

Devon and Cornwall Police Authority Disability Equality Scheme 2009-2012

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**DEVON AND CORNWALL POLICE AUTHORITY
DISABILITY EQUALITY SCHEME
2009 - 2012**

Foreword to be written by our chairman Mike Bull

Mike Bull
Chairman Devon & Cornwall Police Authority

DEVON AND CORNWALL POLICE AUTHORITY DISABILITY EQUALITY SCHEME

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EXECUTIVE SUMMARY

The first Disability Discrimination Act (DDA) was introduced in 1995 and was revised in 2005. These latest changes came into force on the 5 December 2006 aiming to ensure that public authorities build disability equality considerations into all aspects of their public services.

The Police Authority first published a Disability Equality Scheme in May 2006; this updated Equality Scheme will include a review of the earlier action plans; build on work already undertaken; incorporate new information and establish this within a risk management framework.

This scheme will set out how Devon and Cornwall Police Authority will embed disability 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 Disability Equality Duty.

Furthermore, the Disability Equality Risk Register links into the Police Authority's Full Risk Register. The Police 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 Police 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 by the Risk Review Working Group. 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. The Police Authority is working towards setting up a Single Equality Scheme, which will incorporate and update this Disability Equality Scheme as well as the other equality and diversity business areas. This scheme will be in place by April 2010.

DEVON AND CORNWALL POLICE AUTHORITY DISABILITY EQUALITY SCHEME

1. INTRODUCTION

This is the revised 2009 – 2012 Disability Equality Scheme for Devon and Cornwall Police Authority. It describes the Police Authority and the work it does, sets out its values in respect of disability equality, and the approach that the Police Authority will adopt to further these values. The production of this scheme is required by law (the Disability Discrimination Act 2005), but the Police 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 Police Authority first published a Disability Equality Scheme in May 2006; this updated Equality Scheme will include a review of the earlier action plans; build on work already undertaken; incorporate new information and establish this within a risk management framework.

1.1 Background

In the past, it was more common to think of understanding and trying to meet disabled people's needs using the 'medical model' of disability. This assumes that disability is caused by the individual's illness or impairment and is a 'problem' to be cured or overcome. However, Devon and Cornwall Police Authority will use the 'social model of disability' which approaches disability from the viewpoint that the poverty, disadvantage and social exclusion experienced by many disabled people is not the inevitable result of their impairments or medical conditions, but rather stems from attitudinal, policy, physical and empowerment barriers.

The Disability Discrimination Act 1995 (DDA) is an Act to make it unlawful to discriminate against disabled persons in connection with employment, the provision of goods, facilities and services or the disposal or management of premises; to make provision for the employment of disabled persons; and to establish a National Disability Council.

The Act states that a person has a disability if s/he has a physical or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The Disability Discrimination Act (1995) was amended in 2005.

Individuals are now also protected by the Act if they have had a disability within the definition, even if they have since recovered, such as depression. There is no longer a requirement in the DDA that a mental illness must be "clinically well recognised" before it can count as an impairment for the purposes of the DDA.

People with hidden conditions such as cancer, diabetes, epilepsy, and asthma are also covered along with people with severe disfigurements, people with learning disabilities, people living with HIV and AIDS, and people with Multiple Sclerosis. The 2005 Act introduces a duty on **all** public bodies to promote equality of opportunity for disabled people.

1.2 The Legal Framework

The general duty to promote disability equality came into effect in December 2006 and is aimed at promoting disability equality across the public sector. The disability equality duty (DED) states that all public authorities must have due regard to the need to take steps to take account of disabled persons' disabilities. This might involve treating disabled persons more favourably than non-disabled persons, as equality of opportunity will not arise by treating disabled people and other people alike. It also means that public authorities must carry

out their functions more effectively and tackle discrimination and its causes in a proactive way. Disability equality must be mainstreamed into all the Police Authority's decisions and activities.

