



# Devon & Cornwall Police Authority

## GENDER EQUALITY DUTY SCHEME APRIL 2007

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### Chairman's Foreword

In 1776 Thomas Jefferson started the American Declaration of Independence with these brave words:

*"We hold these truths to be self evident, that all men (and women) are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."*

In that spirit of equality of opportunity for all, I am delighted to present Devon and Cornwall Police Authority's Gender Equality Scheme. The Police Authority is fully committed to providing equal opportunities for all people regardless of their age, gender, ethnicity, faith sexual orientation or disability and its own policies reflect that commitment.

Each Police Authorities also has a duty to scrutinise the work of their Constabulary to ensure the highest quality of Policing in their force area. For many years In Devon and Cornwall the Authority has been auditing the functions and policies of the Constabulary to ensure that all its policies and practices comply with the best principles or equality.

Back in 1776, and in the spirit of that time, Thomas Jefferson included women within the word 'men'. Women were neither forgotten nor ignored, as the word 'men' was used differently to embrace all people – men and women were all 'created equal'.

Devon and Cornwall Police Authority is determined that women will continue not to be forgotten or ignored and I am delighted, in that spirit, to present our Gender Equality Duty Scheme. We will remain committed to total equality, for all people.

John N. Smith

## Executive Summary

The Gender Equality Duty comes into force in April 2007 and is the biggest change in sex equality legislation in 30 years, reflecting the Sex Discrimination Act (1975) and Equal Pay Act (1970) incorporating amendments made through the Equality Act 2006. It places a legally binding obligation on the majority of public authorities to eliminate unlawful discrimination and harassment and to promote equal opportunities between men and women. The duty extends to transsexuals later in the year.

This duty means that a public authority when providing or delivering services or through recruitment or development of its staff, has a duty not to disadvantage men or women either directly or indirectly.

This Scheme will set out how the Devon & Cornwall Police Authority will embed equality for men and women into the culture of the organisation in practical and demonstrated 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 Gender Equality Duty.

Furthermore the Gender 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, 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, where it is 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, will be presented to the Full Authority bi-annually until the comprehensive review of the entire Duty Scheme, which will take place in April 2010.

## 1 Introduction

"Although it is more than 30 years since the Sex Discrimination Act 1975 was passed, gender inequality and discrimination in the police workforce remains prevalent."<sup>1</sup>

This statement clearly identifies the need for the Gender Equality Duty, which will provide the way to deliver real change and practical improvements in the lives of both men and women.

The Gender Equality Duty comes into force in April 2007 and is the biggest change in sex equality legislation in 30 years, reflecting the Sex Discrimination Act (1975) and Equal Pay Act (1970) incorporating amendments made through the Equality Act 2006. It places a legally binding obligation on the majority of public authorities to eliminate unlawful discrimination and harassment and to promote equal opportunities between men and women. The duty extends to transsexuals later in the year.

This duty means that a public authority when providing or delivering services or through recruitment or development of its staff, has a duty not to disadvantage men or women either directly or indirectly.

An important point to add is that 'gender equality' refers to men *and* women equally and this will have to be borne in mind continually when undertaking the work as part of the duty. This point is well highlighted by an example given by Mark Harron writing for *Jane's Police Review* (April 2007) when he writes that, "Although women represent the largest disadvantaged group within the workforce, despite the array of flexible working policies designed to attract women, therefore creating a level of gender equilibrium, some men are being indirectly disadvantaged by these policies designed to be neutral towards the genders."<sup>2</sup>

This Scheme will set out how the Devon & Cornwall Police Authority will embed equality for men and women into the culture of the organisation in practical and demonstrated ways. The duty to promote gender equality will be referred to throughout this document as either the 'gender equality duty' or 'the general duty'.

At the same time the Police Authority is pleased to present its achievements so far in relation to gender equality, whilst acknowledging that there is still a lot of work to be done.

### 1.1 The general duty and legal framework<sup>3</sup>

The Equality Act 2006 amends the Sex Discrimination Act to place a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need:

- *To eliminate unlawful discrimination and harassment*
- *To promote equality of opportunity between men and women.*

This is known as the 'general duty' and will come into effect on 6 April 2007.

The duty applies to most public authorities in respect of all of their functions. This means it applies to policy-making, service provision, employment matters, and in relation to enforcement or any statutory

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<sup>1</sup> Jane's Police Review, 6 April 2007, p.24, *Level Pegging* by Mark Harron pp.24-25.

<sup>2</sup> Mark Harron, p.24

<sup>3</sup> Sections 1.2 and 1.3 from *Gender Equality Duty*, Draft Code of Practice England and Wales, Equal Opportunities Commission, pp. 6-7

discretion and decision-making. It also applies to a public authority in relation to services and functions that are contracted out.

Public authorities are expected to have 'due regard' to the need to eliminate unlawful discrimination and harassment and promote equality of opportunity between men and women in all of their functions. Due regard comprises two linked elements: proportionality and relevance. The weight which public authorities give to gender equality should therefore be proportionate to its relevance to a particular function. The greater the relevance of a function to gender equality, the greater regard which should be paid to it.

As part of the duty, public authorities are required to have due regard to the need 'to eliminate unlawful discrimination and harassment' in employment and vocational training (including further and higher education), for people who intend to undergo, are undergoing or have undergone gender reassignment. For the purposes of this scheme, the expression 'transsexual people' is used to refer to the people who are covered by those provisions.

