

Equality Impact Assessment

EQUALITY OF ACCESS TO PERSONS DETAINED IN POLICE CUSTODY

Bedfordshire Police Authority seeks operates an Independent Custody Visiting Scheme. The statutory purpose of the scheme is observe, comment and report on:

- The conditions under which persons are detained by the Police
- The operation in practice of the statutory and other rules governing the welfare of persons detained by the police
- To secure greater public understanding and confidence in these matters
- To provide an independent check on the way Police Officers carry out their duties with regard to detained persons

Available in large print

Stage 1 – Defining the Scope of the Assessment

This section asks you to think about initial planning and risk assessment to make sure that the basic requirements are in place to carry out an equality impact assessment that can improve the way a policy, service, plan or function is delivered.

Setting up – Responsibilities

Carrying out the Assessment
Please state if any external partners/stakeholders are involved in writing, reviewing or approving the equality impact assessment
Data from Independent Custody Visitor record sheets. Data from Bedfordshire Police on people in custody

Policy, service, plan or function being assessed

Lead Member/Officer carrying out the assessment
Name, title, email and telephone number
Pat Brown, Member Support Officer and Lead Officer for the Independent Custody Visiting Scheme

Others to be involved in the process
Other officers and external partners
Andrew Lane, Policy and Project Officer, andrew.lane@bedfordshire.pnn.police.uk , 01234 842208

Defining the scope of the Assessment / Carrying out an initial risk assessment

What do you think are the main issues relating to equality (ethnicity, gender, disability, sexual orientation, age, gender reassignment, marital/civil partnership status, pregnancy and maternity, socio-economic disadvantage) within your policy, service, plan or function?

In your response please consider:

- Any impact on the diverse needs of communities in Bedfordshire
- Whether there are barriers to delivering a policy, service, plan or function in terms of equality / diversity either in the aim of the policy or in the way it is delivered
- Whether there are any improvements that can be made and how?
- How you have involved other stakeholders (internal and external) in the process of developing the policy
- What other stakeholders (internal and external) have said about the policy, service, plan or function that is being developed?

The Equality Impact Assessment records that issues have been identified and resolved in relation to language, faith, immigration status and community cohesion.

Based on the evidence available what is the proposed Impact Assessment Level (high, medium, low) of the policy, service, plan or function?

High – requires a detailed and thorough process with significant external involvement

Medium – requires a reasonably robust process with some degree of external involvement

Low – requires some evidence to confirm that it is in line with statutory duties but external involvement is not needed

Medium

Our current Independent Custody Visitor scheme routinely considers equalities issues and has previously identified and resolved a range of concerns with support of the Bedfordshire Police, the Eastern Region ICV Scheme Administrators and the Custody Visitors themselves.

Section 2 Impact Assessment

This section asks you to identify whether the proposed policy, service, plan or function may have an adverse impact on equality of opportunity or how relations between different equalities groups may be affected.

Description

Briefly describe the policy, service, plan or function that is being assessed including its aims and objectives.

In your response please consider:

- Who might be adversely affected by the proposed activity?
- Who are the main stakeholders?
- What outcomes are required?
- Does the policy, service, plan or function have any measures to promote equality of opportunity or reduce socio economic disadvantage?

Bedfordshire Police Authority has a statutory duty to operate an Independent Custody Visiting Scheme. The statutory purpose of the scheme is to observe, comment and report on:

- The conditions under which persons are detained by the Police
- The operation in practice of the statutory and other rules governing the welfare of persons detained by the police
- To secure greater public understanding and confidence in these matters
- To provide an independent check on the way Police Officers carry out their duties with regard to detained persons.

The four objectives outlined above reflect a core purpose of the scheme to promote the human rights of all people, supporting positive relations between the police and community and wider community cohesion.

What do you think are the main issues that could hinder the effective implementation of equality and diversity within your policy, service, plan or function ?

In your response please consider whether the policy, plan, service or function complements other key activities , e.g. resources.

Independent Custody Visitors operate in an environment controlled by Bedfordshire Police, but the strong relationships between the Force and the Police Authority ICV Scheme ensures a constructive partnership that promotes equality and diversity issues. This has been demonstrated by some of the achievements to date, such as the acquisition of prayer mats.

Recruitment and retention of visitors that reflect our diverse community

The Scheme Administrator collates the self-defined diversity data of visitors. In October 2006 the Authority asked Visitors to tell us if they had a disability (against the Disability Discrimination Act 1995 as well asking surveying on a range of particular characteristics such as learning disability, mental health condition, and blind or partially sighted etc. Ten of our twenty seven Independent

Custody Visitors responded of which 9 percent had a disability. This shows that the Authority represents people with disabilities within its workforce, but is lower than the 12 percent that our community profiling suggests are represented within Bedfordshire as whole.

Current records show that our proportion of Custody Visitors that are BME reflects the estimated proportion in Bedfordshire as a whole (18 percent - ONS, 2007).

Equality, Diversity and Human Rights Commitment and Training for Visitors

Equality and Diversity training is included with the compulsory induction for all Visitors, who are also invited to additional courses. For example, in the Spring of 2010 the Police Authority ran a series of courses on Human Rights and Critical Incidents which many Visitors opted to attend. Visitors complete a ICV Visit Recording Sheet which considers a range of welfare and human rights issues, such as the adequacy of exercise, hygienic needs and food and drink.

