

CENTRAL SCOTLAND JOINT POLICE BOARD

SEX DISCRIMINATION ACT 1975 EQUALITY ACT 2006

GENDER EQUALITY SCHEME

JUNE 2007

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Foreword

I have pleasure in presenting the Central Scotland Joint Police Board's first Gender Equality Scheme. The Board shares with the Chief Constable the aim of ensuring that Central Scotland Police Force makes a positive contribution to the wellbeing of the Community it serves through a problem solving approach to community policing and also supports the principles, policies and actions set out in Central Scotland Police Forces own Gender Equality Scheme. The Board recognises the potential role of these Schemes in promoting positive community engagement and excellence in community policing and will work closely with the Chief Constable in developing a collaborative approach to meeting the needs of our communities and promoting equality.

Responsibility for the organisation, management and financing of Central Scotland Police Force is shared between the Chief Constable, the Joint Board as police authority and the First Minister of the Scottish Executive. Their relationship is referred to as the tripartite system.

Central Scotland Police Force covers three council areas, each of which providing representatives who sit on the Central Scotland Joint Police Board. The composition is as follows:-

Clackmannanshire Council	- two members
Stirling Council	- three members
Falkirk Council	- six members

The Police Board has a crucial role in agreeing the broad strategies, objectives and long-term plans of Central Scotland Police Force, but is not responsible for police operations, which are a matter for the Chief Constable alone. However, the Board appoints the Chief Constable, Deputy Chief Constable and Assistant Chief Constable and at any time it can require the Chief Constable to submit a report on matters connected with the policing of an area. The Board also approves the overall budget for Central Scotland Police Force and monitors staffing levels and performance. In providing finances to the Chief Constable to employ staff, equip and maintain the Force, the Police Board must satisfy itself that police resources are being deployed effectively.

The Convener, Members and Officers of the Board are committed to the promotion of gender equality and will, in the Board's policy development, service delivery, monitoring and scrutiny role endeavour to promote equality of opportunity and eliminate unlawful discrimination.

The Board supports Central Scotland Police Force in its objectives of -

- promoting equality of opportunity and positive attitudes to diversity
- making Central Scotland an area that is free from unlawful discrimination and harassment.

As part of its scrutiny role, the Board will monitor Force progress in the implementation of Central Scotland Police Force's Gender Equality Scheme.

This Gender Equality Scheme provides an opportunity for the Central Scotland Joint Police Board to publicly state its commitment to working with its stakeholders and public sector partners in promoting equality of opportunity and combating discrimination.

Councillor G Matchett
Convener

1 Introduction

- 1.1 The Central Scotland Joint Police Board is committed to making gender equality a reality and in preparing this scheme acknowledges the recommendations of the Equal Opportunities Commission's Code of Practice on the Gender Equality Duty. The Board will work to reduce disadvantages and discrimination and to promote equality of opportunity and positive attitudes and participation for men and women in terms of the people we serve, our workforce, the partners we work with and the service we deliver.
- 1.2 This scheme sets out our commitment to gender equality and builds upon work which has already taken place.
- 1.3 The new Equality Act 2006 gives the Board what are known as 'general' and 'specific' duties to promote gender equality.
- 1.4 Producing a Gender Equality Scheme is one of the 'specific duties' of the new Equality Act 2006.
- 1.5 The general duties are to:
- promote equality of opportunity between men and women, including transgender people;
 - eliminate unlawful discrimination (under the Sex Discrimination Act (SDA) 1975 and Equal Pay Act (EPAA) 1970);
 - eliminate harassment (under the SDA and EPAA);.

The Act requires the Board to be proactive in eliminating discrimination and harassment and in promoting equality of opportunity, and not just to avoid discrimination, harassment and inequality.

- 1.6 The specific duties are to:
- prepare and publish a gender equality scheme by 29 June 2007 showing how the Board will meet its general and specific duties and setting out its gender equality objectives
 - consider the need to include objectives to address the causes of any gender pay gap
 - gather and use information on how the Board's policies and practices affect gender equality in the workforce and in the delivery of services
 - consult stakeholders such as employees, service users and trade unions and take account of relevant information in order to determine the Board's gender equality objectives
 - assess the impact of current and proposed policies and practices on gender equality
 - implement the actions set out in the scheme within three years, unless it is unreasonable or impracticable to do so
 - report against the scheme every year and review it every three years.