## 1.2 The Specific Duty

To support progress in delivering the general duty, there is also a series of 'specific duties' which apply to most public authorities. It sets out steps those authorities must take to help them meet the general duty.

Those specific duties, in brief, are:

- *To prepare and publish a gender equality scheme, showing how it will meet its general and specific duties and setting out its gender equality objectives.*
- *In formulating its overall objectives, to consider the need to include objectives to address the causes of any gender pay gap.*
- *To gather and use information on how the public authority's policies and practices affect gender equality in the workforce and in the delivery of services.*
- *To consult stakeholders (i.e. employees, service users and others, including trade unions) and take account of relevant information in order to determine its gender equality objectives.*
- *To assess the impact of its current and proposed policies and practices on gender equality.*
- *To implement the actions set out in its scheme within three years, unless it is unreasonable or impracticable to do so.*
- *To report against the scheme every year and review the scheme at least every three years.*

The first scheme must be published by 30 April 2007.

## 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 six strands of diversity (race, disability, sexual orientation, gender, religious beliefs, and age<sup>4</sup>) 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 Gender Equality Duty Scheme and associated Action Plan and the Police Authority will monitor how the Constabulary implements its scheme and complies with its gender 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 Gender Equality Duty Action Plans on the Continuous Improvement Database, which is a formal recording process that review and monitors progress made and actions undertaken in relation to the recommendations.

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

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

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

Furthermore, a Diversity Report will be presented to the Full Authority meeting every 6 months until the scheme is reviewed in its entirety. This Diversity Report will also include updates from the Race 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.

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<sup>4</sup> To include issues affecting 'children and young people'

## 2.2 Organisational Structure and Committee Process

This section sets out how the Police Authority is composed and how it works. Full details of membership, meeting dates and committees can be found on the Police Authority's Website – [www.dcpa.police.uk](http://www.dcpa.police.uk)

### Structure

Devon and Cornwall Police Authority consists of 19 Members drawn from the following groups:

- Ten councillors -
  - 4 appointed by Devon County Council
  - 3 appointed by Cornwall County Council
  - 1 appointed by the Council for the Isles of Scilly
  - 1 appointed by Plymouth City Council
  - 1 appointed by Torbay Council
- 3 Lay Justices
- 6 independent members who are members of the public appointed following a local selection process.

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

### Committee Processes

The Police Authority has the following committees and working groups:

- Stop and Search and Diversity Working Group
- Corporate Governance Committee
- Human Resources Committee
- Professional Standards and Complaints Monitoring Group
- Performance Management Committee
- Planning and Consultation Committee
- Resources Committee
- Standards Committee
- Urgency Committee
- Complaints Panel (Senior Police Officers)
- Police Staff Disciplinary Appeals
- Property Sub Committee
- Regulation A20

Because the intention is to 'mainstream' gender equality issues i.e. make them central to everything we do, each of the committees will have an ongoing duty to review their own procedures and activities in this respect. This means building gender 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, but it will be added to the Action Plan to ensure that it gets the scrutiny it deserves and form 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, both within the Police Authority and the Constabulary.
- 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 Policy Officer.
- Monitoring the Job and Grading (JAG) Review ongoing in the Constabulary.

Stop & Search and Diversity Working Group

- Receives regular updates from the Constabulary's Diversity Unit about the Constabulary's achievements in relation to gender equality, (including updates on progression the recommendations from Gender Agenda 2) but also areas of concern and improvements that need to be made. Any issues, which suggest that the Constabulary is not meeting the gender equality duty, will be brought to the attention of the Human Resources Committee.
- Receives feedback from the Constabulary's Women in Policing Network and British Association of Women in Policing (BAWP).
- 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 Gender Equality Duty.
- Identifies training requirements for members and staff.

Planning and Consultation Committee

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

Performance Management Committee

- If appropriate, monitoring Force performance against key targets related to the implementation of the Constabulary's Gender Equality Scheme in case of concerns raised by the Human Resources Committee.
- Ensuring that all performance management reviews / continuous improvement reviews take due cognisance of the relevant legislation and include the appropriate (level of) Gender Equality Impact Assessments.

Professional Standards and Complaints Monitoring Group and Complaints Panel (Senior Police Officers)

- 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 men or women including transsexual people?

### 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 Gender Equality Duty 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 Boards. 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"> <li>• Human Resources Committee and Performance Management Committee.</li> <li>• Report also to be submitted to the Full Police Authority meeting</li> <li>• Member attends the Constabulary's Equality and Diversity panel</li> </ul>
Constabulary diversity structures	<ul style="list-style-type: none"> <li>• Human Resources Committee</li> <li>• Stop &amp; Search and Diversity Working Group</li> </ul>
Policy-making	<ul style="list-style-type: none"> <li>• Human Resources Committee</li> <li>• Stop &amp; Search and Diversity Working Group</li> </ul>
Stop and Search	<ul style="list-style-type: none"> <li>• Performance Management Committee</li> <li>• Stop &amp; Search and Diversity Working Group</li> </ul>
Recruitment, Retention and Progression (and related employment issues)	<ul style="list-style-type: none"> <li>• Human Resources Committee</li> </ul>
Complaints and Grievances	<ul style="list-style-type: none"> <li>• Professional Standards and Complaints Monitoring Group</li> </ul>
Training	<ul style="list-style-type: none"> <li>• Human Resources Committee</li> </ul>
Consultation strategy	<ul style="list-style-type: none"> <li>• Planning and Consultation Committee</li> </ul>

The Police Authority will report progress against both schemes and the results of consultation in its Annual Policing Plan.

