



Heddlu Gwent Police

Equality Impact Assessment Screening Template

This document provides a framework for an Initial Equality Assessment for initiatives including policies, procedures and operations. This framework will allow us to systematically judge the relevance to Gwent Police's public equality duties and also the potential level of impact to our communities.

Responses to this screening template will be scored on three dimensions.

1. The extent to which the initiative is relevant to our public duties (1= neutral to 3= highly relevant)
2. The level of impact the initiative will have on our communities (Low =1, High=3)
3. The extent to which the initiative will have an impact on our communities. (Low =1, High=3)

If a score of over 44 is achieved the proposal is deemed to be relevant to our equality duties and have the potential to have a significant negative disproportionate effect on our communities. Therefore, we need to conduct a Full equality impact in order to examine the potential impact further.

Scoring

Score	Level of Impact	Level of EIA
22-44	Low-medium	Initial
44-66	Medium-high	Full

Initially we will prioritise conducting equality impact assessment for initiatives which score over 50+

1.0 Reference Information

Title	Surveillance procedure
Reference:	
ACPO Business Area Lead:	Assistant Chief Constable
Written By:	Manager (Specialist Operations Registry)
Service Area/Department Responsible:	Specialist Operations HQ
Lead:	Detective Superintendent (Intelligence)
Review Date	11/05/2011

2.0 Statement and Intentions

2.1 What are the aims of the initiative, how do they fit in with the wider aims of the organisation?

This procedure provides guidance for staff on the completion of all applications, authorities, reviews, renewals and cancellations in respect of surveillance which will be completed using the Charter UK Covert Application.

This procedure identifies the routes the applications take dependant on the use of technical equipment, or the use of the Force Crime Team.

This procedure identifies the relevant Authorising Officers dependant upon the level of surveillance required ie Directed Surveillance, Intrusive Surveillance, Property Interference.

This procedure identifies the relevant authority level should Confidential Material be sought namely :-

Matters subject to Legal Privilege
Confidential Personal Information
Journalistic Material.

2.2 What are the motivators/driving forces in the development of this initiative? (e.g. national context)

The legal basis for this policy can be found within the following :-

- Part 111 Police Act 1997,
- Regulation of Investigatory Powers Act 2000 (RIPA)
- Criminal Procedures, Investigations Act 1996 (CPIA)
- Human Rights Act 2000 (HRA)

This procedure is required in order to comply with legislation. Having a procedure on this matter is identified as good practice by the Office of Surveillance Commissioners and will prevent potential problems occurring.

3.0 How will the initiatives be relevance to our duty to:

Duty	Evidence	Relevance 1=neutral, 3 = highly relevant
<p>Promote equality of opportunity?</p> <p>(e.g. recruitment initiative offering part-time working)</p>	<p>The nature of this procedure is not relevant to this duty</p>	<p>1</p>
<p>Eliminate discrimination?</p> <p>(e.g. Stop and Search being Intelligence led)</p>	<p>There must be relevant intelligence for the surveillance procedure to be instigated, therefore actions are evidenced based to demonstrate the proportionately of cause of action.</p> <p>However, it would be useful to examine the statistics of surveillance operations conducted to determine if different groups are more likely to have surveillance used on them; this will allow Gwent Police to examine if this policing tool is disproportionately used amongst different groups</p>	<p>2</p>

<p>Eliminate harassment?</p> <p>(e.g. Hate crime initiative having robust reporting mechanisms)</p>	<p>Due to legislative frameworks around RIPA (2000), CPIA (1996), HRA (2000) and Part 111 Police Act (1999) the legality in the use of the surveillance tactics will need to be adequately evidenced and therefore will ensure that Gwent Police meets this general duty and Equality and Human Rights legislation will be considered when developing a surveillance operation.</p> <p>As surveillance is covert the likelihood of individuals knowing that they are being surveyed is minimal, and therefore individuals are not likely to feel 'over policed' and harassed.</p>	<p>[1]</p>
<p>Promote good community relations?</p> <p>(e.g. engagement strategy which encourages younger people to work with old people in order to address ASB)</p>	<p>Due to the nature of the procedure it is not deemed applicable to this duty</p>	<p>[1]</p>
<p>Promote positive attitudes towards disabled people?</p> <p>(e.g. Corporate Communications campaign using a disabled members of staff on a poster campaign)</p>	<p>Due to the nature of the procedure it is not deemed applicable to this duty</p>	<p>[1]</p>

