



# Equality Impact Assessment (EIA)

Name of policy, procedure or activity:

**Employment of Transgender people**

Document Version:	Issue 3
Date:	May 2011

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## **What is an EIA?**

An EIA is an evidence based assessment of how a policy or activity will positively support Gwent Police’s general equality duties, as well as identify any potential negative disproportionate impact on people or groups of people.

The EIA will also outline any steps to redress this.

For ease of reference, within this document the term ‘policy or activity’ will be used, but must be taken to mean any functions, activities or decisions that may affect external communities or internal personnel.

## **1.0 Identification section**

**Title:** Employment of Transgender People

**Reference:** 112/13 b issue 3

**Chief Officer Lead:** ACPO Operations Support

**Service Area:** Business Support

**Document Written by:** HR Manager

**Department Responsible:** People Services

**Document Lead:** HR Manager

**Review Date:** 2 years

## **2.0 Purpose**

Please answer all of the following questions, using guidance information in section 6 to help you with your responses.

### **2.1 Aims**

What are the aims of the policy or activity and how do they fit with the wider aims of the organisation?

Gwent Police is committed to equality of opportunity and this procedure is to assist in the recruiting and retaining of transgender police officers, special constables, police staff and community volunteers.

### **2.2 Motivators**

What are the motivators or driving forces in the development of this policy or activity?

In order to comply with the principles of Equality of Opportunity in the recruitment and retention of transgender police officers and police staff.

### **2.3 Equality duties**

This section outlines if and how this policy or activity helps support Gwent Police's equality duties. Protected characteristics are listed in the Guidance document in sections 3.1 to 3.10.

#### **2.3.1 How does this policy or activity help to eliminate discrimination, harassment and victimisation?**

This procedure outlines the clear process to be followed when a member of police personnel goes through the transition process of changing their gender. The procedure will help to eliminate discrimination, harassment and victimisation of transgender applicants and personnel.

#### **2.3.2 How does this policy or activity help to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it?**

If the individual decides that colleagues should be informed, the HR Adviser will arrange for this to be done in a structured way, informing them of the issues and taking the opportunity

to educate relevant staff, who will be informed of the need to treat the individual with respect and dignity and minimise any likelihood of discrimination or isolation. External sources may also be brought in to assist.

The individual may wish to participate in the notification either in person or by letter, or they may wish it to be done by others (e.g., HR Adviser/Manager, line manager/s, external organisations).

**2.3.3** How does this policy or activity help to foster good relations between persons who share a relevant protected characteristic and persons who do not share it?

See 2.3.2 above.

### **3.0 Assessment**

This section assesses whether there any aspects of the policy or activity, including how it is delivered, or accessed, that could contribute to inequality or discrimination. Please answer all of the following questions, using guidance information in section 6 to help you with your responses. You should provide evidence in this section for your answers.

#### **3.1 Age**

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

No

#### **3.2 Disability**

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

No

#### **3.3 Gender reassignment**

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

No. This procedure is intended to have a positive impact on people who are transgender or are undergoing the transgender process

### **3.4 Marriage and civil partnership**

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

No

### **3.5 Pregnancy and maternity**

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

No

### **3.6 Race**

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

No

### **3.7 Religion or belief**

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

No

### **3.8 Sex**

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

No

### **3.9 Sexual orientation**

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

No

### **3.10 Welsh Language**

Could the policy or activity have a negative disproportionate impact on people who share this protected characteristic?

No

## **4.0 Actions and outcomes**

This section lists any actions that will need to be taken in order to address any adverse impact that has been identified. Please complete all the sections below and see the guidance information in section 6 for a more detailed explanation.

No adverse impact has been identified by the author of the procedure.

### **4.1 Action Plan**

**Impact identified:** None

**Action :** N/A

**Rationale:** No adverse impact identified.

**Completion date:** 12.04.11

**Review date:** May 2013

[Copy and paste as many times as required]

## **5.2 Outcomes**

This section summarises the outcome of the policy or activity following this assessment. (Delete as appropriate and see section 6 on outcomes for a more detailed explanation).