## 2.5 Strategic Aims and Objectives

Devon and Cornwall Police Authority is committed to the fulfilment of its duties under the Equality Act 2006 in the performance of all its functions, duties and powers.

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

Through the development of this Gender Equality Duty Scheme the Police Authority will:

- 'Mainstream' gender equality by making it central to the day to day operation of the Police Authority.
- Incorporate gender equality aims and objectives into relevant strategies and plans
- Work in partnership with the Constabulary (and where appropriate external organisations e.g. BAWP) to ensure an integrated approach to gender equality issues.
- Develop a fuller understanding of the communities the Police Authority serves.
- Liase with partner agencies to provide an integrated approach (compliant with gender equality principles) where appropriate.
- Monitor and scrutinise the Constabulary's approach to gender equality.

## 2.6 Partnership working

'Public authorities may be involved in partnerships in order to better deliver their services [...] Where those partnerships do not have a separate legal identity in their own right, they will not be bound collectively by the gender equality duty. [...] In practice this means that a public authority working within a partnership will need to secure agreement from its partners to arrangements for planning, funding and managing joint work that will allow it to meet its statutory gender duty.'

'The public authorities who are statutory partners in the CDRPs are subject to the gender duty.'<sup>5</sup>

The Police Authority is committed to fulfilling its duties under the Act and will monitor the effectiveness of its existing controls and develop where appropriate – certainly with a focus on how and when this is monitored.

## 2.7 Procurement

'Procurement is a process by which public authorities enter into contracts with external contractors to carry out works or provide goods or services.'

'The gender equality duty applies to those functions, which are carried out through procurement as well as those, which are, carried out directly by the public authority itself. The procurement process is important to the effective implementation of the general duty because public authorities enter into large numbers of contracts with private and voluntary organisations for goods, works and services.'<sup>6</sup>

The duty carries a twofold responsibility for the Police Authority in its scrutiny of Constabulary procedures as well as that of its own. The Contracts and Procurement department does include an equal opportunities approach in its working practices.

It will however be sensible to have a look at the processes and working practices involved, of both the Police Authority and the Constabulary, in order to consider our compliance to diversity in its fullest extent. A first step would be to consider its exact parameters and responsibilities as part of this duty (and other diversity duties) and then focus on the scrutiny and monitoring aspect and how this can be achieved.

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<sup>5</sup> *Gender Equality Duty*: Draft Code of Practice England and Wales. EOC, p.49

<sup>6</sup> *Gender Equality Duty*: Draft Code of Practice England and Wales. EOC, pp.46-48.

### 3 Meeting the Duties

#### 3.1 Meeting the General Duty I

- *To eliminate unlawful discrimination and harassment*

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 gender.

Harassment refers to 'trouble persistently or incessantly' implying systematic persecution besieging somebody with repeated annoyances, threats or demands.

'Unlawful discrimination includes discrimination as defined by the Sex Discrimination Act (SDA) and discrimination that is unlawful under the Equal Pay Act. Public authorities are legally required to have due regard to the need to eliminate both forms of discrimination.'

In the SDA, unlawful discrimination is defined as:

- Direct and indirect discrimination on grounds of sex
- Discrimination on grounds of pregnancy and maternity leave
- Discrimination on the grounds of gender reassignment
- Direct and indirect discrimination against married persons and civil partners
- Victimisation
- Harassment and sexual harassment.<sup>7</sup>

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 harassment which is set out in our 'Harassment and Bullying Policy' and instances of harassment can also be reported through the 'Grievance Procedure Policy'. All the policies are currently being audited to ensure compliance with all the six 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.'

The Police Authority is aware of their obligation to prevent discrimination against transsexual people. There is no specific policy in place at the moment, but the Police Authority will undertake to review all employment policies and procedures<sup>8</sup> to ensure that they do not directly or indirectly discriminate against transsexual employees and to ensure that policies provide transsexual people with equal opportunities.

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<sup>7</sup> *Gender Equality Duty*, Draft Code England and Wales, EOC, pp.11-12.

<sup>8</sup> Especially those dealing with recruitment, confidentiality, harassment, access to training and development, occupational pensions and insurance.

The Police Authority is also undertaking a Staff Survey, which has been sent to all staff that work for the Devon & Cornwall Constabulary. This survey includes questions to establish whether bullying, harassment and discrimination is an issue in the Constabulary. The outcomes of the survey will be available in May 2007.

### **3.1.1 Equal Pay**

The Equal Pay Act gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment.

The Police Authority is committed to equal pay for equal work and our 'Diversity in Employment' Policy supports this principle.

It must be born in mind that the Police Authority is a very small organisation. Naturally Equal Pay applies to our working practices, but the small size of the team plays an obvious part in the ease of compliance.

Devon & Cornwall Constabulary decided to identify and address any gender pay imbalance by undertaking a Job Evaluation Review in 2004/05, however, this process failed and the Force is now in the process of implementing a Job and Grading (JAG) Review which should be finalised by 2009. They have established an Interim Grading Panel, which will utilise a benchmarking approach to determine the grading for new posts and to deal with any grading issues, related to Equal Pay. The Police Authority will monitor progress of the JAG Review via the Police Authority Human Resources Committee.

