



# **DERBYSHIRE POLICE AUTHORITY**

## **GENDER EQUALITY SCHEME**

**2007 - 2010**

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## **1. Derbyshire Police Authority**

### **1.1 The Authority**

Derbyshire Police Authority is one of 43 Police Authorities in England and Wales, each of which oversees the work of its local Police Force.

Derbyshire Police Authority covers a region of over 1,000 square miles, with a population approaching 1 million. Derbyshire is renowned for being hugely diverse. It encompasses the rural areas of the High Peak and Derbyshire Dales, as well as old mining communities, modern towns and business centres. It is also home to the vibrant and culturally diverse city of Derby.

Police Authorities are independent bodies made up of local people. Together with the Home Secretary and Chief Police Officers, they are responsible for the management of policing in England and Wales.

Their primary role is to ensure the local police force is efficient and effective and seek to improve policing performance and standards. It is their job to make sure local people have a say in how they are policed, and, to hold the Chief Police Officer to account for the services delivered. Police Authorities also set the Force budget and decide how much money to raise towards the cost of policing through the setting of the council tax precept for policing.

Derbyshire Police Authority has 17 members, made up of:

- 9 Councillors
- 
- 8 Independent members.

Profiles of the members of the Authority can be viewed by going to the website [www.derbyshire.police.uk/policeauthority](http://www.derbyshire.police.uk/policeauthority). Information about the performance of the Authority can be found in the Annual Report or about the Derbyshire Force in the Annual Policing Plan, both of which are available in electronic or paper based formats.

### **1.2 Values, Principles and Standards**

The Authority will demonstrate its approach to gender equality issues by:

- The fulfilment of its duties under the Sex Discrimination Act 1975 (SDA) (s.76A), the Equal Pay Act 1970 (EqPA) as at November 2006, incorporating amendments made through the Equality Act 2006, in the performance of *all* its functions, duties and powers

- Monitoring the establishment and ongoing performance of the Force Gender Equality Scheme and Action Plan
- Establishing a Police Authority Gender Equality Scheme and Action Plan
- Focusing on the achievement of real equality outcomes not processes
- Building gender equality into the Police Authority's core business thinking and processes, ensuring that this is also taking place in the Force
- Demonstrating strategic, high level leadership for gender equality issues
- Being transparent and accountable for the way in which both the Police Authority and the Force deliver services and policies to all of the communities they serve
- Ensuring that, in everything it does, the Authority reflects and takes account of the views of all the diverse communities in its area
- Achieving employee and user satisfaction
- Increasing public confidence and trust in policing
- Proactively promoting equality of opportunity
- Working closely with the Force and other strategic partners to promote gender equality
- Ensuring that the whole community, irrespective of gender have their policing needs met by the Authority and the Force.

### **1.3 Strategic Aims and Objectives**

The Equality Act 2006 amends the SDA to place a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need :

- To eliminate unlawful discrimination and harassment
- To promote equality of opportunity between men and women.

The Authority's key aim is to increase the community's trust and confidence in policing by:

- Integrating gender equality policies and objectives within all committees and panels – informing the policy development and decision making processes
- Building gender equality into the Police Authority's core business thinking and processes, ensuring that this is also taking place in the Force
- Identifying and addressing the causes of any gender pay disparity both within the Authority and the Force
- Identifying and responding to stereotyping, sex discrimination and sexism, resulting in improvements for all
- Incorporating the Authority's gender equality aims and objectives into all its strategies and plans
- Integrating gender equality into a wider diversity/equalities strategy
- Developing a clear understanding of the needs of service users to enable these to be structured accordingly, ensuring that all requirements are met
- Working in partnership with the Force to ensure an integrated approach to gender equality issues
- Establishing a proactive approach/culture to eliminating discrimination (Authority and Force)
- Ensure effective use of the talent that exists within the workforce
- Rigorously monitoring and scrutinising the Force's approach to gender equality
- Engaging with the Equal Opportunities Commission, local stakeholders and communities to deliver this agenda
- Liaising with partner agencies to provide an integrated approach, ensuring strategic aims and objectives in relation to gender equality are 'joined up' across these partnerships and that the obligations created by the duty are reflected in these schemes.

In establishing its Gender Equality Scheme the Authority will ensure a proportionate approach is adopted, ensuring relevance to the Police Authority and its specific functions. The responsibility for the achievement of key objectives within this Scheme will be devolved to appropriate Police Authority Committees and will become an integral part of those committees' business plans. Ownership of the Gender Equality Scheme and Action Plan as a whole will remain with the Police Authority, with detailed monitoring and scrutiny provided by the Human Resources Committee.

