is an important part of an “action-owner’s” responsibility.

This Race Equality Scheme will be considered a ‘living document’ that will, thanks to the risk register approach, be regularly updated and have its actions reviewed against the wider objectives and aims of the Police Authority.

This process must be as transparent as possible, which will, as a result, instil trust and confidence in the Authority to deliver a high quality service to its communities.

3.3.4 Community Engagement

It is very important that all sections of the communities that the Police Authority serves can engage with and have access to all the information and services that the Police Authority provides.

Four important communication routes are the Policing Plan, Local Policing Summary, Police Authority Liaison Meetings and the Police Authority website (www.dcpa.police.uk)

The **Policing Plan** is prepared jointly by the Police Authority and the Constabulary. It outlines policing priorities and targets for the year and information on performance compared to targets for the previous year.

The Policing Plan sets out the medium and longer term strategies for policing the area and reflects feedback from our communities collected via e.g. Police Authority Liaison Meetings and from surveys.

Since April 2006 there has been a statutory requirement that Police Authorities produce **Annual Local Policing Summaries**. They are a means of getting information to the public about how they are being policed. If local communities are to have an informed view and actively engage in policing, they need to be better informed about how policing is being delivered and understand the priority issues, as well as having a better idea of how to access, engage and influence local policing. Providing better information on local policing is also important as it supports the need to make policing truly accountable and transparent to the public.⁵

All the information that the Police Authority publishes is included in our Publication Scheme and comprehensive and detailed information about the Police Authority’s work, members, meetings and policies is included on the **website**.

Hard copies of all this information are available on request.

The Police Authority does not currently translate all of its documents into different languages and formats on a routine basis but will provide translations on request.

The Police Authority recognises that this may not be sufficient to ensure adequate access for all people that need it.

⁵ Home Office website

The Police Authority is keen to obtain the views of local people about policing in their local area and to gain their co-operation in preventing crime. **Police Authority Liaison Meetings** are held each year throughout Devon, Cornwall & the Isles of Scilly - in each local authority area - to give the community the opportunity to express their views. At each meeting there is a report from a local senior police officer and an opportunity for members of the public to ask questions or raise issues. A member of the Police Authority will be there to hear their views and feed them back to the Full Authority. Comments received will assist in the drafting of the Policing and Performance Plan.

3.3.5 Consultation and Engagement

Annually the Police Authority sends out the **Public Survey** which will go out in September / October to a minimum of 25,000 randomly selected households. The Police Authority uses the results to find out how well policing services are delivered, to find out what the public expects and thinks of their police force and about their satisfaction with the current service. Results are then fed back into the Police Authority's decision-making process via the Consultation unit and the Police Authority Community Engagement Committee. It might be valuable to undertake some work to examine the extent to which the needs of different racial groups are taken into consideration / account in the delivery of our services and functions. However, the most constructive way to approach this is from a general diversity approach.

From a race perspective 97.8% of respondents classify themselves as White British, while 2.2% were from other backgrounds. All questions can be broken down by ethnicity and correspond to the ethnic percentage breakdown from the 2001 Census, which provides useful information as to the difference between different racial groups in relation to their needs of policing.

The Police Authority has also undertaken a **Staff Survey** that was sent to all employees of Devon & Cornwall Constabulary. It included questions to establish information on issues like bullying, harassment, equality of opportunity, flexible working and satisfaction. Again the results will be broken down by race, as well as other diversity strands.

The Police Authority has a general duty to consult with all members of the community it serves regardless of its duties under the Race Relations Act 1976 and Race Relations (Amendment) Act 2000. Information gathered from all the sources mentioned above and consultation undertaken with stakeholders does continually serve to inform its objectives, not only from a race equality perspective.

As mentioned before the Diversity Working group has already decided that the policy on 'Community Engagement' will warrant a full Equality Impact Assessment. It will include an extensive consultation process ensuring that all relevant groups will have the ability to impact on the policy; this is a significant undertaking and may be progressed in partnership with others.

3.3.6 Future work

The Police Authority is undertaking work to:

- 1) Establish what information people in its local communities need or want.
- 2) Monitor how people use this information — and encourage feedback from local communities on how they think the Police Authority could improve communications with the public.

There are a number of other routes in which results could be fed back and publicised more informally:

- a) Police Authority Liaison Meetings (already the Police Authority has organised Open Days at Community schools linked to Liaison Meetings which creates easier access for young people. Further work is planned to make the meetings more accessible and of interest, including consultation linked to different racial groups).
- b) Meeting with individual groups / organisations (There are several Independent Advisory Groups in place that the Police Authority is involved with / obtains advice from).
- c) Direct feedback to those supplying information.
- d) Press releases and local publications.