### 3.2 Meeting the General Duty II

- *To promote equality of opportunity between men and women*

'The duty on public authorities to have due regard to the need to promote equality of opportunity between men and women is a new aspect to the Sex Discrimination Act. In order to achieve actual equality of opportunity, it is necessary to recognise that in certain circumstances women and men, because of their gender or sex roles are not in the same position. In some circumstances it may therefore be appropriate for public authorities to treat women and men differently, if that action is aimed at overcoming previous disadvantage.'<sup>9</sup>

The Police Authority will keep under review whether there might be any possible indirectly discriminatory effects arising from its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done. 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 gender 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 worked hard to promote equality of opportunity not just from a gender perspective but from an overall diversity viewpoint. (See Chapter 8 for further information.)

#### Gender breakdown of ICVs of the Police Authority:

Male – 41

Female – 18

#### 3.2.2 Police Authority Members

The current gender status of the Police Authority Members was highlighted by the attendees of the 'gender equality' focus group (see section 3.3.2) as one area that could 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.

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<sup>9</sup> *Gender Equality Duty*, Draft Code England and Wales, EOC, p.13.

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. The Police Authority also used the local radio stations to advertise the posts.

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 six strands of diversity and will be approached by the Police Authority as such.

**Gender breakdown of Members of the Police Authority:**

Male – 16

Female – 3

**3.2.3 Police Authority Officers**

The other members of staff that work for the Police Authority are based at Exeter except for the 2 administrators. The gender breakdown is as follows:

**Gender breakdown of staff working for the Police Authority:**

Male – 6

Female – 8

Working practices for both members and staff will be discussed as part of section 3.4.

**3.2.4 Devon, Cornwall and Isles of Scilly**

The issue of gender equality encompasses various aspects when considering the Police Authority's liaison with its communities. Gender equality plays an important role during the recruitment of members and officers from / for our communities but also on issues like community engagement and accessibility in its widest sense. These issues will be discussed in more detail as part of the Authority's specific duties.

### 3.3 Meeting the Specific Duties: Gender Equality Duty Scheme

- *To prepare and publish a Gender Equality Duty Scheme, showing how it will meet its general and specific duties and setting out its gender equality objectives.*

#### 3.3.1 The Devon and Cornwall Police Authority's Gender Equality Duty Scheme

The Devon and Cornwall Police Authority Gender Equality Duty Scheme will be published on our [dcpa.police.uk](http://dcpa.police.uk) website by April 30, 2007.

If you would like this publication in an alternative format or language please contact the Police Authority.

TEL: (01392) 268333

EMAIL: [Polauth@devonandcornwall.pnn.police.uk](mailto:Polauth@devonandcornwall.pnn.police.uk)

The Gender Equality Duty Scheme sets out how the Police Authority will meet its duties under the Gender Equality Duty 2007. The duty will reinforce and support our work around gender equality, impacting on our 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 gender equality.
- Assess whether the functions, policies or practices have an adverse impact on gender equality.
- Consider what changes may need to be made to the functions, policies or practices.

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 six strands of diversity, are published on the Police Authority website: [www.dcpa.police.uk](http://www.dcpa.police.uk)

The Stop & Search / Diversity Working group has already decided, after an audit was undertaken, that the policy on 'Community Engagement' will warrant a full Equality Impact Assessment. It will be a systematic way of finding out if that particular policy has a differential impact on any particular (minority) group – this will also include a look at gender equality.

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 Focus group

On 12 April the Devon and Cornwall Police Authority organised a focus group that was attended by 6 Police Authority members (including the Chairman and vice Chairman) and 6 officers. The event was facilitated by a performance officer from South Wales Police Authority and also attended by a Policy Officer from Avon & Somerset Police Authority.<sup>10</sup>

The event was set up to explain the impact of the duty on the Police Authority<sup>11</sup> and discuss its implications and undertake a gap analysis as to what needed to be addressed. This would help the Police Authority to develop a shared understanding of the problem and a shared vision of what gender equality would look like for the Police Authority, which would need to link directly to our organisational objectives

The outcomes of the focus group can be found in Appendix A.

### 3.3.3 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 Gender Equality Duty.

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 engaged with and actions/opportunities are emphasised in a timely fashion. This fits in well with the guidance contained in the Code that states that 'the need to promote gender equality is **proportionate** to its **relevance** to a particular function'.<sup>12</sup> Furthermore the Gender 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.

### 3.3.4 Monitoring

Devon and Cornwall Police Authority and Constabulary are separate organisations, each with their own Gender Equality Duty 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 Stop & Search / Diversity working group, whilst the scheme will also be monitored by the Human Resources Committee. Twice yearly progress against objectives will also be provided via a Diversity Report to the Full Police Authority. This will also include updates on the previous Duty Schemes.

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<sup>10</sup> Gender attendance: 4 women and 10 men

<sup>11</sup> Prior to this focus group all members and staff had been informed as to the impact of the Gender Equality Duty by way of a briefing sheet and an article in our Authority newspaper.

<sup>12</sup> *Gender Equality Duty*, Draft code of Practice England and Wales, EOC, p. 14.

### 3.4 Meeting the Specific Duties: Gender Pay Gap

- *In formulating its overall objectives to consider the need to include objectives to address the causes of any gender pay gap*

#### 3.4.1 Equal Pay Act and the wider employment practices

The Equal Pay Act gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment.

The Police Authority is committed to equal pay for equal work and our 'Diversity in Employment' Policy supports this principle.

It is useful to look at the wider aspect of the gender pay gap and to include that of reward as well. This means addressing a wider issue than the one concerning monetary remuneration only. There is a clear link to staff's personal as well as professional development and rewards. It is therefore important to emphasize that the Police Authority will avoid discrimination and the possible use of discriminatory practices in **all** aspects of employment – not just addressing the gender pay gap, but also including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.<sup>13</sup> In this way it can ensure that all principles of diversity are incorporated in all the Police Authority's business – including streamlining gender equality.