2 Consultation

- 2.1 Increased involvement and consultation has been and will continue to be of significant benefit in developing services and identifying priorities. To that extent, Central Scotland

Joint Police Board fully shares the outcomes of the extensive consultation process undertaken by colleagues in the Central Scotland Joint Police Force.

2.2 The gathering of information took various forms:-

- Questionnaires were developed, distributed and their responses closely analysed
- Dialogue was opened with a number of local interest groups and organisations
- Participation in 'open days' and information events
- Engaging the Community Planning partners
- Raising awareness through news letters and website pages.

2.3 The partnership collaborative approach is of particular benefit as one of the key features of the duty is the requirement for agencies to consult stakeholders on the preparation of their scheme and thereafter to advise on the ongoing development and shaping of policies and practices.

2.4 The Board is aware that the Chief Constable has gathered relevant and significant information through the various national policing bodies, including the ACPOS Gender Issues Reference Group and the National Gender Agenda and, at local level, through the medium of focus groups.

3 The Gender Equality Scheme

3.1 The Gender Equality Scheme is the Board's plan stating how it intends to meet its duties to promote equality.

3.2 In its Gender Equality Scheme, the Board is required to identify the overall objectives it has identified as necessary for it to perform its gender equality duties. The Scheme must go on to identify the Board's arrangements for:

- gathering information on the effect of its policies and practices on men and women
- making use of the information gathered, or other information it considers relevant, particularly when reviewing the effectiveness of its actions and its arrangements for preparing subsequent schemes
- assessing the impact of its policies and practices, or the likely impact of its proposed policies and practices, on equality between women and men
- so far as is reasonable and practicable, having due regard to the results of its impact assessments
- consulting staff, service users, trade unions and other stakeholders
- achieving the fulfilment of its objectives.

3.3 The assessment of functions and policies requires to be reviewed every three years. This will lead on to a review of the Scheme. As a matter of good practice, the Board also intends to review implementation of the Scheme annually.

4 The Board's Functions

4.1 The Board's functions all derive from statute and fall under five main headings. This is not an exhaustive list, but it does identify the key areas in which the Board is likely to operate during the period of this Scheme:

(i) Allocation of resources

The Board sets a budget for the force annually, provides the Chief Constable with the resources required for policing within the force area and is responsible (along with the Chief Constable) for securing best value in the use of those resources.

(ii) Appointment and conduct of senior officers

The Board, in conjunction with the Scottish Ministers, is responsible for the appointment of senior officers (Chief Constable, Deputy Chief Constable and any Assistant Chief Constables) and their conduct and removal.

(iii) Employment of support staff

The Board is the employer of support staff, but is required to delegate responsibility for their operational management to the Chief Constable.

(iv) Scrutiny

The Board is required to keep itself informed as to the manner in which the Chief Constable deals with complaints against officers of the force, and receives (and in certain circumstances may require) reports from the Chief Constable on policing matters.

(v) Miscellaneous

These include consenting to certain officer secondments, meeting certain claims in respect of the exercise of policing functions and making appointments to police appeals tribunals. The Board has ultimate responsibility for health and safety matters within the force. It has in place a scheme for independent custody visiting. It is subject to a duty to participate in community planning.

4.2 The Board has considered which of its functions are relevant to its general duty to promote gender equality and their relative importance in this context. These functions, along with the actions the Board intends to take (in conjunction with the Chief Constable, where appropriate) to address the issues identified, are detailed in 4.3 below.

4.3 The Board intends to address the following functions:

- **Appointments:** The Board is subject to detailed Scottish Executive guidance governing the recruitment and selection of senior officers. The pool from which those senior officers can be drawn is restricted to serving police officers of the rank of superintendent and above. The Board will, however, consult the relevant professional bodies as and when a vacancy arises.
- **Complaints in respect of senior officers:** The Board considers its processes in relation to complaints of this kind, insofar as it has any discretion, to be fair and transparent. So far as the Board is aware, a complainer's gender has not been raised as a specific issue. However, it will continue to assess whether people of a particular gender find it more difficult than other members of the community to pursue complaints in respect of senior police officers.