1.3 The General Duty

The general duty states that the Police Authority must, when carrying out its functions, have due regard¹ to do the following:

- Eliminate unlawful discrimination
- Eliminate harassment of people that is related to their disability
- Promote equality of opportunity between disabled people and other people
- Promote positive attitudes towards disabled people
- Encourage participation by disabled people in public life
- Take steps to meet disabled peoples' needs, even if this requires more favourable treatment

1.4 Specific Duties

The specific duties for public authorities under the Disability Discrimination Act 2005 are to:

- Publish a Disability Equality Scheme (to include an Action Plan) that demonstrates how the Police Authority intends to fulfil the general and specific duties.
- Demonstrate that the actions in the scheme have been implemented and achieved appropriate outcomes.
- Report on methods for impact assessment.
- Report on progress and review and revise the scheme.
- Involve disabled people in producing the Scheme and Action Plan.
- Explain the arrangements for gathering, using and publishing information about employment, service provision and training.

In addition, we must provide evidence in a report that we have taken the steps we have laid out in our action plan within three years of the publication of the Scheme (unless they prove to be unreasonable or impractical).

This Disability 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

¹ 'Due regard' means that authorities should give due weight to the need to promote disability equality in proportion to its relevance

orientation, gender, transgender, religious beliefs, and age²) since the publication of the first (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 Disability Equality Duty Scheme (incorporated into a Single Equality Scheme) and associated Action Plan and the Police Authority will monitor how the Constabulary implements its scheme and complies with its disability 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 Disability 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. (The working group also receives updates on the Police Authority's Equality Duty Schemes and relevant Action Plans)

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

The Constabulary's Strategic Independent Advisory Group will retain an overview of the Constabulary Equality Schemes and Action Plans. The chair of the Police Authority's Equality & Diversity working group attends this strategic meeting.

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

Structure

The Devon and Cornwall Police Authority has 19 Members - 10 Councillors and 9 Independents of which one needs to be a Magistrate Member. All Members are appointed to the Police Authority for a fixed term and the membership can change during the year.

Councillor Members

The Councillor members are nominated from:

- Devon County Council,
- Cornwall Council,
- Plymouth City Council,

² To include issues affecting 'children and young people'

- 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.

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:

- Equality and Diversity Working Group
- Corporate Governance Committee
- Human Resources Committee
- Professional Standards and Complaints Monitoring Working Group
- Performance Management Committee
- Community Engagement Committee
- Resources Committee
- Standards Committee
- Chairmen's Group
- Police Staff Disciplinary Appeals
- Property Sub Committee
- Performance Data Analysis Working Group
- Regulation A20

Because the intention is to 'mainstream' disability 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 disability 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.

Equality & Diversity Working Group

- Receives regular updates from the Constabulary's Diversity Unit about the Constabulary's achievements in relation to disability equality, but also areas of concern and improvements that need to be made. Any issues, which suggest that the Constabulary is not meeting the disability equality duty, will be brought to the attention of the Human Resources Committee by the chair of this working group.
- 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 Disability 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 disability 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 disability group?

2.3 Relationship with the Constabulary

Devon and Cornwall Police Authority and Constabulary are separate organisations, each with their own Disability 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, the Public Services Strategic Group and the 2012 Strategy Board. In addition there is Member representation on the Strategic Independent Advisory Group.

Element of Constabulary Scheme	Main monitoring route
Overall monitoring of scheme	<ul style="list-style-type: none">• Human Resources Committee and Equality & Diversity Working group.• Report also to be submitted to the Full Police Authority meeting• Member attends the Constabulary's Strategic IAG.
Policy-making	<ul style="list-style-type: none">• Human Resources Committee• Equality & Diversity Working Group
Stop and Search	<ul style="list-style-type: none">• Equality & Diversity Working Group• Performance Management Committee

Recruitment, Retention and Progression (and related employment issues) Setting local Employment targets	<ul style="list-style-type: none"> • Human Resources Committee • Equality & Diversity Working Group
Complaints and Grievances	<ul style="list-style-type: none"> • Professional Standards and Complaints Monitoring Working Group
Training	<ul style="list-style-type: none"> • Human Resources Committee
Consultation strategy	<ul style="list-style-type: none"> • Community Engagement Committee

2.4 Strategic Aims and Objectives

Devon and Cornwall Police Authority is committed to the fulfilment of its duties under the DDA (Disability Discrimination Act) 2005 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 Disability Equality Scheme the Police Authority will:

- ‘Mainstream’ disability equality by making it central to the day to day operation of the Police Authority.
- Incorporate disability equality aims and objectives into relevant strategies and plans
- Work in partnership with the Constabulary (and where appropriate other organisations e.g. the Force’s Disability Forum, Living Options, Disability Cornwall and the National Aids Trust) to ensure an integrated approach to disability 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 disability equality principles) where appropriate.
- Monitor and scrutinise the Constabulary’s approach to disability equality.