'The Police Authority will avoid unlawful discrimination and the possible use of discriminatory practices in all aspects of employment including person - and job specifications will be limited to those requirements that are necessary for the effective performance of the job<sup>14</sup>. Candidates for employment or promotion will be assessed objectively against the requirements for the job [...]<sup>15</sup>

#### 3.4.2 Working arrangements for Police Authority staff

The gender representation has already been considered under section 3.2, but a discussion of a gender (pay) gap would necessarily include a consideration of occupational segregation within the Police Authority.

Taking into consideration what kinds of jobs the Police Authority's members of staff undertake, it is clear that there is an even distribution of men and women doing jobs at different levels and there are opportunities for part-time / flexible working.

Chief Executive - male  
Assistant Chief Executive - female  
Treasurer – male (part-time)  
Internal Auditor - male  
PA to Chief Executive - female  
Office Manager/Member Services - female  
2 x Policy Officers – 1 male & 1 female  
Consultation Officer - female  
3 x Administrative Officers – 2 females and 1 male (one post is part-time)

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<sup>13</sup> This principle will also apply in the Police Authority's approach to others who are not directly managed by the Police Authority (e.g. Constabulary personnel) but, in respect of whom, the Police Authority has employment responsibilities.

<sup>14</sup> Therefore, when a person specification is drawn up due regard for the duty must be considered. In addition, both the person specification and the job description should be reviewed each time they are used to make sure they are still relevant.

<sup>15</sup> 'Diversity in Employment' policy, amended 2007.

2 x Administrators - 1 male & 1 female (flexible working)

Furthermore, a flexible working system is used in the office and there are opportunities for working from home when required or in order to fit in with caring responsibilities.

The Police Authority also employs a (male) Human Resources consultant for advice and guidance.

The Police Authority recognises that diversity within its workforce brings many benefits and is a central factor in determining efficiency, productivity and overall business success. The benefits of having the input of men and women equally in its workforce include:

- Offering more choice in recruitment – for example, by widening the net for recruits if the skill pool is limited or employees are in short supply.
- Keeping employees' valuable skills, experience and expertise within the organisation, at the same time avoiding the costs of recruiting and training new people.
- Identifying where changes can be made that will almost certainly benefit many people. Making things work better for everyone is both common sense and sound business practice.
- Reflecting the diversity of British society.
- Bringing different life experiences and new skills to the organisation.
- Helping to foster good relations with the employees by showing that the organisation values everyone and treats everyone fairly.

### **3.4.3 Employment Monitoring**

The Police Authority will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and 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 ethnicity, gender and age on the website.

### **3.4.4 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

### 3.4.5 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.

### 3.5 Meeting the Specific Duties: Gathering and using information / Consultation

- *Gather and use information on how the public authority's policies and practices affect gender equality in the workforce and in the delivery of services.*
- *To consult stakeholders (i.e. employees, service users and others, including trade unions) and take account of relevant information in order to determine its gender equality objectives.*

The way the Police Authority's policies and practices affect gender equality in its workforce has been discussed in sections 3.1 to 3.4. Regarding the way its policies and practices affect service delivery and its consultation of stakeholders in relation to setting its gender equality objectives (including all diversity strands); the Police Authority has the following mechanisms in place.

#### 3.5.1 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.

Three important communication routes are the Annual Policing Plan and Strategic Plan, Police Authority Liaison Meetings and the Police Authority website ([www.dcpa.police.uk](http://www.dcpa.police.uk))

The **Annual Policing Plan**, which incorporates the Annual Report, 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 Strategic 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.

All the information that the Police Authority publish 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.

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.

### 3.5.2 Consultation and Engagement

Three times a year the Police Authority sends out the **Public Survey**. This goes out to 10,000 randomly selected households. (The winter Public Survey is sent to 8,000 businesses as well) 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 Planning and Consultation Committee. It might be valuable to undertake some work to examine the extent to which the needs of men and women 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 gender perspective, an equal amount of men and women complete the Public Survey. This provides useful information on the Police Authority's and the Constabulary's service delivery. All questions can be broken down by gender and this provides useful information as to the difference between men and women in relation to their needs of policing. For example there are questions about 'fear of crime' and 'being a victim of crime' but also about 'feeling safe when walking in your local area' and about 'satisfaction with the service'.

The Police Authority also undertakes a **Staff Survey** that is sent to all employees of Devon & Cornwall Constabulary. It includes questions to establish information on issues like bullying, harassment, equality of opportunity, flexible working and satisfaction. Again all this will be broken down by gender

The Police Authority and consultation unit are also planning to send out a **Complaints Survey** to those members of the public that have made a complaint against the Constabulary.

The Serious Organised Crime and Police Act 2005 requires every Police Authority to produce a **Local Policing Summary** each year, and distribute it to council tax payers.

The Police Authority has a general duty to consult with all members of the community it serves regardless of its duties under the Gender Equality Duty 2007. Information gathered from all the sources mentioned above and consultation undertaken with stakeholders does continually serve to inform its objectives, not only from a gender equality perspective.

As mentioned in section 3.3 the Stop & Search / 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.