## **2. An Outline of the Duty**

### **2.1 General and Specific Duties**

The duty requires public authorities to identify and tackle discrimination, to prevent harassment and to ensure that their work promotes equality of opportunity between men and women. There is a general duty which applies to all public authorities (which includes the Police Authority), plus additional specific duties to support the majority of public authorities in achieving the outcomes required by the general duty.

The basic requirement for a Police Authority when carrying out their functions is to have due regard to the following:

- Elimination of unlawful discrimination
- Elimination of harassment
- Promotion of equality of opportunity between men and women
- Elimination of unlawful discrimination and harassment against transsexual people in the fields of employment and vocational training.

#### **Specific duties -**

- A public authority must prepare and publish a Gender Equality Scheme demonstrating how it intends to fulfil its general and specific duties and setting out its gender equality objectives
- A public authority must involve those people covered by the Gender Equality Scheme in its development.

The Scheme should include a statement of:

- The way in which the public has been involved in the development of the Scheme
- The Authority's methods for impact assessment
- Steps which the Authority will take towards fulfilling its general duty (the Action Plan – Appendix A)
- The Authority's arrangements for gathering information in relation to employment and where appropriate, the delivery of its functions
- The Authority's arrangements for putting the information gathered to use, in particular in reviewing the effectiveness of its Action Plan and in preparing subsequent Gender Equality Schemes

- A public authority must, within three years of the Scheme being published, take the steps set out in its Action Plan (unless it is unreasonable or impracticable for it to do so) and put into effect the arrangements for gathering and analysing information
- A public authority must publish a report containing a summary of the steps taken under the Action Plan, the results of its information gathering and the use to which it has put the information.

## **2.2 Consulting on Gender Equality Issues**

Derbyshire Police Authority strives to be an inclusive and accessible Authority which monitors and scrutinises the work of the police service and ensures that it is an attractive employer.

In preparation of this scheme, Derbyshire Police Authority has engaged in a number of consultation events.

These included:

- Police Authority/Force joint single gender staff consultation event to elicit the concerns and priorities of men and women in the workforce
- Gender Equality Survey – accessed via the Police Authority website
- A survey of Members and Officers of Derbyshire Police Authority
- Briefings for members (including Independent Custody Visitors) on the Gender Duty and its implications for them.

Derbyshire Police Authority aims to embed gender and all equality duties into all of its consultation activities. Consultation with the communities that the Authority serves and Authority Members will be ongoing and will be used to update and adapt our Equality Scheme and Action Plan.

If you have an interest in gender equality and you would like to help us keep improving, please contact our Research, Policy and Plans Officer.

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You can also enter a message or query via the 'contact us' section of our website at [www.derbyshire.police.uk/policeauthority](http://www.derbyshire.police.uk/policeauthority)

### **3. Implementation of the Gender Equality Scheme**

Derbyshire Police Authority will prioritise action to address the most significant gender inequalities within its remit and take actions which will deliver the best gender outcomes and promote equality of opportunity.

The Police Authority is aware that in certain circumstances men and women, because of their sex or gender roles are not in the same position. In some circumstances it may therefore be appropriate for public authorities to treat men and women differently, if that action is aimed at overcoming previous disadvantage.

Existing Police Authority policies and procedures will be reviewed to ensure that they have due regard to the need to promote gender equality and to eliminate unlawful discrimination and harassment. These principles will be embedded into all new policy development and will be supported by the carrying out of Equality Impact Assessments, which will include an assessment of the likely occurrence and potential impact of any discrimination.

The Police Authority will ensure that any single sex activities within the Force comply with the law.

#### **3.1 Monitoring of Progress**

The Authority will address the issue of monitoring by considering:

- How the Police Authority will monitor its functions and policies and those of the Force on an ongoing basis
- Evidence of the impact of core policies on men and women
- What methods will be used – e.g. how the Authority will consult and inform both local communities and Police Authority staff
- Who will be responsible for carrying out this task
- How functions, policies and practices will be reviewed, if necessary, as a result of this monitoring process.

It is recognised that without continuously monitoring Police Authority functions, policies and practices it is impossible to know how they are affecting different gender groups or whether they are having an adverse impact. The Authority's Human Resources Committee will take on the responsibility for monitoring and scrutinising performance and progress in these areas. This approach to monitoring will also be taken when

assessing the Force's progress and the effectiveness of their Gender Equality Scheme. It is therefore important that the Authority and the Force put arrangements in place to collect and analyse both qualitative and quantitative data. This monitoring process should be viewed as a long-term activity – conducted on an on-going basis – to ensure that the Authority is continuing to meet the general duty.