3. MEETING THE DUTIES

The General Duty

- *To eliminate unlawful discrimination*
- *To eliminate harassment of people that is related to their disability*
- *To promote equality of opportunity between disabled people and other people*
- *Promote positive attitudes towards disabled people*
- *Encourage participation by disabled people in public life*
- *Take steps to meet disabled people's needs, even if this requires more favourable treatment*

The Specific Duties

- *Publish a Disability Equality Scheme (to include an Action Plan) that demonstrates how the Police Authority intends to fulfil the general and specific duties.*
- *Demonstrate that the actions in the scheme have been implemented and achieved appropriate outcomes.*
- *Report on methods for impact assessment.*
- *Report on progress and review and revise the scheme.*
- *Involve disabled people in producing the Scheme and Action Plan.*
- *Explain the arrangements for gathering, using and publishing information about employment, service provision and training.*

3.1 The General Duty

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 disability.

Harassment in this context is unwanted conduct affecting the dignity of men and women in the workplace, which is related to their disability, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

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.

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.'

The general duty is proportionate so public authorities will be expected to give appropriate weight to the promotion of disability equality when performing their functions. However, In order to achieve actual equality of opportunity, it is necessary to recognise that in certain situations certain 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.

The Police Authority will keep under review whether there might be any possible indirect 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 monitors the disability composition of the existing workforce and of applicants for jobs (including promotion) by way of anonymous diversity monitoring forms 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 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.

Disability of Volunteer	Number of Volunteer	
Reduced Physical Capacity	5	
Wheelchair	1	
Sight Impairment	1	
Hearing Impairment	1	
Mobility Impairment	5	
Speech Problems	1	
Writing Problems	1	
Disability of Volunteer	Female	Male
Reduced Physical Capacity	0	5
Wheelchair	0	1
Sight Impairment	1	0
Hearing Impairment	1	0
Mobility Impairment	4	1
Speech Problems	0	1
Writing Problems	0	1
Number of Volunteers with disability	15	45
	Number without disability	

3.3 Police Authority Members

The current disability status of the Police Authority Members is highlighted in the DES 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 who 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.

(The Independent Member Recruitment Process 2008, Diversity Monitoring Report is now available on our website - <http://www.dcpa.police.uk/PDFstore/ppr/MonitoringReportIndepMembers.pdf>)

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.

Monitoring Information about Police Authority Members has been published on our Police Authority website.

3.4 Police Authority Officers

Monitoring Information about Police Authority officers has been published on our Police Authority website.

When looking at the monitoring information about both members and officers it is clear that many decided not to declare whether they had a disability or not. The 'DDA (Disability Discrimination Act) declaration' is a voluntary declaration by the employee. This is still a sensitive category as is sexual orientation and religion or faith, as many people decide not to disclose for a variety of reasons, one of which might be a lack of confidence. This can be addressed over time by showing employees the positive benefits of declaration.

3.5 The Specific Duties: The Disability Equality Scheme

The Devon and Cornwall Police Authority Revised Disability Equality Duty Scheme will be published on our dcpa.police.uk website by July 2009 and ratified by the Full Authority in September 2009.

If English is not your first language, please contact us and we will endeavour to produce it in another language.

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The Disability Equality Scheme sets out how the Police Authority will meet its duties under the DDA 2005. The scheme will reinforce and support its work around disability equality, impacting on the Police Authority and all its policies, working practices and functions.³

In order to meet the general and specific duties the Police 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 disability equality.
- Assess whether the functions, policies or practices have an adverse impact on disability equality.
- Consider what changes may need to be made to the functions, policies or practices.

³ The Police Authority is working towards setting up a Single Equality Scheme, which will incorporate and update this Disability Equality Scheme as well as the other equality and diversity business areas.

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

'How does this function, policy or practice affect disabled people in the communities we serve?'