### 3.5.3 Future work

The Police Authority is undertaking work to:

- 1) Establish what information people in our 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:

- 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 gender representation).
- Meeting with individual groups / organisations (There are several Independent Advisory Groups in place that the Police Authority is involved with / obtains advice from, yet there is none for gender issues. It could be considered if the Police Authority should create a network or advisory group with this aim in mind).
- Direct feedback to those supplying information.
- 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.

### 3.6 Meeting the Specific Duties: Impact Assessment

- *To assess the impact of its current and proposed policies and practices on gender equality.*

The Police Authority has already begun to undertake this work by reviewing and assessing its key functions and policies. This work will also include assessments of the **likely** impact of all **proposed** policies on the promotion of gender equality and the other diversity strands.

Having determined which functions and policies are 'relevant'<sup>16</sup> to the general duty, these functions will then be prioritised according to their importance, or likely importance, for gender equality and results will be included in the Gender Equality Duty Scheme where appropriate.

For more details on monitoring and undertaking Equality Impact Assessments, see section 3.3.

For a copy of the utilised Diversity template, please contact the Police Authority on 01392-268333.

The Equal Opportunities Commission (EOC)<sup>17</sup> has published guidance on this subject, which is available from their website [www.eoc.gov.uk](http://www.eoc.gov.uk). The Police Authority has been carrying out its impact

<sup>16</sup> This will be achieved by considering the extent to which they have, or could have, an adverse impact on different 'gender' groups and the level of public concern.

<sup>17</sup> The EOC will cease to exist later this year and its duties taken over by a new government equality watchdog called the CEHR. (Commission for Equality and Human Rights)

assessments in accordance with this guidance as well as the '*Setting GES Objectives to meet the GED*' produced by ACPO, APA and the Home Office.

### 3.7 Meeting the Specific Duties: Implementation

- *To implement the actions set out in its scheme within three years, unless it is unreasonable or impracticable to do so.*

The Risk Register will highlight the objectives of the scheme and by when it needs to be done. (See Appendix B) Implementation can commence immediately (some objectives will already be in the process of being actioned) The Risk Register and its implications for the Police Authority and specifically the owners of particular actions will be communicated to the Police Authority members and staff for implementation. See also chapter 7 for further information.

### 3.8 Meeting the Specific Duties: Review

- *To report against the scheme every year and review the scheme at least every three years.*

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

- Assess how it has complied with the duties under the Equality Act 2006.
- Consider how equality of opportunity and positive attitudes towards men and women (including transsexual people) have 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.

Updates and monitoring results will be incorporated into the Police Authority's Diversity Report on all Equality Schemes, which will be produced every 6 months, but will also take place during the year to the relevant committees.

This Equality Duty 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.

#### **4 Training for Police 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 organised 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 both men and women. 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 gender equality and, if appropriate to their job profile, to enhance their skills in analysing the gender 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 recent Gender Equality Duty of April 2007 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 Gender Equality Duty 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 Gender 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 Gender 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 gender 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 and informing members and staff**

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

In order to inform staff and members of the Gender Equality Duty, information was published in the Police Authority newspaper. Furthermore, all members and staff received a briefing sheet on the meaning and impact of the Duty and an invitation to a focus group to discuss this particular subject.

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 Gender Equality Duty Scheme.

## 8 Achievements so far

### 8.1 Recruitment process for Independent Custody Visitors (ICVs)<sup>18</sup>

The recruitment process for ICVs is a good example where the Police Authority worked hard to promote equality of opportunity not just from a gender 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 in 2007.

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.

Further to appointment, 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 BAWP (British Association of Women in Policing)

The Gender Agenda was launched in 2001, seeking to turn the spotlight onto issues faced by women in the service, find positive new ways of working and challenge negative attitudes, inflexible thinking and old-fashioned practices.

At its launch the Gender Agenda focused solely on women police officers but in the same way that BAWP has developed into the British Association for Women in Policing to address issues for *all women* engaged in policing, so the Gender Agenda is now focusing on the wider issues and needs.

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<sup>18</sup> It must be added that a similar positive recruitment process was undertaken for our Independent Members Recruitment.

Both the Chairman of the Police Authority and the policy officer are BAWP members and actively support BAWP events nationally. The policy officer is also the local BAWP co-ordinator.

On 2 February 2006 the Devon & Cornwall Police Authority and Constabulary organised a 'Gender Agenda Review' Workshop at St Mellion which was facilitated by BAWP and also attended by officers and staff from Dorset Constabulary. It sought to gather viewpoints regarding:

- Identify good practice
- Review the existing elements of the strategy
- Consider work in progress
- Identify what barriers remain
- Consider what needs to be done to address those barriers
- Identify those barriers, which are starting to emerge which may adversely affect women in the future.

The feedback from the workshops was used to inform the launch of Gender Agenda 2.

It must be noted that BAWP and the Gender Agenda 2 focus on the needs of women only and that this Gender Equality Duty relates to both men and women including transsexual people. Gender Agenda 2 provides only one part of the equality picture and care must be taken not to exclude men from the work that is done.

### **8.3 Gender Agenda Working group**

The Police Authority's policy officer is also involved in the Constabulary's Gender Agenda 2 working group which monitors progress against Gender Agenda 2 recommendations.

### **8.4 Women in Policing Network (WiPN)**

Devon and Cornwall Constabulary has launched a new support network for its female police officers and police staff.

The Women in Policing Network will act as a voice for the Constabulary's female employees, who make up around 22% of its police officers and 54% of its police staff.

It will champion fairness and equality in the workplace for women, and encourage them to nurture and develop their skills, and ensure that they have opportunities to do so.