By mainstreaming gender equality issues, the Authority hopes to be able to incorporate this continuous monitoring into existing policy making arrangements, best value reviews, scrutiny investigations etc and so avoid any unnecessary or duplicated work. Regular Equality Impact Assessments will be conducted on policies, procedures and activities to enable appropriate adjustments to be made.

In monitoring the way in which the Authority consults upon and determines the local policing priorities it will ask the following:

- Is it confident that the existing consultation arrangements enable the Authority and the Force to gain the views of all the different groups in the community, including those of different sexes and genders?
- Is it clear how the Authority and Force use the responses it received during community consultation to inform the decision-making process?
- How does the Authority ensure that local policing priorities do not discriminate against or ignore the needs and requirements of particular sexes/genders?
- Do local policing priorities have an equal and fair impact upon all sexes/genders?

### **3.2 Access to Information and Services**

The Authority will ensure that the public has access to information and services.

Every report produced will be publicly available (unless confidential or exempt) and the Authority will ensure that there are no barriers preventing any communities from knowing about or accessing Police Authority information and services.

To meet this specific duty, the Authority will:

- Monitor requests for information – do men and women use the service in different ways or have different needs from the service?
- Monitor use of the Authority’s website including, the number of ‘hits’ received; which were the most visited pages, and, an analysis of the use of the ‘contact us’ section
- Identify and remove any barriers to full access by ensuring that information is available in a range of formats (where appropriate and proportionate), such as:
  - different languages
  - large print
  - Braille
  - audio tape
  - electronically through the Police Authority and Force websites
- Think about how the Authority can best distribute and publicise this information, considering;
  - where, to whom, and, how often it should distribute the information
  - disaggregation of information by sex where appropriate
  - what mediums are being used for communication
- Consider if there are particular groups of men and women who do not use or fully access a service, or who are less than satisfied
- Consider if there is evidence of discrepancies of service outcomes by sex (e.g. monitor the Force’s Stop and Search results)
- Ensure that the Authority regularly feeds back information and keeps the public informed of its work. This will be achieved by:
  - Public consultation events
  - Police Authority website
  - Publication of Annual Policing Plan and Local Policing Summaries
  - Police Authority representation at police consultative and other community groups.

In reviewing the way in which the Authority arranges consultation exercises, points which will be considered include:

- What is the most appropriate way of gaining the views of specific groups in the local area?

- The need to develop different methods of consultation to meet the needs of different groups
- If the Authority is organising a particular event, ensure there is appropriate access and that reasonable adjustments have been made to encourage attendance from all members of the community i.e. would it be appropriate to provide crèche facilities?
- Holding meetings and events at times (where appropriate) which are convenient for as many members of the public as possible
- Whether groups feel comfortable interacting with the people who are running the event/meeting and are able to fully participate in proceedings
- Is publicity and information about consultation exercises available well in advance and in appropriate formats?

### **3.3 Training for Members and Officers of the Authority**

The Authority will make sure that all its Members and Officers are aware of and have a good understanding of their new duties under this Gender Equality Scheme. A Lead Member of the Authority for Gender Equality will be appointed. It is recognised that:

- All staff need to understand the importance of eliminating unlawful discrimination and promoting equality of opportunity between men and women( including transsexual issues)
- Members need to understand how to apply the new duties in fulfilling their responsibilities
- Specialist training should be provided to those who will be directly involved in the development, implementation or management of the Gender Equality Scheme or employment monitoring.

It is anticipated that all Officers will need some form of training in gender and wider diversity issues over and above written guidance.

It is recommended that training and development should cover the following topics:

- A general understanding of gender rights issues
- General and specific duties and why they are important

- What is a Gender Equality Scheme and how has it been developed and put into practice?
- Gender Equality and the Police
- Gender Impact Assessments – how to carry out assessments, consultation and monitoring combined with how to publish the results and communicate them widely
- Scrutiny and performance assessment of Derbyshire Constabulary in relation to gender equality issues.

To meet the duty the Police Authority will develop a timetabled and realistic rolling annual training plan for all Members and Officers. This will ensure that appropriate information and training is provided according to an individual's job, responsibilities or personal need.

The Authority will evaluate the training needs of its Members and Officers in order to decide upon the level and extent of training they should receive.