- **Other complaints:** In carrying out its scrutiny function in relation to complaints dealt with by the Chief Constable, the Board will obtain from the Chief Constable and consider information regarding the groups to which complainers belong. This information will be provided to the Board's Complaints Sub Committee with effect from 2008.
- **Scrutiny:** In carrying out its general scrutiny function in relation to resource allocation and policing performance, the Board will seek from the Chief Constable the appropriate information to demonstrate that equality is at the centre of the Force's approach to best value.
- **Custody visiting:** The Board operates a scheme for visiting police custody areas by independent volunteer members of the community. The Scheme is operated in accordance with Scottish Executive guidelines published in July 2004 and with the Board's own specific local guidelines, and with support and advice from the Independent Custody Visiting Association. The guidelines regulating this scheme are reviewed periodically in the light of operational experience and such review should include consideration of any further action that might practicably be taken to promote equality, particularly in the recruitment and selection of visitors.

5 Employment Issues

- 5.1 The Board appoints the Chief Constable, Deputy Chief Constable and the Assistant Chief Constable may be regarded as having duties as an employer in respect of these particular officers. The Clerk, and Treasurer and their support staff are employees of their respective local authorities and will be subject to their monitoring processes.
- 5.2 While the Board is in law the employer of all of the support staff of Central Scotland Police Force, their direction and control (including engagement and dismissal – effectively, all aspects of operational management) is delegated to the Chief Constable. Although the Board thus takes no direct part in the employment of support staff, it does consider appeals made by employees against actions of the Chief Constable on questions of discipline and grievance. It is important that the relevant procedures are drafted and applied with a view to avoiding unlawful discrimination of any kind and they should be reviewed with this in mind.
- 5.3 The Board is committed to the principle of equal pay for all staff and would seek to eliminate any unfair, unjust or unlawful practices that impact on pay equality. The Board would wish to see any unlawful discrimination in the pay systems for support staff and police officers eliminated. The Board, through the Chief Constable, will endeavour to ensure that the Job Evaluation process for support staff is reviewed in light of new legislation, that the current pay model for support staff is reviewed and that an equal pay review is carried out in the context of the current Force Review. While the pay systems for support staff are a devolved matter, police officer pay systems are determined nationally. Additions to police pay and allowances and the distribution of these are areas of potential inequality. The Board will endeavour to ensure that these are addressed at a local level along with any national developments arising from the police reform agenda.
- 5.4 Although the Board takes no part in the management of police officers, who are not the Board's employees, it is the legal owner of all Board properties, including the Board's remaining stock of police housing. The Board will endeavour to ensure that the relevant allocation procedures are reviewed to ensure that procedures are drafted and applied with a view to avoiding unlawful discrimination of any kind.

6 The Board's Policies

6.1 The Board regulates its meetings, delegations and other aspects of its internal administration by means of standing orders relating to the conduct of meetings, a scheme of delegation, financial regulations, and standing orders relating to contracts. In addition, it endorses certain policies and procedures put forward by the Chief Constable. For the purposes of this scheme, all of these are considered to be the Board's policies.

6.2 The Board has considered which of its policies are relevant to its general duty to promote equality and their relative importance in this context. These policies, along with the actions the Board intends to take (in conjunction with the Chief Constable, where appropriate) to address the issues identified, are detailed in 6.3 below.

6.3 The Board has considered the following policies:

- **Appeals:** As indicated above, the Board is responsible for hearing appeals brought by support staff on questions of discipline and grievance. It is important that the relevant procedures are drafted and applied with a view to avoiding unlawful discrimination of any kind and they shall regularly be reviewed with this in mind.
- **Procurement:** The Board believes that those of its Standing Orders relating to Contracts are applied in a fair and transparent manner to all interested parties and are in no sense inherently unfair. The Standing Orders have recently been reviewed and specifically provide for the insertion of a contractual clause requiring contractors not to discriminate unlawfully in terms of the SDA 1975 and the Equality Act 2006.

6.4 The Board is required to have and identify arrangements for gathering information and for assessing and consulting on the likely impact of its proposed policies on the promotion of equality between men and women. The Board recognises that the steps required in respect of each policy will vary depending on the nature of the policy and the surrounding circumstances. From the introduction of this Scheme, the Board will require that all reports presented to it proposing policies that have any significant relevance to gender equality include details of:

- a statement as to how relevant information was gathered
- an assessment of the impact of the proposed policy on gender equality
- any consultation carried out in conjunction with that assessment
- any action (including monitoring, where appropriate) proposed in consequence of that assessment and consultation.