<p>Encourage participation of disabled people? (e.g. developing a specific initiative within PACT to ensure that disabled people participate)</p>	<p>Due to the nature of the procedure it is not deemed applicable to this duty</p>	<p>[1]</p>
<p>Consider more favourable treatment of disabled people? (e.g. favourable treatment of disabled people in the recruitment/promotion process)</p>	<p>Due to the nature of the procedure it is not deemed applicable to this duty</p>	<p>[1]</p>
<p>Protect and promote human rights? What articles of the Human Rights Act 1998 may be engaged?</p>	<p>This procedure is highly relevant to Human Rights legislation</p> <p>Article 2, Article 3, Article 5, Article 6, Article 8, Article 9, Article 10, Article 11, Article 14 of the Human Rights Act 1998 may be engaged.</p> <p>Restrictions on the rights protected in articles 8 - 11 in the Human Rights Act will be compatible with the convention only if they are aimed at protecting one of the interests listed in articles 8(2), 9(2), 10(2) and 11(2) respectively. The interests protected are broadly the same and generally include:</p> <ol style="list-style-type: none"> 1. National Security 2. Public Safety 3. The protection of health or morals 4. The prevention of disorder or crime; and The protection of the rights of others 	<p>[3]</p>

Rights of the child	Due to the nature of the procedure it is not deemed relevant	1
Welsh language Act	Due to the nature of the procedure it is not deemed applicable to these duties.	1

4.0. Are there any aspects of the initiative, including how it is delivered, or accessed, that could contribute to inequality?

Are there concerns that the initiative could have differential impacts on people of different...?		Level Impact H-M-L	Extent Impact H-M-L	What evidence do you have for this?
4.1	Race	L	L	
4.2	Gender (including transgender)	H	L	Surveillance may disclose that a person may be Trans, and therefore this information will need to be carefully managed
4.3	Disability	L	L	
4.4	Sexual Orientation	H	L	Surveillance may disclose a person's sexuality; therefore this information will need to be carefully managed.
4.5	Age	L	L	
4.6	Religious belief	M	L	No direct concerns, however, surveillance operations within religious premises may require ethical considerations

4.7	Welsh Language/2 nd Language	L	L	No direct concerns. It will be useful to consider how this procedure will be adopted if surveying welsh speaking/non English speaking suspects.
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5 Does the initiative have a negative impact upon the lives of people, including members of particular communities and groups? If it does have a negative impact, what evidence can be provided that demonstrates this could be a justifiable course of action?

E.g. The use of stop and search powers under section 44 of the Terrorism Act – if it is proportionate, intelligence led and details of all stops and recorded. Although such example may be justified under the equality legislation, the implementation of such activities will need to ensure that negative impact is minimised (a full equality impact assessment will allow us to examine how we can do this successfully)

The use of surveillance by Gwent Police will need to meet strict criteria and be informed by sufficient grounds, Gwent Police will ensure that it meets its requirements as outlined in

- Part 111 Police Act 1997,
- Regulation of Investigatory Powers Act 2000 (RIPA)
- Criminal Procedures, Investigations Act 1996 (CPIA)
- Human Rights Act 2000 (HRA)

Gwent Police will ensure that all applications undergo the Charter UK Covert Application.

By meeting the above requirements, Gwent Police will ensure that all actions undertaken are proportionate and intelligence led and all those subject to surveillance have to be authorised and this process is scrutinised and carefully evaluated.

Is a Full EIA required?

The answers given in this screening document have been scored on the level of relevance to Gwent Police's equality general duties, and the level and extent of impact initiative has.

The scores will determine if further consideration is need in the development of the initiative, in which affected communities will be consulted with in order to examine their concerns further and identify how Gwent Police can minimise any potential impact and also maximise Gwent policies opportunities to positively engage with our Equality Duties.

SECTION	SCORE
Relevance to Equality Duties	13
Level of Impact to different groups	12
Extent of Impact	7
Total Score	32

Please tick the statement you agree with	
The initiative has scored between 22-44 and therefore has been deemed to have a low-medium relevance and impact and a Full EIA is not required,	<input checked="" type="checkbox"/>
The initiative has scored between 44-66 and therefore has been deemed to have a medium-high relevance and impact and a Full EIA is required,	<input type="checkbox"/>
The initiative has scored over 50 and therefore will require prioritisation for a full EIA	<input type="checkbox"/>

Community Cohesion Team	
Date Initial EIA filed	
Date Full EIA scheduled if required	
Date passed to corporate services for publication if required	