The Human Resources Committee will monitor and scrutinise Force performance in relation to training and staff/police officer development. This will include receiving reports on positive action initiatives to ensure the representation of disadvantaged groups and ensuring that officers and staff are fully trained on their responsibilities under the gender equality duty, particularly those with responsibility for impact assessments.

For example:

- It may wish to provide all members and staff with some training to raise awareness of the new duties under the Sex Discrimination Act 1975 (SDA) (s.76A), the Equal Pay Act 1970 (EqPA) as at November 2006, incorporating amendments made through the Equality Act 2006
- Those employees involved in specific functions such as:
  - assessing and prioritising functions, policies, practices
  - carrying out impact assessments
  - employment monitoring
  - dealing with complaints

- implementing and monitoring the Gender Equality Scheme,

will be given/provided with appropriate training in the skills and competencies required to do this work effectively.

Having established a training scheme, it is recognised that it is equally important to monitor and evaluate the training being delivered and to assess how Members, Officers and the Police Authority as a whole have benefited from this training.

## **4. Employment Monitoring**

Derbyshire Police Authority will have due regard to the need to eliminate unlawful discrimination and harassment in employment practices and will actively promote gender equality within the workplace of both the Authority and the Force. This includes discrimination and harassment of transsexual people on the grounds of their gender re-assignment.

The Authority will monitor, by sex, its current membership as well as applications from those who wish to become a Member, Independent Custody and Animal Welfare Visitor and Members of Professional Standards Panel. Existing and new Officers of the Authority will also be monitored.

### **4.1 Monitoring Current Staff (Police Authority and Force)**

The Authority will monitor existing Members and Officers of the Police Authority. This will be carried out through the collation of relevant information from their application forms and via tracking requests for additional support and modifications to their work patterns/work environment. This will be reviewed on an annual basis by the Human Resources Committee.

Members and Officers will have their performance reviewed on an annual basis. The Police Authority will consider using exit questionnaires or interviewing all leavers to ascertain the reasons behind their decisions – were they related to equality issues?

The Force will be expected to report back to the Police Authority, on an annual basis, summarising the following breakdowns for Officers and support staff –

- Gender
- Disability
- Ethnic origin – using the list of ethnic categories taken from the Census 2001 (as this is the agreed classification system for the whole of the Criminal Justice System)
- Current grade/post/position and length of time at that grade – (this is important for assessing the numbers of staff in the Police Authority who occupy particular grades and consequently for determining whether some groups are under-represented)

- Length of service
- Age
- Earning and benefits
  - Review of pay
  - Does a pay gap exist between women and men? (Consider all benefits and non-monetary rewards)
  - Does occupational segmentation exist?
  - What steps is the Force taking to address any imbalances or pay inequality
- Terms and conditions of employment (*FT/PT/Perm/Fixed Term/Temporary*)
- Applications for training (consider what is meant by training – e.g. internal; job related or for wider personal development; long term or short term. Are there differences in the way in which men and women choose different training opportunities? Have adjustments been made to ensure the ‘inclusiveness’ of training, such as positive action initiatives and development opportunities for both men and women)
- Applications for promotion (examine the relative success rates of men and women and the reasons for rejection)
- Appraisals
- Monitor the gender breakdown for each rank within the Force
  - Do gender imbalances exist?
  - Are there gender barriers which prevent men and women from going into particular areas of work?
- Grievances (examine all recorded internal complaints/ how often and how many grievances of different kinds are made by men and women?)
- Disciplinary action (monitor the results of disciplinary action, are men/women more or less likely to be subject to disciplinary action compared to their colleagues?)
- Dismissals and other reasons for leaving (examine reasons and patterns of leaving amongst men and women)
- Family Friendly Policies: Including maternity, paternity and adoption leave. It will be essential for the Authority to monitor the

communication and 'take-up' of these policies and to include a policy that covers the needs of those with caring responsibilities.

The Police Authority will also expect the Force to ensure that it has a policy that protects transsexual staff from discrimination and supports the dignity and privacy of transsexual people.

#### **4.2 Monitoring Job Applicants – Police Authority**

When monitoring job applicants the Authority will ensure that it monitors:-

- Gender
- Differences in success rates at different stages in the selection process
- Reasons for rejection.

#### **4.3 Monitoring the Composition of the Authority**

Although not strictly required by the legislation, as a matter of good practice, the Authority will consider gender monitoring of:

- Authority Members
- Members of Selection Panels
- Independent Custody and Animal Welfare Visitors.

The Police Authority is mindful of the requirement for it to reflect the community that it serves and is aware of the need for it to attract a wider variety of candidates from a diverse range of backgrounds. These principles apply to all positions connected with the Police Authority including Members, Officers and Independent Custody and Animal Welfare Visitors.