3) Identify and remove any barriers to full access by ensuring that, if required, information is available in a range of formats, such as:

- different languages
- large print
- Braille
- audio-tape.

4) Consider how we can best distribute and publicise this information.

3.4 Meeting the Specific Duties: Employment Monitoring

- *To monitor the Authority's employment procedures and practices.*

3.4.1 Employment Monitoring

The Police Authority will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), including the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems which may be identified as a result of the monitoring process.

The Police Authority also collects information relating to:

- Current grade/post/position and length of time at that grade length of service
- Earnings and benefits
- Terms and conditions of employment
- Applications for training
- Applications for promotion
- Appraisals

Because of the small number of staff employed in the Police Authority it is inappropriate to publish all of this information because individuals could be identified. The current practice is to publish a breakdown of staff by all diversity strands on the website.

3.4.2 Monitoring Job Applicants

When monitoring job applicants, the Authority ensures that it makes a distinction between internal and external applicants. The Authority monitors:

- Gender
- Disability
- Age

- Ethnic origin
- Differences in success rates at different stages in the selection process
- Reasons for rejection

3.4.3 Monitoring the Composition of the Police Authority

The Police Authority also monitors the ethnicity and gender of Members of Selection Panels. In addition similar information will be recorded for Independent Custody Visitors.

Selection Panels for Independent members are required to keep a record of applicants for up to four years. As a matter of good practice monitoring details are included as part of these records.

4 Training for Police Authority Members and Staff

Training is made available to all Police Authority members (including independent members of the Standards Committee), officers, Independent Custody Visitors and independent persons who sit on police misconduct panels.

The policy on 'Diversity in Employment' clearly states that, 'the Police Authority will underpin its commitment to the principles and practices of equal opportunities by ensuring that all employees and Members of the Authority attend training and awareness raising programs about diversity and equality of opportunity, so that they are better equipped to understand and act appropriately on such matters not only within the Authority but also in dealing with the public and other organizations.

The Police Authority will provide specific training in diversity to Members of the Authority and to employees involved in recruitment or other decision making where diversity and equality issues are likely to arise.

The Police Authority will monitor all training activities undertaken by employees and Members and ensure that decisions as to who receives training does not discriminate against any group and will consider and take any appropriate action to address any problems which may be identified as a result of the monitoring process. Wherever reasonably practicable, training events organized directly by the Police Authority will be arranged at a time that meets the needs of employees and Members (e.g. to enable those with child care responsibilities to fulfill those responsibilities)

The Police Authority has always been committed to providing training around diversity issues. It understands that it needs to provide its staff and members with services, opportunities and training that will serve their individual needs and will, at the same time, have to evaluate what the outcomes of this is on different racial groups. It has organised on-line diversity training, which was, due to its e-approach, very accessible to its entire staff throughout the Police Authority area and also training on Equality Impact Assessments and Race Equality. Furthermore, training inputs have been organised regarding any (or a combination) of the diversity strands at regular intervals with, most of the time, input from the diverse groups under review.

Training is provided to help staff and members' understanding of race equality and, if appropriate to their job profile, to enhance their skills in analysing the race impact of policy and consequent equality impact assessments.

Training has also been made available to equip Authority Members and specific members of staff with skills needed in the 'monitoring and scrutiny' aspect of their function. Some of this training has been done via the APA. In the light of the review of the Race Equality Scheme it might well be worthwhile to build in some additional training around the scrutiny aspect that is required to monitor the duty scheme of the Constabulary. This will serve to enhance members' and officers' knowledge as to how the duty will impact on Constabulary service delivery and where particular scrutiny is needed

All members and staff have appraisals and therefore this is always a useful tool to highlight if any particular training is needed or required. Appraisals are also used to monitor and evaluate training that has been delivered and to assess how members of staff have benefited from this training.

All the training provided has and will emphasise the need for individuals to demonstrate commitment to the spirit of diversity (including the Acts) by the behaviours that they adopt and the work they do and the willingness to robustly and fairly challenge inappropriate behaviour in others.

5 Action Plan

For the Authority's Race Equality Scheme Risk Register, which includes an Action Plan and Timetable, please see Appendix C.

6 Dealing with Complaints

If a person believes that they have been directly affected by a failure of the Devon and Cornwall Police Authority to comply with this Race Equality Scheme, their written complaint should be brought to the attention of the Chief Executive to the Police Authority, who is also the Monitoring Officer.