The following information is recorded for each detainee in custody at the time of a visit regardless of if they are seen or not:

- Ethnicity
- Gender
- Age – Adult/Juvenile
- Detainee Category

Any further relevant information is recorded as appropriate on the Custody Visiting Record Form.

Assessing Service Delivery and Practical Outcomes

What available data or research have you reviewed or carried out in the process of developing the policy, service, plan or function?

In your response please consider:

- How do current practices and measures affect different groups, eg. by making a positive contribution to equality of opportunity / good race relations or by causing an adverse impact.
- The ways in which policies, services, plans or functions are delivered or communicated and whether there are alternative measures that would have a more positive impact.

Age

Independent Custody Visitors will visit all detainees regardless of age and consider their individual needs. No issues have been identified, and although there is space to raise age related disability issues on the record sheet submitted to the Scheme Administrator, no issues have been raised to date. Age related data is recorded as categorising detainees as adult or juvenile

Disability

Physical issues are routinely noted by Visitors, who check and report on detainee medication needs. Issues relating to sensory disability of detainees have not been raised by Visitors to date. The assessment has not highlighted any issues in relation to access of ICVs to people with particular mental or emotion needs. Detainees who are aggressive and/or violent are not interviewed by

Custody Visitors in consideration of Health and Safety but can be viewed through the hatch and their custody records will also be viewed. A partnership between Bedfordshire Police and Primary Care Trusts ensures detainees with mental health problems are taken to a more suitable place of safety.

Ethnicity

The ethnicity of all detainees in custody at the time of a visit is recorded and this data is monitored to identify any matters of concern relating to ethnicity. No matters of concern have been identified within the Independent Custody Scheme to date with regard to ethnicity of detainees.

Language

Language was identified by Visitors as an issue, particularly due to the length of time required to access the national translation service Language Line. To increase the opportunity to communicate with detainees the scheme worked with regional partners to develop flash cards in 16 languages with question relating to basic needs of detainees. Research was conducted to ensure that the 6 languages most commonly requested by Bedfordshire Police to Language Line were all included within the flash cards.

Custody Visitors advise that most non-English speaking detainees are able to communicate, albeit sometimes very basically, that they are satisfied with their care in custody and agree that Language Line would be used to further a conversation where an issue had been highlighted.

Gender

Visitors routinely check for a detainee's hygienic needs and specifically female hygienic needs. Toilets and taps are checked to ensure that they work, including toilets for female detainees that are not contained within a cell.

No issues have been identified in relation to gender reassignment or issues affecting the trans communities. Whilst no issues have also been raised in relation to pregnancy or maternity, Visitors routinely check a detainee's caring responsibilities with regard to the needs of other individuals who might be affected by their detention.

Socio-Economic Disadvantage

A range of issues were considered from social security to rural/urban difference but no issues were identified relevant to this assessment.

Religion or Similar Belief

The scheme has promoted the acquisition of prayer mats to better meet the needs of detainees with faith. Careful consideration of the use of signs indicating the direction of East was given, but it was decided that the inclusion of a compass on prayer mats was more appropriate.

Community Cohesion

A protocol has been agreed between Bedfordshire Police and Police Authority to ensure persons detained in relation to sensitive or terrorism offences can be visited to ensure their welfare. This may be of particular importance following critical incidents or offences likely to divide sections of the community. Four Visitors have undertaken developed vetting procedures and are available to the Contact Management Centre Duty Inspector on a twenty-four-seven service and can be called upon to conduct a special visit to relieve particular community concern.

What are your conclusions on the likely impact of the proposed policy, service, plan or function on different equalities groups?

(i.e. race, gender, disability, sexual orientation , age, transgender, religion or similar belief etc.)

Please consider:

- How will the policy impact upon people from different equalities groups and socio economic groups?
- If there is an adverse impact, what are the reasons?

Overall, the regular consideration of the individual equality, diversity and human rights needs of detainees has been shown to have resolved the potential barriers to fair access of detainees to Independent Custody Visitors.

What can be done to reduce any potential adverse impact ?

Please consider:

- For example, changes in communication methods, language support, disability measures, changes in eligibility criteria, engagement activity, shared targets with other partners etc.
- Factors that can hinder the implementation of the suggested measures such as financial resources, competencies, managerial support, etc.

The action list below included one item to consider training or consideration of Visitors of ethnicity recording.

External involvement

What do stakeholders think about the policy, service or function that you are developing?

Please consider:

- Please use this section to describe how you have consulted/ engaged with key stakeholders in the process of developing the policy, service, plan or function.

Information and Training is provided at Regional and National Independent Custody Visitors Association events on all aspects of Custody visiting including equality, diversity and human rights issues.

Stage 3 – Conclusions & Recommendations

This section should set out what you need to do to deal with any adverse impact, or identified lack of positive impact of a policy, service, plan or function on equality.

What are the main conclusions and the key recommendations of the equality impact assessment?

Please consider:

- Does the policy consider and address the specific needs of specific equalities groups?
- What gaps can be immediately addressed and what will require wider decisions
- Whether the policy will directly or indirectly have an adverse impact on any equality group?
What actions will be taken to mitigate this impact?

As above

Stage 4 – Implementation and Review

Please use the following template to develop any actions required:

Actions Required	Timeframe	Responsible Officer / Member	Relevant Performance Indicators
Consider refresher training to reinforce custody visiting procedure in relation to accurate ethnicity recording and ensure consistency across the Scheme	March 2011		Potential inclusion in 2010/11 Business Plan