The following questions can then be asked:

- Does this function or policy have different effects on disabled people?
- Could there be an adverse impact on any particular group?
- Is there any evidence (e.g. complaints, lower levels of satisfaction) that some disabled people are being differently affected?
- Is there any public concern - especially amongst disabled people in our communities - that certain functions/policies are discriminatory?
- Is there an opportunity to promote equality of opportunity, positive attitudes and good 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 Equality & Diversity Working group has 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.

3.6 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 Disability 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 approach means that the Police Authority approaches its public duty in a proportionate way. Furthermore the Disability 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.

3.7 Monitoring

Devon and Cornwall Police Authority and Constabulary are separate organisations, each with their own Disability 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 Equality & 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 Annual Report to the Full Police Authority. This will also include updates on the Gender and Race Equality Duty Schemes.

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

- Assess how it has complied with the duties under the DDA 2005.
- Consider how equality of opportunity and positive attitudes towards disabled people 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 Disability 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.

3.8 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.⁴

⁴ Home Office website

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 always endeavour to provide other translations on request if possible.

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 and the meetings are held in DDA compliant locations - 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.

3.9 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 disabled people 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.

All questions can be broken down by ethnicity, gender and disability, which provides useful information as to the difference between different groups in relation to their needs of policing.

The Police Authority has a general duty to consult with all members of the community it serves regardless of its duties under the DDA 2005. Information gathered from all the sources mentioned above and consultation undertaken with stakeholders does continually serve to inform its objectives, not only from a disability equality perspective.

As mentioned before the Equality & 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.

3.10 Involve disabled people in producing the Scheme and Action Plan

Appendix B includes a list of all the diversity (engagement/consultation) events, training and conferences that have been attended. These events have been used to inform the Police Authority as to the issues it should focus on as it has actively sought feedback on how it can improve its way of working. This includes external feedback and comments from disabled community groups as well as Force 'internal' feedback, which will be reflected within the Disability Equality Scheme's Action plan.

3.11 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 community 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 including Youth Initiatives)
- 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.
- BSL (British Sign Language) clips used on our website

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

3.12 Employment Monitoring

The Police Authority will monitor the 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.

3.13 Monitoring Job Applicants

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

- Gender
- Disability
- Age
- Sexual Orientation
- Ethnic origin
- Differences in success rates at different stages in the selection process
- Reasons for rejection

3.14 Monitoring the Composition of the Police Authority

The Police Authority also undertakes monitoring 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.

3.15 Training for Police Authority Members and Staff

Diversity & Equality 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 Police 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 Police Authority but also in dealing with the public and other organizations.

The Police Authority will provide specific training in diversity to Members of the Police 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 to attend who, for example, care for family members with disabilities 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 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. 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 equality legislation and, if appropriate to their job profile, to enhance their skills in analysing the impact of policy and consequent equality impact assessments.

Training has also been made available to equip Police 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 Disability 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.

4 ACTION PLAN

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

5 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 Disability 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 Disability 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 Police 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 disability equality issue, the complainant should write to the Chief Executive to the Police Authority who will then arrange for the appropriate action/investigation to be undertaken.

6 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 Disability Equality Scheme. Equally, it is important to make members and staff aware of their own responsibilities under the Disability Equality Duty.

In order to inform staff and members of the revised Disability 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 Disability Equality Scheme.

7 ACHIEVEMENTS SO FAR

It would not be practicable to include all the Diversity work undertaken by the Police Authority during the last 2 years. However, a few should be highlighted as being worthy of particular note from a diversity and equality perspective and are detailed in the sections below.

7.1 Recruitment process for Independent Members

The recruitment process for Independent Members is a good example where the Police Authority worked hard to promote equality of opportunity from an overall diversity viewpoint.

The Independent Member Recruitment Process 2008, Diversity Monitoring Report is now available on our website - <http://www.dcpa.police.uk/PDFstore/ppr/MonitoringReportIndepMembers.pdf>

7.2 Community Engagement and communicating with Stakeholders

The Diversity Diary attached at Appendix B gives an overview of the extensive community engagement and communication with stakeholders that the Police Authority has undertaken.

During the summer of 2008 the Police Authority attended many diversity & equality festivals e.g. the Disability Show in Exeter. These events 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.