And it will reflect the needs of diverse society and develop the organisation's profile as an employer of choice.

Its aims include:

- Working with the Force Equality and Diversity Board, acting as a resource for the organisation, providing support in areas such as strategy and policy development
- Identifying areas of discrimination specific to women and helping to eliminate and address in a positive manner, while fully embracing the Values of the Force in striving to make a difference
- Assisting in activating a policy of reconciling family life and professional life for women and men

- Making a positive contribution to increasing the representation of women in specialist departments and in the management structure
- Working with other minority and staff support groups to progress diversity issues

The Chairman of the Police Authority is a member of the WiPN.

## **8.5 Training**

The Police Authority has undertaken a lot of diversity training, in addition to the E-learning already mentioned. To list some of the training courses:

- Staff attended a Gender Equality Duty training event organised by the LGC in October 2006
- The Intercom Trust was asked in October 2006 to provide Diversity Training for all staff; this also focused on gender and
- In February this year staff from the Police Authority attended training on the Gender Equality Duty.

## **8.6 Communicating with national stakeholders**

The Police Authority is aware that communicating with national stakeholders is vital to keep in touch and be aware of any national 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 a Gender Equality Duty Scheme for the Police Authority.

And on several occasions during this year the Police Authority Chairman and Assistant Chief Executive met with (by request) key members of the APA Race and Diversity Policy Group in London to discuss issues of diversity.

The Police Authority Chairman is also a member of 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.

## **9 Involving you**

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

It will publish the scheme on the Police Authority's website ([www.dcpa.police.uk](http://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 Gender Equality Duty 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 and Clerk  
Devon and Cornwall Police Authority  
P O Box 229  
EXETER  
Devon  
EX2 5YT

**APPENDIX A**  
**Devon and Cornwall Police Authority**  
**Consultation on the Gender Equality Duty**  
**Summary Report**

**INTRODUCTION**

On 12 April 2007, a focus group was held in the offices of Devon and Cornwall Police Authority. Participating in the focus group were 6 Police Authority Members and 6 Police Authority Officers.

The focus group set out to identify the key processes/functions of Devon and Cornwall Police Authority that have a potential impact on gender equality and where possible to prioritise these in terms of their importance for the action plan and impact on the Gender Equality Scheme.

**FINDINGS**

The following statements are a summary of the points raised and discussed by the group.

**GENERAL**

It was difficult for the group to focus on how policies and strategies are, and can be, used to ensure equality of opportunity and process. This may have been due to the group feeling comfortable that the outcomes of their policies had not led to gender inequalities or criticism in terms of gender equality.

An overriding view expressed by the participants was that equality should not be promoted to the detriment of quality and that policies should always look to achieve the highest possible quality in terms of process and outcome.

An opinion was expressed that gender was not a group, as viewed in the context of a minority that other equality schemes seek to address. Both genders contain such a diverse population that neither could promote a "typical" representative and that therefore a proportional gender balance was too simplistic. In addition the purpose of a gender balance, or for that matter other equal representation, was not solely so that they could represent their "group" but provide a more diverse view and influence on the Authority's decision making, based on a variety of life experiences.

**MEMBERS**

The group acknowledged that the Police Authority had no control over the selection of the majority of its membership and therefore had little ability to influence the gender balance. Currently the ten Councillor members are all male. Independent members are selected on the quality of applicant and should represent as wide a range of people as possible. Any imbalance should therefore not be addressed through this process and it was suggested that it could be put to the joint committee that selects councillor members that not only should it consider the political composition of appointments but also gender.

**OFFICERS**

There was a gender balance in numbers of officers in the Police Authority. It was felt that this was a reflection and result of gender neutral policies in the application and selection process. Further more the existing working practices, which included a flexible approach, did not generate barriers for the retention nor development of officers of either gender.

**ACCESSIBILITY**

The accessibility of the Police Authority and its work was considered. The geographic area covered by Devon and Cornwall is large and in places remote. Police Authority meetings as a result move round

the region to reflect this, but no analysis had been conducted as to accessibility by gender. The use of technology was considered as a means to overcome this, for example the use of web casting and a product akin to the BBC's listen again service.

### **POLICIES, PROCESSES AND WORKING PRACTICES**

It was felt that the existing provision of flexible working, support and childcare provision went a considerable way to providing an equality of opportunity for both genders. However it was shown that there was a need for impact assessments of current practices to be able to demonstrate equality.

Discussion included the opinion that a view would need to be taken on the resource allocated to ensuring equality. The Authority is working within ever reducing budgets and a balance would have to be struck between the promotion and cost of equality.

A great deal of work is conducted in terms of consultation, and the methodologies used ensured equality in terms of representivity. There may be an opportunity to revisit the data and where possible analyse by gender to further influence the gender equality scheme and action plan and provide reassurance or gap analysis. The public, partners and other organisation or authorities could also take part in gender specific consultation to understand the external view of the Police Authority.

Throughout the discussion it emerged that little attention was given to gender monitoring, this would provide another avenue to ensure equality or to conduct gap analysis.

### **PRIORITIES**

Given the wide range of topics discussed by the group and their generalised nature it was difficult for participants to prioritise them in order of influence over the action plan.

During this discussion participants expressed a view that they felt the gender equality of the Force was of a bigger concern to Members, in particular the public's perception of the Force. The Authority will be responsible for scrutinising the Force's Gender Equality Scheme, but at this stage expressed a wish to promote a gender balance in the selection of Police Community Support Officers and ensuring the retention of female police officers and an equal ability for career progression.