Major change needed to the policy or activity	No
The policy or activity has been adjusted to mitigate adverse impact	N/A
The policy or activity continues despite potential for impact	N/A
The policy or activity has been removed due to actual or potential unlawful discrimination	N/A

## **5.3 Review**

This assessment and the policy or activity will be reviewed by 12 / 04 / 2013

## **6.0 Guidance**

This section provides further detailed guidance information to help you complete the EIA template. EIAs are a mandatory part of Gwent Police's responsibility to comply with our Equality Duties. They enable us to assess and evidence how a policy or activity will positively support Gwent Police's general equality duties, as well as identify any potential negative impact on particular groups of people. The template will also allow you to take steps to redress this.

The EIA template will need to be completed by the writer of the policy, or owner of the activity concerned, and it is recommended that they seek advice and guidance from the Community Cohesion Team or the Policy Officer during this process. Completion of the template should not unduly delay the development process, particularly where there is an urgent operational need.

As part of our duty is to make our EIAs available for public scrutiny, if it relates to a policy or procedure, your EIA will be published externally on the policy page of Gwent Police's internet site by the policy officer. However, if your EIA does not relate to a policy or procedure, you should arrange appropriate external publication, provided the EIA is not restricted. If you believe that your EIA contains restricted information, this should not be made available to the public, and you should indicate this on the EIA template by ensuring it includes the appropriate protective marking.

Because EIAs are made available to the public, it is also important to ensure that the document is concise and user friendly, avoiding jargon. If you believe any of the sections are non applicable, you may indicate this, but must also provide a rationale for why this is the case.

For ease of reference, within this document the term 'policy or activity' will be used, but must be taken to mean any functions, activities or decisions that may affect external communities or internal personnel.

## **1.0 identification Page**

This is the identification section which sets out who has responsibility and ownership for the policy or activity.

- The reference on the EIA should be that of the relevant policy or activity (if one exists)
- The relevant Chief Officer with the responsibility for the Area concerned should be indicated
- Ownership of the document will be the relevant Service Area Head
- The document writer should be identified by role and not name
- The department responsible for managing the document may be different to the individual who has responsibility for writing the document

## **2.0 Purpose**

### **2.1 Aims**

Any policy or activity should include clear, fair, and justified aims, linked to the Force Policing Plan and relevant strategic documents. These aims should be listed in this section, as well as any anticipated outcomes.

### **2.2 Motivators**

The following could be considered for inclusion in this section:-

- What evidence do you have that the initiative, policy or procedure is needed?
- What are the local or national drivers?
- Who is intended to benefit from this policy and in what way?

## **2.3 Equality duties**

### **2.3.1. Advance Equality of Opportunity**

The below areas should be addressed in this section, which should describe how your policy or activity will help deliver a policing service that is fair and accessible to all:

1. **Operational Delivery** - delivering services that are accessible, responsive and meet the needs of all communities
2. **People and Culture** - building an inclusive and supportive working environment that encourages development and progression for all staff
3. **Organisational Processes** - embedding equality into organisational processes and the management of performance

### **2.3.2. Eliminate discrimination and harassment**

This section should describe how your policy or activity will:

- Address discrimination
- Encourage participation of people with protected characteristics in decision making processes
- Protect people who access policing services from discrimination or harassment
- Take action to address poor quality decisions in the past
- Be clear as to how and to whom complaints should be reported; and what investigative and disciplinary actions will take place to correct the issue
- Provide any training or awareness to staff or officers around diversity or equality issues that are pertinent to this initiative, policy or procedure
- Treat people fairly and respectfully

### **2.3.3. Foster good community relations**

‘Community relations’ refers to the relationships between different communities, between people that share protected characteristics and those who don’t, and between the community and the police.

In completing this section, you could consider the following points:

- Does this policy or activity encourage any particular community to have better engagement with other communities or with the police?
- Does this policy or activity aim to address any barriers that exist for particular communities?
- Will you be sharing best practice and consultation with any partner agencies that will allow communities to further benefit?
- Will you provide opportunities for dialogue between different communities when decisions are being made that affect them?