The Police Authority had its own stand with information about its roles and responsibilities and issues like Independent Custody Visiting and Liaison Meetings. During the Disability Show the Police Authority handed out questionnaires on Neighbourhood Policing which were used to inform our decision-making and policy-

setting processes. Further information about any of the events the Police Authority attended is available from the Police Authority office.

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 Police Authority.

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.

8 INVOLVING YOU

The Police Authority would like as much input as possible from local communities on its Disability 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 Disability 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 RS Martin
Acting Chief Executive
Devon and Cornwall Police Authority
P O Box 229
EXETER
Devon
EX2 5YT

Appendix A – Glossary

Direct Discrimination

Less favourable treatment of a person on disability grounds compared with the treatment or likely treatment of an able-bodied person in the same or similar circumstances.

Duty

A mandatory and legal obligation to do something, in this case:

- Eliminate unlawful discrimination
- Eliminate harassment of people that is related to their disability
- Promote equality of opportunity between disabled people and other people
- Promote positive attitudes towards disabled people
- Encourage participation by disabled people in public life
- Take steps to meet disabled peoples' needs, even if this requires more favourable treatment

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 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 disability equality this could mean placing an advert in a magazine read specifically by people from a particular 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.

Disability Equality Goals or Objectives

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

Disability Equality Scheme

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

Disability mainstreaming or mainstreaming

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

Positive action in the workplace

Positive action allows employers to make their workforces more diverse if they want to. It can already be used in some circumstances, for example, when placing adverts to attract a more diverse range of job applicants, or training staff from under-represented groups to help them compete for promotion.

The new Equality Bill will expand the way positive action can be used so that employers can pick someone for a job from an underrepresented group when they have the choice between two or more candidates who are equally suitable, provided they do not have a general policy of doing so in every case.

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 disability 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 disability 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.

APPENDIX B - POLICE AUTHORITY – Diversity Diary January 2008 – April 2009

I) Meetings / Conferences / Seminars

January 2008:

- 17 Jan – APA Equality & Diversity Officers Network meeting London (APA = Association of Police Authorities)
- 22 Jan – Children's Trust Partnership Day at Buckfastleigh
- 29 Jan – APA C&YP (=Children & Young People) meeting in London
- 30 Jan – DCPA (Devon and Cornwall Police Authority) Diversity Workgroup meeting in Exeter

February 2008:

- 25 Feb – BPA Launch at the Eden Project (BPA = Black Police Authority)

March 2008:

- 3+4 Mar – ACPO Conference – Child Abuse Investigation – Cheltenham (ACPO = Association of Chief Police Officers)

April 2008:

- 1 Apr – Hear by Right meeting (Exeter)
- 4 Apr - Meeting with PCSOs/PC/Sgt about the impact of / understanding of diversity on operational policing (Exeter) (PCSO = police community support officer)
- 15 Apr - Tackling Domestic Violence and Abuse – One day course by ADVA in Honiton (ADVA = Against Domestic Violence and Abuse)
- 17 Apr - Equality & Diversity Officers Network meeting (APA) London
- 24 Apr – Meeting with PCSOs/PC/Sgt about the impact of / understanding of diversity on operational policing (Exeter)

May 2008:

- 6 May – Children's Trust APA Challenge Day (C&YPP = Children & Young People Plan) in Exeter
- 15 May – Children's Trust Meeting (Exeter)
- 27 May – APA C&YP Seminar (London)

June 2008:

- 3 June - Equality South West & SW Disability Network Event (Taunton)
- 6 June – SW Disability Show (Exeter)
- 7 June – Plymouth Pride Event
- 10 June – Children's Trust Board Development Day
- 11 June – MPA / APA Seminar on C&YP (London) (MPA = Metropolitan Police Authority)
- 19 June – PA meeting with CPA (Christian Police Association) (Exeter)

July 2008:

- 2 July – Diversity Community event (Exeter)
- 3 July – ACPO Confidence and Equality Practitioners Network (Exeter)
- 10 July – Children's Trust Meeting (Exeter)
- 12 July – Respect Festival
- 21 July – Consultation with UK Youth Parliament (Exeter)
- 26 July – Kongomana (Devon)