Selection Panels for Independent Members are required to keep a record of applicants for up to four years. Although not specifically required by the regulations, Selection Panels should – as a matter of good practice – include monitoring details as part of these records.

Although Police Authorities have no control over the appointment of Councillors, the Authority will consider whether it can work more closely with the councils in respect of the appointment of Councillor Members –

to see if there are ways of encouraging a greater gender balance between men and women who wish to serve on the Authority.

## **5. Action Plan and Timetable – Appendix A**

The Gender Equality Scheme was adopted in April 2007 and will be reviewed by the Human Resources Committee on an annual basis, assessing what steps have been taken to fulfil our Gender Equality Duty. Included will be details of what we have done over the past year to eliminate discrimination and promote equality of opportunity. The Authority will analyse the results of communication and consultation exercises with the communities of Derbyshire and will detail how this information has been used to inform our work.

The review of the Action Plan will also incorporate recommendations from the Equal Opportunities Commission, Home Office, Association of Police Authorities, Association of Chief Police Officers and Her Majesty's Inspector of Constabulary.

Updates to the Gender Equality Scheme and Action Plan will be made as they arise and as objectives are achieved or new objectives established.

## **6. Gender Equality Performance Indicators and Targets**

In establishing performance measures the Authority will take account of both local and national performance indicators. The Authority will demonstrate that it has set robust and challenging performance targets in relation to promoting gender equality.

Specifically, this will include:-

- Achievable targets for attaining a balanced representation from both sexes
- Indicators to measure how the Police Authority's engagement with men and women has improved.

The Authority will monitor the Force's progress against its Gender Equality Scheme and set measures and targets for the Force including for example Dismantling Barriers Targets.

## **7. Dealing with Complaints**

The Authority will deal effectively with complaints relating to gender equality issues.

It is important that Police Authority Members, Officers and the public are aware of the Authority's complaints procedures. In particular the arrangements the Authority has made to deal with any complaints about the way it is meeting the general and specific duties.

Gender equality issues will be integrated with existing internal complaints procedures.

A complaint against a Member of the Authority may be a matter for investigation by the Standards Committee if it relates to an alleged breach of the Authority's Code of Conduct. Under the mandatory provisions of the Model Code of Conduct, all Members must:-

- Promote equality by not discriminating unlawfully against any person; and
- Treat others with respect.

Procedures are in place to deal with:-

- Complaints against the Police Authority from the public
- Complaints against the Police Authority from members of staff
- Complaints against Chief Officers or against the Force as a whole.

In addition, the following issues will be explained:-

- Who the public can contact if they have a complaint
- Who is responsible for dealing with such complaints
- How long it will take to respond to a complaint
- What is the procedure if the Authority is unable to deal with a complaint?

The Authority will consider:-

- Reviewing its arrangements for monitoring complaints against the Force
  - Do the monitoring arrangements identify whether there are more complaints about particular practices from men or women?
  - What are the procedures for investigating complaints of harassment, are there any direct links to the grievance and discipline procedures?
  - Are the number of complaints of harassment and their outcomes monitored?
  - Have trends/patterns been identified and what arrangements are in place to positively deal with these?
- What procedures are in place to deal with a complaint from a member of staff that he/she has been the victim of harassment or discrimination?
- Arrangements for monitoring and scrutinising the Chief Officers who have responsibility for this.

The Authority has established a Standards Committee which is responsible for promoting and maintaining high standards of conduct for Police Authority Members by monitoring compliance with the Members' Code of Conduct. The Professional Standards Committee oversees and monitors complaints against police officers and police staff. Terms of reference for both the Standards (Authority), Professional Standards (Force) Committees and details of the Police Authority's complaints procedure can be viewed on the Police Authority website. Hard copies are also available upon request.

## **8. Consulting and Informing Staff**

The Authority will consult and inform both Members and Officers throughout the development and implementation of the Police Authority's Gender Equality Scheme. Equally it will make Members and Officers aware of their own responsibilities under the Scheme. In particular, that compliance with the Scheme is mandatory.

Generally, the Authority will consult and inform Members and Officers of:-

- The arrangements made to meet the general and specific duties
- The Police Authority Action Plan and timetable
- How the Action Plan will be put into practice
- Who is responsible for overseeing this process
- How Members and Officers will be kept regularly informed of further developments and progress
- What will be expected of Members and Officers as a result of the new duties
- What training will be provided and who should attend.