## **3.0 Assessment**

This part of the template requires you to evidence any impact that you may have to suggest that your policy or activity will have a negative differential impact on people who share one or more protected characteristic. You can consider:

- How your service will be delivered to people with different needs
- Who will be able to access it and how
- Who will be directly and indirectly affected by it
- If any group will benefit whilst others will not
- If your policy is designed to address a particular issue, whether this issue is more relevant to certain groups
- If there are any public or political concerns related to certain protected characteristics that may be associated with the policy

Remember to consider any 'perceived' negative impacts that may occur, where a group may believe that they are being disadvantaged by a policy or activity, when in reality, this may not be the case.

## **Assessment Evidence**

Evidence provided in this section can be gathered in a range of ways, and may include:

- Demographic data and other statistics, including census findings
- Available research findings
- Comparisons between similar policies in other public authorities and police forces.
- Survey data
- Equality monitoring data
- One off data gathering exercises
- Specially commissioned research
- Consultations
- Surveys (e.g. face-to-face, telephone, postal)
- Observations of behaviour
- Administrative databases
- Secondary analyses of existing databases
- Focus group interviews
- In-depth interviews
- Pilot projects
- Review of complaints made
- User feedback
- Academic publications
- Consultants' reports
- Citizens' juries

It is important to be mindful of human rights and data protection issues when considering appropriate data collection techniques. It should always be made clear that individuals have the right to decline to provide information and they should be made aware of how resulting data will be processed. Be aware that particular issues of sensitivity and confidentiality may arise in relation to a person's protected characteristic.

Any data must be presented in a manner which is easily accessible and understandable and which gives sufficient detail of the procedures used in the collection to allow for replication. Where reasonable and practicable, raw data

should be made available for inspection on request, with summary statistics included within the EIA template.

For more information and assistance with gathering community based evidence, contact the Community Cohesion Team.

The Protected Characteristics covered by the Equality Act 2010 are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

### **3.1 Age**

Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

### **3.2 Disability**

A person is a disabled person if they have 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.

### **3.3 Gender reassignment**

A person is covered under this protected characteristic if they are proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning their sex by changing physiological or other attributes of sex.

### **3.4 Marriage and civil partnership**

Marriage is defined as a union between a man and a woman. Same-sex couples can have their relationships legally recognised as a civil partnership.

### **3.5 Pregnancy and maternity**

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

### **3.6 Race**

Race refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

### **3.7 Religion and belief**

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

### **3.8 Sex**

A man or a woman.

### **3.9 Sexual orientation**

A person's sexual orientation is towards persons of the same sex, the opposite sex or either sex.

## **3.10 Welsh Language**

Gwent Police also recognises its duty in relation to the Welsh Language:

Writers should consider the following questions in relation to the Gwent Police Welsh Language Scheme:

- Will the policy or activity have an impact on the delivery of the Welsh Language Scheme?
- Will you offer a language choice for users?
- Will you publish information in Welsh?
- Is there a risk that Welsh speakers will be discriminated against?
- Are Welsh language arrangements likely to lead to a delay in the service being provided?

## **4.0 Actions and outcomes**

### **4.1 Action plan**

If an adverse impact has been identified for people who share one or more protected characteristic, you should note the action that has been, or will be taken to address this, and provide your rationale. If no action is to be taken to reduce or eliminate an adverse impact, you should explain why. A review date must be set as future action may be possible to mitigate the impact.

### **4.2 Outcomes**

If there is no adjustment that can be reasonably made, you must consider whether the adverse impact is justifiable, or is in fact, unlawful discrimination. The Equality and Human Rights Commission website contains useful information on what constitutes unlawful discrimination.

[www.equalityhumanrights.com](http://www.equalityhumanrights.com)

**For more information and support with completion of this EIA template, please contact the Community Cohesion Co-ordinator or Policy Officer.**