August 2008

- 13 Aug - Meeting with SEOs/PCSOs/PC/Sgt about the impact of / understanding of diversity on operational policing (Plymouth) (SEO = Station Enquiry Officer)
- 23 Aug – Cornwall Pride

September 2008

- 11 Sept – Meeting with Sgt & Insp about the impact of / understanding of diversity on operational policing (Operations)
- 16 Sept - Meeting with Sgt about the impact of / understanding of diversity on operational policing (Operations)
- 18 Sept – SW Racial Equality Council Network Event (Taunton)
- 24-25 Sept – ACPO Youth Conference (Bristol)
- 26 Sept – Sgts Supervisors meeting about the impact of / understanding of diversity on operational policing (Operations)

October 2008

- 1 Oct – LGA/IdEA/APA/ACPO meeting on Youth Crime (London)
(LGA = Local Government Authority. IDeA = Improvement and Development Agency)
- 3 Oct – Meeting with Disability Cornwall (Hayle)
- 3 Oct - Meeting with Sgt about the impact of / understanding of diversity on operational policing (Truro)
- 13 Oct – BAWP PDD – Stratford
(BAWP = British Association of Women in Policing) (PDD = Personal Development Day)
- 14 Oct – Practical Training for involving C&YP in your work (Okehampton) (Devon County Council and Devon Play)
- 22 Oct – Dawali Event – Home Office (London)
- 25 Oct – Street Pastor Night Duty (Torquay)
- 29 Oct - Meeting with SEOs/PCSOs/PC/Sgt about the impact of / understanding of diversity on operational policing (Plymouth)

November 2008

- 11 Nov - Force Equality & Diversity Group (Exeter)
- 13 Nov – Children’s Trust Meeting (Exeter)
- 20 Nov - Meeting with PCs/Sgts about the impact of / understanding of diversity on operational policing (Bodmin)

December 2008

- 1 Dec – Islamic Awareness Course (Exeter Mosque)
- 5 Dec – Meeting with RSG (Refugee Support Group) (Exeter) (RSG = Refugee Support Group)
- 11 Dec - Meeting with SEOs/PCSOs/PC/Sgt about the impact of / understanding of diversity on operational policing (Okehampton/Tavistock)

January 2009

- 30 Jan – C&YP Conference (organised by PA for local partner agencies) (Plymouth)

February 2009

- 3 Feb – Force Equality & Diversity Group (Exeter)
- 9 Feb – PA Equality & Diversity Working Group (Exeter)
- 24 Feb – Improving the Mental Health and Well-being of the LGBT communities in Cornwall (Truro)
- 26 Feb – Making the Difference GPA Conference (Plymouth) (GPA = Gay Police Association)
- 28 Feb – Exeter Pride Event

March 2009

- 12 Mar – The BME Community and the Police Conference: Overcoming barriers in recruitment, retention and progression. (London)
- 30 Mar – 01 Apr – SWiP Conference (Exeter) (SWiP = Senior Women in Policing)

April 2009

- 2 Apr – Equality Standard Field Trial – Action Learning Set NPIA (Ryton) (NPIA = National Police Improvement Agency)
- 7 Apr – PA Equality & Diversity working group (Launceston)
- 8 Apr – Meeting with Barbara Wilson (Living Options)
- 21 Apr – Meeting with Maqsood Ahmad (Head of Diversity Unit) Home office (London)
- 22 Apr – Regional SW HBV Meeting (Portishead) (HBV = Honour-based violence)
- 23 Apr – D4 Advancing Equality Conference (Living Options) Exeter

II) Training

- 15 April 2008 – Tackling Domestic Violence and Abuse – One day course by ADVA in Honiton
- 22-24 July 2008 – EDON Equality & Diversity Training Event (by IODA)
- 23, 24, 27 and 28 Oct 2008 - Hidden Crimes and Honour Based Violence Training (Facilitated by Saima Afzal, sponsored by the DCPA, made available to all SW Police Authorities, Forces and Partner agencies.

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)
- Took part in the National AIDS Trust Survey: HIV and your DES (April 08)
- Policing Summary 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 (Women in Policing Network)
- Members of BAWP and Policy Officer BAWP Force/PA Co-ordinator
- Members of the APA EDON – Equality & Diversity Officer Network