Every Member and Officer will receive a copy of the Police Authority's Gender Equality Scheme with a covering letter from the Chairman, Clerk/Chief Executive urging members and staff to contribute to the effective promotion of gender equality.

## **9. Consulting and Informing Local Communities**

In addition to the specific duty to consult local communities on the impact of proposed policies, the Authority will regularly report back to these communities on how the Authority is progressing with its Gender Equality Action Plan.

The Authority will consider:-

- Involving the public at an early stage in the development of the action plan to monitor their perception of how the Police Authority is performing in its duty to promote gender equality
- Working closely with the Force on community consultation strategies
- Putting mechanisms in place to keep the public informed of the Police Authority's gender equality progress
- The best way to report back information – for example, through the Annual Policing Plan or via the Derbyshire Police Authority website
- The measures that need to be taken to ensure that those communities which are frequently overlooked are consulted and informed
- Assessing consultation venues and locations to ensure their appropriateness, monitor attendance, identify and target hard to reach groups.

## **10. Gender Impact Assessments**

Gender Impact Assessments will be carried out to ensure that a clear analysis of gender issues has taken place. In doing this there will be a priority driven plan of impact assessments of all policies, functions and activities. The Authority's Human Resources Committee will expect the Force to report back on the progress of its equality impact assessments and any action that has been taken to rectify deficiencies.

## **11. Review of the Scheme**

The Police Authority will review the Scheme on an ongoing basis. An annual review will be presented to the Human Resources Committee detailing progress. It will in particular:

- Consider how equality of opportunity for men and women has been advanced during the life of the Scheme and other indicators of effectiveness
- Think about how it can improve upon what has already been achieved
- Look at any areas in which it may not have made as much progress as it had hoped
- Consult local communities in order to monitor public perception and satisfaction
- Commit to the ongoing implementation of the scheme, ensuring that the Gender Equality Scheme is absorbed into the culture and framework of Derbyshire Police Authority.



## Gender Equality Scheme Action Plan (April 2007) – Under Review October 2008

Our mission is to ensure that our communities receive a policing service which has their support and confidence and is of the highest quality.

Objective	How It Will Be Achieved	Responsibility	Target Completion Date
1. Member Development	<ol style="list-style-type: none"> <li>1. Issue copies of the Gender Equality Scheme to all members</li> <li>2. Upskilling Session- to keep up to date with diversity issues (including gender based crimes)</li> <li>3. Training Needs Analysis of Members</li> <li>4. Inclusion of a review of all Equality Schemes in the Induction programme for new Members and Officers</li> </ol>	<ol style="list-style-type: none"> <li>1. Research and Policy Manager</li> <li>2. Clerk/Chief Executive</li> <li>3. Research and Policy Manager</li> <li>4. Clerk/Chief Executive and Research and Policy Manager</li> </ol>	<p>30 April 2007</p> <p>2007</p> <p>June 2007</p> <p>Established April 2007 and ongoing thereafter</p>
2. Officer Development	To procure training for Police Authority Officers in relation to the Gender and wider equality duties	Clerk/Chief Executive	December 2007
3. Establish a Lead Member for Gender Issues	Appoint a 'Lead Member' with responsibilities for Gender issues	Chair of Human Resources Opportunities, Race and Diversity Committee	May 2007
4. Produce Gender Impact Assessment	1. Complete an initial impact assessment on the Gender Equality Scheme	1. Research and Policy Manager – reporting to Human Resources, Equal Opportunities, Race and Diversity Committee	1. December 2007

	<p>2. Complete initial impact assessment on any additional policies, completing a full equality impact assessments when required</p> <p>3. Completed Impact Assessments are to be incorporated into the Authority's decision making process</p> <p>4. Ensure that the Force is also impact assessing it's policies and activities</p>	<p>2. Research and Policy Manager – reporting to Human Resources, Equal Opportunities, Race and Diversity Committee</p> <p>3. Derbyshire Police Authority</p> <p>4. Human Resources, Equal Opportunities, Race and Diversity Committee</p>	<p>2. Ongoing</p> <p>3. Ongoing</p> <p>4. Ongoing</p>
5. Review existing and ensure new policies and procedures are created with reference to the Gender Equality Duty	<p>1. Consider the Gender Equality Scheme when reviewing existing policies</p> <p>2. Consider the Gender Equality Scheme when creating new policies</p>	<p>1. Research and Policy Manager</p> <p>2. Research and Policy Manager</p>	<p>1. Ongoing</p> <p>2. Ongoing</p>
6. Promote the Gender Equality Scheme to the Public	Reference the Gender Equality Scheme on an ongoing basis when arranging/developing community consultation	Community Engagement and Consultation Committee	Ongoing
7. Recruitment activities to incorporate the Gender Equality principles	To ensure that all recruitment activity reflects the need to attract a wider variety of candidates from a diverse range of backgrounds	Police Authority / Independent Member Selection Panel / Independent Custody and Animal Welfare Visitors and Councillor appointments etc	Independent Member recruitment campaign 2007 and ongoing thereafter
8. Involving people in gender consultation	Engage with the community to review the Gender Equality Scheme, the Action Plan and reprioritise where appropriate	Community Engagement and Consultation Committee	April 2008
9. Monitor Complaints	1. Monitor the number of complaints	1. Professional Standards	1. Ongoing