The Board will consider these matters in reaching its decision on the proposed policy.

6.5 The Board is required to have and identify arrangements for monitoring and assessing its policies for any adverse impact on equality. It has identified in this Scheme the action it intends to take to address any gender equality issues that may arise from its existing and proposed policies - the effect this is having will be subject to regular scrutiny as part of the annual review process described in Part 9 below.

7 Publicity

7.1 The Scheme will be published and circulated to all members and officers of the Board. Copies will be available from the Clerk, Central Scotland Joint Police Board, Falkirk

Council, Municipal Building, Falkirk, FK1 5RS. The Board will publish the Scheme on the relevant websites. This will allow for feedback and comment as part of the ongoing review of the Scheme. Translations will be made available by arrangement.

- 7.2 The Board is bound by and complies with the requirements of the Local Government (Scotland) Act in respect of access to information. Anything that might reasonably be regarded as a policy will be the subject of a public report to the Board, as will the results of any monitoring of the impact of policies. As part of the annual review process described in Part 10 below, the Board will consider whether further publicity (including publicity in relation to the Scheme itself - see 7.1 above) is required.
- 7.3 The Board will seek to ensure public access to the information and services it provides, although it does not provide services directly to the public (and has no real discretion as to the services it does provide), albeit it does receive and consider complaints regarding the conduct of senior officers of Central Scotland Police Force.
- 7.4 With regard to the information and services provided by Central Scotland Police Board, the Board will monitor the implementation of the arrangements put forward by the Chief Constable in his equality scheme in accordance with Part 9 below.

8 Training

- 8.1 The Board recognises the requirement to train both its Members and staff in relation to its duties to promote equality.

9 Central Scotland Police Force Gender Equality Scheme

- 9.1 The Board will consider the gender equality scheme produced by the Chief Constable and will satisfy itself that it provides an adequate framework for addressing the Chief Constable's duties to promote gender equality. The Board recognises that it has a strategic role to play in supporting the implementation of the scheme and monitoring Force progress.
- 9.2 The Board will monitor the Chief Constable's implementation of his scheme by receiving and considering regular reports. These will be submitted to the Board and will identify problems and examples of good practice, with a full report (containing all of the performance information to be produced for the preceding year in accordance with the scheme) being presented to the Board annually. The format, content and frequency of reporting will be reviewed annually (as part of the overall review of both schemes) in consultation with the Chief Constable.
- 9.3 The Chief Constable and his staff will also work with the Board to ensure that the Board's statutory obligations to give due regard to the needs of both men and women are met.

10 Duration and Review

- 10.1 This Scheme is intended to cover the period from 29 June 2007 to 28 June 2010 and will be subject to review at the end of that period.
- 10.2 The Scheme will also be reviewed annually (around the anniversary of its introduction) in consultation with the Chief Constable. This review will take account of any comments received from individuals or organisations in relation to the Scheme, as well as the

Board's experience of participation in the community planning process and consultation with such representative bodies as the Board considers appropriate.

11 Action Plan

11.1 Progress on the action plan (Appendix 1) will be reviewed and reported annually.

12 Management of the Scheme

12.1 The Clerk to the Board will be responsible for the overall implementation and monitoring of the scheme and will review the scheme on an annual basis.

12.2 An annual review of progress and the delivery of the action plan will be published. In line with the Equality Act, a more formal three year review will take place in June 2010, with an evaluation of the Board's work against the goals set in the action plan. Particular focus will be placed on whether the priorities are still relevant and appropriate, how successfully the interests of different genders were represented, the way information was gathered and used.

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CENTRAL SCOTLAND JOINT POLICE BOARD

GENDER EQUALITY SCHEME ACTION PLAN

	What we will we do:	By Whom	How to be achieved	When will we do it:	
				2007	2008
The Gender Equality Scheme	Review The Board intends to review the Scheme annually.	Clerk			August 2008
The Board's Functions	Appointments The Board will consult the relevant professional bodies to identify any measures it could take to promote equality of opportunity in its recruitment and selection practices.	Clerk	As and when a vacancy arises, in consultation with the Scottish Executive and in advance of any appointment		
	Complaints in respect of senior officers The Board considers its processes in relation to complaints of this kind, insofar as it has any discretion, to be fair and transparent. The Board will continue to assess whether people of a particular gender find it more difficult than other members of the community to pursue complaints in respect of senior police officers. The Board would wish that by 2008 there will be no difference, by gender, in the level of complaints against senior officers.	Clerk	At time of complaint		March 2008
	Other complaints In carrying out its scrutiny function in relation to complaints dealt with by the Chief Constable, the Board will obtain from the Chief Constable and consider information regarding the groups to which complainers belong. This information will be provided to the Board's Complaints Sub Committee with effect from 2008.	Clerk/Depute Chief Constable	As part of training programme for elected members and at meeting of Complaints Sub-Committee		