If during the investigation it becomes apparent that an aspect of the Race Equality Scheme has failed to comply with the requirements of the General Duty then the policy will be changed to ensure future compliance.

A complaint against a member of the Police Authority may be a matter for investigation by the Standards Board for England if it relates to an alleged breach of the Code of Conduct adopted by the Authority. Under the provisions of this code, all Members must:

- Promote equality by not discriminating unlawfully against any person; and
- Treat others with respect

If there is a complaint against a senior police officer (Chief Constable, Deputy Chief Constable or Assistant Chief Constable) relating to a race equality issue, this will be dealt with via the normal route. The complainant should write to the Chief Executive to the Police Authority who will then arrange for the appropriate action/investigation to be undertaken.

7 Consulting on and informing members and staff

The Police Authority will ensure that it consults on and informs staff and members throughout the development and implementation of the Police Authority's Race Equality Scheme. Equally, it is important to make members and staff aware of their own responsibilities under the Race Equality Duty.

In order to inform staff and members of the revised Race Equality Duty, information will be published in the Police Authority newsletter. Furthermore, all members and staff will receive a briefing sheet on the meaning and impact of the Scheme.

The Police Authority will consult on and inform staff of:

- The arrangements made to meet the general and specific duties
- The Police Authority Action Plan and timetable
- How this Action Plan will be put into practice
- Who is responsible for overseeing this process
- How staff will be kept regularly informed of further developments and progress
- What will be expected of members and staff as a result of the new duties
- What training will be provided and who should attend.

Every Police Authority Member and member of staff will receive a copy of the Police Authority's Race Equality Scheme.

8 Achievements so far

It would not be practicable to include all the Diversity work undertaken by the Authority during the last 2 years. However, a few should be highlighted as being worthy of particular note from a race equality perspective and are detailed in the sections below. (Further brief information is detailed in the Diversity Diary attached (Appendix A)).

8.1 Recruitment process for Independent Custody Visitors (ICVs)⁶

The recruitment process for ICVs is a good example where the Police Authority worked hard to promote equality of opportunity not just from a race perspective but from an overall diversity viewpoint.

The recruitment process for ICVs began in August 2006, when the scheme administrators started an advertising campaign. This included contacting all the local volunteer centres to raise awareness of the scheme and compiling a media release for local newspapers and TV companies. In addition to this, the Police Authority sent out some 538 specially produced posters advertising an open evening to post offices across Devon, Cornwall and the Isles of Scilly and advertising the scheme on the Police Authority website. Prior to advertising it used the monitoring forms of the previous years' recruitment process to decide where it needed to target more efficiently. It didn't have any problems reaching males and females but it did try to recruit people from more diverse backgrounds and this is something it will continue to work on as highlighted in our Action Plan.

The Police Authority sold the role as a very flexible position and one that would hopefully suit everyone's time constraints; this was made apparent in the advert that went out.

After the deadline for applications closed, the shortlisting process began. In order to make the process fair to all candidates the personal information i.e. the name, sex and age was removed before the rest of the application was assessed against the pre-stated criteria. The same shortlisting criterion was used for every applicant to make the process open and transparent.

Once the shortlisting was complete, successful candidates were invited to interview, where the same questions were asked of everyone and the same scoring matrix used to judge answers. A benchmark was set that successful candidates needed to have reached and those that did were appointed into the scheme.

Records of successful and unsuccessful candidates were kept so that full feedback on the application and interview could be produced upon request.

In addition, all successful applicants were invited to the 1-day induction session held at Police Headquarters. Further to this, the new Independent Custody Visitors were randomly paired with existing ones and began their visits.

8.2 Community Engagement

During the summer of 2007 the Authority attended the Exeter Respect Festival as well as the 'Meet the World' Festival in Newton Abbot. These festivals are celebrations of diversity and are an excellent method for networking and marketing thereby enhancing understanding and awareness of all involved. The underpinning philosophy is that racism and prejudice are often a product of fear, which in turn stems from ignorance. By

⁶ It must be added that a similar positive recruitment process was undertaken for our Independent Members Recruitment.

celebrating diversity and embracing other cultures, this ignorance barrier can be broken down. Instead of renouncing the unknown because of fear, the idea is to share knowledge and wisdom to educate and inform.

The Authority had its own stand with information about the Authority's roles and responsibilities and issues like Independent Custody Visiting and Liaison Meetings. During the Respect Festival the Authority handed out questionnaires on Neighbourhood Policing and managed to get a return of 130 questionnaires.