	<p>from or about Police Officers and Police Support staff in relation to Gender issues</p> <p>2. Monitor the number of complaints regarding the conduct of Members</p> <p>3. Monitor the number of complaints regarding the conduct of Officers of the Police Authority</p>	<p>Committee</p> <p>2. Standards Committee</p> <p>3. Police Authority</p>	<p>2. Ongoing</p> <p>3. Ongoing</p>
10. Monitor requests for information	<p>1. Monitor requests for information received via the 'contact' us section of the Police Authority website</p> <p>2. Monitor the gender split at Police Authority consultation events</p>	<p>1. Research and Policy Manager</p> <p>2. Research and Policy Manager</p>	<p>Quarterly report to Community Engagement and Consultation Committee</p>
11. Assessment of Force Implementation of Gender Equality Scheme	<p>Monitoring the performance of the Force within this area</p>	<p>Human Resources, Equal Opportunities, Race and Diversity Committee</p>	<p>Ongoing – Force to produce an annual equality schemes report covering gender, race and diversity</p>
12. Review the Action Plan	<p>Current objectives will be reviewed and revised/re-established for the coming year (08/09)</p>	<p>Human Resources, Equal Opportunities, Race and Diversity Committee</p>	<p>April 08 and annual thereafter</p>

## Glossary of Terms

### Unlawful Discrimination

This is defined as:

- Direct and indirect discrimination on the grounds of sex
- Discrimination on the grounds of pregnancy and maternity leave
- Discrimination on the grounds of gender reassignment
- Direct and indirect discrimination against married persons and civil partners
- Victimisation
- Harassment and sexual harassment

The Equal Pay Act gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, or where the source of pay is the same, where the man and the woman are doing:

- The same or broadly similar work
- Work which has been rated as equivalent under an analytical job evaluation study
- Work that is of equal value (work of equal value is where the work done is different but considered to be of equal value or worth in terms of demands such as effort, skill and decision-making)

### Sex

Biological differences

### Gender

A person's self-perception and wider social roles and relationships in society which structure men's and women's lives.

### Gender Dysphoria / Gender Identity Disorder

Gender dysphoria or gender identity disorder is the medical term for the condition when a person who has been assigned one gender (usually at birth on the basis of their sex), but identifies as belonging to another gender, or does not conform with the gender role their respective society prescribes to them. It is a psychiatric term for what is widely termed 'transsexuality'. Many trans people consider the very term 'gender identity disorder' to be discriminatory as it suggests a mental illness, which it is not. Gender dysphoria is not a form of sexual deviancy or a sexual orientation.

## Transsexual

People who intend to/are/have undergone gender reassignment

## Gender Presentation / Gender Expression

While gender identity is subjective and internal to the individual, the presentation of one's self either through personality or clothing is what is perceived by others. Typically transsexual people seek to make the gender expression or presentation match their gender identity, rather than their birth sex.

## Transvestite

The term used to describe a person who dresses in the clothing of the opposite sex. Generally, transvestites do not wish to alter their body and do not necessarily experience gender dysphoria.

## Transgender

An umbrella term for people whose gender identity and/or expression differs from their birth sex. Transgender people may or may not choose to alter their bodies hormonally and/or surgically. Some people have not and do not intend to undergo gender reassignment.

## Acquired Gender]

The new gender of a person who has had their gender reassigned and/or legally recognised. It is possible for an individual to transition fully without surgical intervention.

## Gender Recognition Certificate

A full Gender Recognition Certificate shows that a person has satisfied the criteria for legal recognition in the acquired gender. It makes the recipient of the certificate; for all intents and purposes, the sex listed on the certificate from that moment onward, not their birth sex. The legal basis for creating a Gender Recognition Certificate is found in the Gender Recognition Act 2004.