	<p>Independent Custody Visiting The Board operates a scheme for the visiting of police custody areas by independent volunteer members of the community. The guidelines regulating this Scheme will require to be reviewed in the light of operational experience and this review should include consideration of any further action that might practicably be taken to promote equality, particularly in the recruitment, selection and training of visitors.</p>	Clerk	<p>At training of Custody Visitors and at 8 weekly meeting with Custody Visitors</p> <p>During Recruitment Processes</p>		
Employment Issues	<p>Support Staff Appeal Although the Board takes no direct part in the employment of support staff, it does consider appeals made by employees against actions of the Chief Constable on questions of discipline and grievance. The relevant procedures will be reviewed to ensure that procedures are drafted and applied with a view to avoiding unlawful discrimination of any kind.</p>	Clerk	<p>To be initiated following the review of the terms of reference for the Appeals Sub-Committee</p>		
	<p>Equal Pay The Board, through the Chief Constable, will endeavour to ensure that the Job Evaluation process for support staff is reviewed in light of new legislation, that the current pay model for support staff is reviewed and that an equal pay review is carried out in the context of the current Force Review. While the pay systems for support staff are a devolved matter, police officer pay systems are</p>	Chief Constable	Ongoing		

	determined nationally. The Board will endeavour to ensure that the issue of additions to police pay and allowances and the distribution of these, which are areas of potential inequality, is addressed at a local level, along with any national developments arising from the police reform agenda				
	Housing Management Although the Board takes no part in the management of police officers, it is the legal owner of all Board properties, including the Board's remaining stock of police housing. The Board will ensure that the relevant allocation procedures are in place to ensure that procedures are drafted and applied with a view to avoiding unlawful discrimination of any kind.	Clerk	As part of training programme for elected members and at meeting of the Physical resources Sub-Committee		
The Board's Policies	<p>Policies The Board will require that all reports presented to it proposing policies that have any significant relevance to equality include details of:</p> <ul style="list-style-type: none"> • a statement as to how relevant information was gathered • an assessment of the impact of the proposed policy on equality • any consultation carried out in conjunction with that assessment • any action (including monitoring, where appropriate) proposed in consequence of that assessment and consultation. 	Officers of the Board	At the time of preparing reports	Ongoing	

	The Board will consider such matters in reaching its decision on the proposed policy.				
Publicity	Consultation The Board will utilise the extensive consultation arrangements developed by the Chief Constable to consult with stakeholders and partner and representative organisations throughout the Police Board area on its public profile and its Scheme and will consider in the light of that consultation what action it requires to take to develop public awareness.	Clerk	By meeting with the Diversity Unit Staff of Central Scotland Police		August 2008
	Distribution The Scheme will be published and circulated to all members and officers of the Board. Copies will be available from the Clerk, Central Scotland Joint Police Board, Falkirk Council, Municipal Buildings, Falkirk, FK1 5RS. The Board will publish the Scheme on the relevant websites. This will allow for feedback and comment as part of the ongoing review of the Scheme	Clerk		By November 2007	
Training	Training The Board will ensure that its members are aware of the Board's obligations in respect of the Scheme and will include appropriate training as part of the induction process for members. Training will be arranged for the Chief Constable, the Deputy Chief Constable and the Assistant Chief Constables.	Clerk	As part of continual training programme		

<p>Central Scotland Constabulary Gender Equality Scheme</p>	<p>Review The Board will monitor the Chief Constable's implementation of his scheme by receiving and considering regular reports. These will be submitted regularly to the Board. The format, content and frequency of reporting will be reviewed annually (as part of the overall review of both schemes) in consultation with the Chief Constable.</p>	<p>Chief Constable</p>	<p>By annual report</p>		<p>June2008</p>

June 2007