The topic that engaged the participants the most was that of gender representation in Police Authority Membership and that this could well be their main priority, however the outcome of improving the gender balance is not something that can or will change quickly.

### **CONCLUSION**

Firstly I would like to thank the participants for their time and the enthusiasm that they put into this focus group. In general it was felt that there was gender equality within Devon and Cornwall Police Authority although the focus group highlighted the need to conduct consultation and further scoping to provide a reliable knowledge base to bear this out. The collected evidence will then provide the basis on which policy and practice can be based. This will be the next step for officers of the Authority in the development of the duty for Devon and Cornwall's Gender Equality Scheme.

## Appendix B Glossary

### **Code of Practice<sup>19</sup>**

This document gives practical guidance to public authorities on how to meet the legal requirements of the gender equality duty. The EOC prepared and issued this Code under the Sex Discrimination Act 1975, as amended by the Equality Act 2006

### **Commission for Equality and Human Rights (CEHR)**

This organisation will come into being in October 2007. It will bring 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.

### **Compliance Notice**

A legally binding notice that can be served on authorities who are failing to comply with the general or specific duties after April 2007. The notice will state that the authority must meet its duties and tell the EOC within 28 days what it has done to comply with the duties.

### **CDRPs**

The Crime and Disorder Act 1998 as amended by the Police Reform Act 2002 sets out statutory requirements for responsible authorities to work with other local agencies and organisations to develop and implement strategies to tackle crime and disorder and misuse of drugs in their area. These statutory partnerships are known as Crime and Disorder Reduction Partnerships – CDRPs. The Police Authority is one of the statutory partners.

### **Direct Discrimination**

Less favourable treatment of a person on gender grounds compared with the treatment or likely treatment of a person of another gender in the same or similar circumstances. This could include giving a job to a male applicant when a female applicant has similar or better qualifications.

### **Duty**

A mandatory and legal obligation to do something, in this case, to eliminate sex discrimination and promote gender equality.

### **Employment practices**

These are the terms set by employers which affect people in the work place, such as pay, recruitment, promotion, managing maternity and working hours.

### **Equal value**

When work is different but considered to be of equal worth in terms of demands such as decision-making, skills and effort.

### **Equality Act 2006**

The legislation which legally created the Commission for Equality and Human Rights and introduced the Gender Equality Duty.

### **Equality Bill**

A bill introduced to Parliament which became the Equality Act in February 2006.

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<sup>19</sup> <http://www.eoc.org.uk/default.aspx?page=19326>

## **Functions**

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

## **Gender**

Sex is the biological difference between men and women but a person's gender is socially constructed, for example women often take more responsibility for childcare than men.

## **Gender Disaggregated data (or information)**

Data or information that has been collected and analysed by gender e.g including analysis of patient satisfaction surveys by gender at a hospital. Analysis of the survey could then highlight any differences in satisfaction rates between men and women.

## **Gender Equality Goals or Objectives**

Goals set by public authorities by which they aim to tackle gender inequality. Examples include promoting flexible working for men or ensuring public transport is more accessible for women.

## **Gender Equality Scheme**

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

## **Gender Impact Assessment**

An assessment of services and policies in regards to how they affect men and women. Public authorities can use the findings to redesign services with the needs of each gender in mind.

## **Gender mainstreaming or mainstreaming**

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

## **Gender profile**

The distribution of men and women in an organisation by seniority and by type of work.

## **General Duty**

The overall gender duty on public authorities to eliminate sex discrimination and harassment and to promote gender equality in their policies, services and employment.

## **Good practice**

Examples of services, employment or policies which take gender equality into account.

## **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 gender and is to their detriment, which cannot be objectively justified. For example, an unnecessary requirement to be under 5' 10" would discriminate against men; a requirement to work full-time or refusal to allow flexible working might be unlawful indirect discrimination against women.

## **Like work**

Work that is the same or broadly similar in terms of skill, effort and responsibility.

## **Mainstreaming**

Making sure gender issues are built into the business planning and procedures of an organisation.

### **Occupational segregation**

When men or women predominate in certain jobs or industries. Examples include men working in construction or women in childcare.

### **Positive action**

Positive action is encouraging people from an under-represented group to apply for jobs, training or promotion. In terms of gender equality this could mean placing an advert in a magazine read specifically by men of a certain age, or women from a specific background 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 under the Sex Discrimination Act. Positive discrimination is unlawful in the UK. This would mean that an employer would only short list people from the under-represented group.

### **Procurement**

Buying or Purchasing. The process by which a public authority enters into a contract with an external supplier to carry out works, provide goods or services. This could be from a private company, another public organisation, or a voluntary sector organisation.

### **Regeneration**

Improving local facilities, employment, and the overall appearance of a neighbourhood, often in areas of high deprivation. Examples include street lighting, job creation, training, childcare facilities, transport or play areas.

### **Screening**

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

### **Service users**

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

### **Sex Discrimination Act 1975**

Act passed by parliament in 1975, stating that it is unlawful for a person to be treated unfavourably on the grounds of their sex. For instance, your employer may have treated somebody of the opposite sex more favourably in similar circumstances. Under the SDA, this behaviour is against the law and therefore the employer can be prosecuted.

### **Specific Duty**

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

### **Stakeholders**

Any individuals or organisations who have an interest in, or could be affected by a policy. In a school stakeholders would include pupils, teachers, parents, staff, unions, local employers and people who use the school facilities.

### **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.