## Positive Action

Positive action is encouraging people from an under-represented group to apply for jobs, training or promotion. In terms of gender equality this could mean placing an advert in a magazine read specifically by men of a certain age, or women from a specific background 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 under the Sex Discrimination Act. Positive discrimination is unlawful in the UK. This would mean that an employer would only short list people from the under-represented group.

### Occupational Segregation

This is when men or women predominate in certain jobs or industries. Examples include men working in construction or women in childcare.

### 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 gender and is to their detriment, which cannot be objectively justified. For example, an unnecessary requirement to be less than 5' 10" would discriminate against men; a requirement to work full-time or refusal to allow flexible working might be unlawful indirect discrimination against women.

### Gender Mainstreaming or Mainstreaming

This is the building of gender into the core business thinking and processes of an organisation.

### Gender Disaggregated Data (or information)

This is data or information that has been collected and analysed by gender. Analysis of the information could then highlight any differences in satisfaction rates between men and women

### Direct Discrimination

Less favourable treatment of a person on gender grounds compared with the treatment or likely treatment of a person of another gender in the same or similar circumstances. This could include giving a job to a male applicant when a female applicant has similar or better qualifications.

## **Legislative Framework**

### The Equal Pay 1970

The Equal Pay Act 1970 (EPA) gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and the woman are doing:

- like work
- work rated as equivalent under an analytical job evaluation study
- work that is proved to be of equal value

The employer will not be required to provide the same pay and benefits if it can prove that the difference in pay or benefits is genuinely due to a reason other than one related to sex.

### Sex Discrimination Act 1975

The Sex Discrimination Act 1975 (SDA) prohibits direct and indirect sex discrimination against individuals in the areas of employment, education, the disposal or management of premises, and the provision of goods, facilities and services. It also prohibits discrimination in employment against married people.

Victimisation because someone has tried to exercise their rights under the SDA or EPA is prohibited. The Act applies to women and men of any age, including children.

### Gender Recognition Act 2004

The Gender Recognition Act 2004 gives transsexual people legal recognition of their acquired gender, providing they satisfy a Gender Recognition Panel that they:

- have or have had gender dysphoria
- have lived in the acquired gender for two years prior to their application
- intend to live permanently in the acquired gender

Following a successful application, a transsexual person will acquire the rights and responsibilities of their acquired gender. If unmarried they will receive a full gender recognition certificate (GRC) from that date forward.

If born in the UK their original birth register entry will be marked, confidentially, to indicate that they have become recognised as their acquired gender and they will receive a new birth certificate in their acquired name and gender.

Individuals who are married cannot receive a full GRC until their marriage has been annulled. Same sex couples are able to register their partnership under the Civil Partnership Act 2005.

### Equality Act 2006 and the Gender Equality Duty

The Equality Act 2006 amends the Sex Discrimination Act 1975 to place a statutory duty (the Gender Equality Duty) on all public authorities, when carrying out their functions, to have due regard to the need to:

- eliminate unlawful discrimination and harassment
- promote equality of opportunity between men and women

This is known as the 'general duty' and will come into effect on 6 April 2007.

Most major public authorities are subject to the more detailed specific duties, which require authorities to:

- produce and publish an Equality Scheme identifying their gender equality goals and actions to meet them, and, in consultation with employers and stakeholders monitor and review progress
- review the scheme every three years
- develop, publish and regularly review an equal pay policy, including measures to address promotion, development and occupational segregation
- conduct and publish gender impact assessments of all legislation and major policy developments, and publish their criteria for conducting such impact assessments

### Data Protection Act 1998

Under the Data Protection Act 1998, transsexual identity and gender reassignment would constitute 'sensitive data' for the purposes of the legislation and must be processed as such.

### Goods and Services Directive 2004/13

The scope of the legal protection against discrimination on grounds of gender reassignment will be extended within the SDA by the implementation of the Goods and Services Directive. This will be implemented by 21<sup>st</sup> December 2007 at the latest. From the date of implementation public authorities will be under a duty to have due regard to the need to eliminate unlawful discrimination and harassment on grounds of gender reassignment in the provision of goods, facilities and services and the disposal and management of premises.

## Transgender

In 1999 the Sex Discrimination Act was amended to protect individuals under going gender reassignment from discrimination within employment. The protection did not specifically extend to the provision of facilities and service. However from 2005 individuals who have lived within their gender of choice for a specific period can apply for a Gender Recognition Certificate (GRC). Anybody who has GRC has to be treated as being of that gender and so the Sex Discrimination Act would apply to such an individual on that basis.