These events have been invaluable in engaging with our diverse communities; listen to their concerns as well as endorsing our responsibilities and thereby promoting the Authority.

8.3 Communicating with our stakeholders

The Police Authority is aware that communicating with stakeholders is vital to keep in touch with and be aware of any national & local developments and impacts.

In November 2006, the Police Authority hosted a visit in Devon of the Head of Police Equality and Diversity Policy from the Home Office, Maqsood Ahmad to discuss issues of diversity and obtain feedback on writing Equality Schemes for the Police Authority.

The Authority is represented on the APA Policy Work Group & Committee on Equality & Diversity and their policy officer is a member of the APA Equality and Diversity Officers Network.

The Authority is also represented on the Home Office / ACPO / APA Working group of the National DNA Database Strategy Board which, at the moment, is discussing and planning a strategy to address the apparent disproportional representation of sections of the community of the national DNA Database.

In October 2007 a member of staff attended an Equality Conference in Exeter and in November the Human Rights and Equality Conference in London.

The Police Authority has also met with the Constabulary's BPA (Black Police Association) which is a support group for black and minority ethnic officers and staff of all ranks and grades from across the Force, and attended and contributed to the BPA launch in February this year.

9 Involving you

The Police Authority would like as much input as possible from local communities on its Race Equality Scheme.

It will publish the scheme on the Police Authority's website (www.dcpa.police.uk) and distribute it to key partners and interested parties.

The Police Authority will work closely with the Devon and Cornwall Constabulary and other partners on community consultation strategies.

If you would like more information about this or to be involved in future consultation please see below for contact details. Your involvement would be welcomed.

Devon and Cornwall Police Authority would like to hear any comments you have on this Race Equality Scheme.

It would also welcome contact from individuals or groups who would like to be involved with development and implementation of the scheme.

To make comments or request further copies of the scheme, please contact:

Mr G Davey
Chief Executive
Devon and Cornwall Police Authority
P O Box 229
EXETER
Devon
EX2 5YT

Appendix A - Police Authority – Diversity Diary April 2007 – April 2008

I) Meetings / Conferences / Seminars

April 2007:

- Monday 2 Apr – Stop & Search / Diversity workgroup meeting
- Thursday 12 Apr – Focus group (incl. PA Members) on the Gender Equality Duty Scheme
- Tuesday / Wednesday 17 / 18 Apr – BAWP PDD in Meriden
- Wednesday 25 Apr – Gender Equality Duty Conference in London
- Monday 30 Apr – Publication of PA GEDS

May 2007:

- Thursday 10 May – Engagement with Young People – Plymouth College of Further Education

June 2007:

- Thursday 21 June – ACPO / APA Conference in Manchester – Launch of APA Guidance on Commitment to Children and Young People (DCPA has been involved in producing this guidance)
- Friday 29 June – Meeting with Central Referral Unit – CYP

July 2007:

- Tuesday 3 July – meeting with D&C Youth Team
- Saturday 7 July – Exeter Respect Festival – DCPA has its own stand
- Monday 30 July – Meeting with Diversity Unit in Plymouth
- Tuesday 31 July – Meeting with Diversity Unit in Ashburton (S&W)

August 2007:

- Thursday 2 Aug – Meeting with Operational Commander at HQ
- Friday 10 Aug – Meeting with the Cornwall Diversity Unit at Redruth and Meeting with Cornwall Finance and Admin Manager about Procurement and Finance (GED compliance)
- Wednesday 29 Aug – Meeting with NED Diversity Unit in Exeter

September 2007:

- Saturday 8 Sept – Meet the World Respect Festival in Newton Abbot – DCPA has its own stand
- Monday 10 Sept – Meeting with HQ Diversity Unit – Exeter
- Friday 14 Sept – Meeting with EACH in Bristol (Educational Action Challenging Homophobia)
- Thursday 27 Sept – Diversity Consultation Event in Cornwall

October 2007:

- Thursday 18 Oct - PALM Meeting aimed at Children and Young People at Tavistock
- Monday 22 Oct – Equality Conference in Exeter
- Tuesday 23 Oct – Meeting with BPA in Exeter

November 2007:

- Tuesday 13 Nov – Human Rights & Equality Conference in London
- Monday 19 Nov – Homophobic Bullying: Zero Tolerance Seminar in Bath
- Tuesday 20 Nov – Meeting with Devon Humanist Organisation

January 2008:

- Thursday 17 Jan – Equality & Diversity Officers Network meeting (APA) London

- Tuesday 22 Jan – Children’s Trust Partnership Day at Buckfastleigh
- Tuesday 29 Jan – APA C&YP meeting in London
- Wednesday 30 Jan – DCPA Diversity Workgroup meeting in Exeter

February 2008:

- Monday 25 Feb – BPA Launch at the Eden Project

March 2008:

- Monday & Tuesday 3+4 Mar – ACPO Conference – Child Abuse Investigation – Cheltenham

April 2008:

- Thursday 4 Apr - Meeting with PCSOs/PC/Sgt about the impact of / understanding of diversity on operational policing (Exeter)
- Tuesday 15 Apr - Tackling Domestic Violence and Abuse – One day course by ADVA in Honiton
- Thursday 17 Apr - Equality & Diversity Officers Network meeting (APA) London
- Thursday 24 Apr – Meeting with PCSOs/PC/Sgt about the impact of / understanding of diversity on operational policing (Exeter)

May 2008:

- Tuesday 6 May – Children’s Trust APA Challenge Day (C&YPP) in Exeter

II) Training

- September 2007 – Age Discrimination Training
- September – November 2007 – ACAS E-learning Diversity courses
- April 2008 – Tackling Domestic Violence and Abuse – One day course by ADVA in Honiton

III) Other

- Auditing of DCPA our policies / working practices
- Equality Impact Assessment planned on our Community Engagement Policy (consultation already done with regional Police Authorities)
- Policing Summary has been available in big print
- Member of Devon Children’s Trust Board
- Feedback provided to other organisations’ Equality Scheme (SW Voluntary Sector and Torridge) and regarding IMPACT
- Associate Membership of Devon & Cornwall Constabulary’s WiPN
- Members of BAWP and Policy Officer BAWP Force/PA Co-ordinator
- Members of the APA Policy Work Group on Children and Young People
- Members of the APA Policy Work Group & Committee on Equality and Diversity
- Members of the Gender Agenda 2 workgroup (now organising the Senior Women in Policing Conference 2009)

Appendix B – Glossary

Code of Practice

This document gives practical guidance to public authorities on how to meet the legal requirements of the race equality duty.

Commission for Equality and Human Rights (CEHR)

This organisation has come into being in October 2007. It brought together the Equal Opportunities Commission, the Disability Rights Commission and the Commission for Race Equality. It will also serve as the national body for three new areas of discrimination: age, religion and sexual orientation, as well as human rights.

Direct Discrimination

Less favourable treatment of a person on race grounds compared with the treatment or likely treatment of a person of another race in the same or similar circumstances.

Duty

A mandatory and legal obligation to do something, in this case, to eliminate racial discrimination and promote equality of opportunity and good race relations between people of different racial groups.

Functions

The full range of a public authority's duties and powers, including its role as service provider, policy maker and employer.

Indirect discrimination

When an apparently neutral criterion is applied to everyone but can only be met by a considerably smaller proportion of people from one particular racial group and is to their detriment, which cannot be objectively justified.

Positive action

Positive action is encouraging people from an under-represented group to apply for jobs, training or promotion. In terms of race equality this could mean placing an advert in a magazine read specifically by people from a particular racial group to encourage them to apply for a job or jobs in certain sectors. However, all candidates would be subject to the same short listing procedures. This is lawful. Positive discrimination is unlawful in the UK. This would mean that an employer would only short list people from the under-represented group.

Race Equality Goals or Objectives

Goals set by public authorities by which they aim to tackle race inequality.

Race Equality Scheme

A scheme put in place by a public authority which sets out their race equality goals, priorities or objectives. It includes tasks, timeframes, and who is accountable for delivering each area.

Race mainstreaming or mainstreaming

Building race equality into the core business thinking and processes of an organisation.

Screening

The process of identifying services or policies which have a positive or negative impact on particular groups. It is often used before a full race impact assessment of service or policy.

Service users

Members of the general public who use public services like schools, hospitals or public transport.

Specific Duty

Steps that listed organisations have to take to meet the general race equality duty.

Stakeholders

Any individuals or organisations who have an interest in, or could be affected by a policy.

Statutory

Something that has been approved by Parliament and that legally has to be done. For example, local councils have a statutory duty to provide education services for children living in their area.

Transparency

When an organisation has made information on its decision-making processes, priorities and actions widely available to the public in a variety of formats. For example an employer who provides clear information about the criteria they use in recruitment.