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# Office of the Police and Crime Commissioner for Gloucestershire

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Supporting document 09.  
Equality Impact Assessment

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GFRS governance review

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# Equality Impact Assessment (EIA): background information

## When do we need to undertake EIAs?

EIAs should be undertaken when developing new, or considering changing current policy (the word policy here refers to functions, activities or the way we reach decisions). EIAs should be integrated with the policy creation process from the outset. It may be the case that a full EIA is not needed for a specific policy. This can be determined by assessing, in the interest of meeting the Public Sector Equality Duty, whether a full EIA is both proportionate and relevant. The weight that the Office of the Police and Crime Commissioner should give to equality should be proportionate to its relevance to particular functions. The greater the relevance of a policy to equality, the greater the regard that should be paid to it.

## What does an EIA do?

An EIA is a tool that enables a public authority to assess the impact of a policy on different protected characteristic groups and develop steps that can be taken to promote equality. This tool ensures that the Office of the Police and Crime Commissioner has due regard to the Public Sector Equality Duty.

## Who should undertake an EIA?

The policymaker should undertake and own the EIA as they have an intricate knowledge of the policy being created and the ability to make changes where necessary. This does not mean that EIAs must be undertaken alone. In fact, a good EIA should be informed by subject matter experts and other key contributors to the policy creation process.

## Why is it important?

Undertaking an EIA is not a legal requirement but complying with the Public Sector Equality Duty is. However, this is not the only reason to undertake an EIA. It ensures that policy is developed in an informed and effective way. EIAs encourage thought on the policy landscape, evidence, consultation and, of course, equality. This method of reflecting on a policy when producing it can result in efficiencies being identified, it ensures that policy is evidence led and initiates taking steps to meet equality requirements.

## What is the Public Sector Equality Duty?

The Public Sector Equality Duty sets out that public authorities must, in the exercise of their functions, have due regard to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the general equality duty. The Equality Act 2010 explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The equality duty covers the nine protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief.
- Sex
- Sexual orientation

### **Undertaking an EIA**

Consideration must be given to how the policy under development may impact positively or negatively, on protected characteristic groups. This means considering the following:

- Age equality – the effects on younger and older people.
- Disability equality – the effects on the whole range of disabled people, including deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties and people with physical impairments.
- Gender identity – the effects on trans people.
- Marriage and civil partnership equality.
- Pregnancy and maternity equality - women who are pregnant or who have recently had a baby, including breast feeding mothers.
- Race equality – the effects on minority ethnic communities, including newer communities, gypsies and travellers and the Roma community.
- Religion and belief or non-belief equality – the effects on religious and cultural communities, customers and employees.
- Sex equality – the effects on both men and women and boys and girls.
- Sexual Orientation equality – the effects on lesbians, gay men and bisexual people.

Undertaking a consultation helps identify the impact of a new policy, positive or negative. It should also be informed by any other relevant sources of information, such as surveys or similar EIAs.

Identified negative impacts on equality will require a description of how to respond, which in turn will determine the outcome of the EIA. In some cases an action plan will be required detailing how to respond to the negative equality impact, who will own this response and how progress will be monitored.

### **What happens when an EIA is completed**

EIAs should be considered when making decisions on new policies. Final decisions on how to proceed should be recorded in the assessment. The assessment needs to be agreed by the Commissioner's Management Team within the Office of the Police and Crime Commissioner. Once finalised the EIA should be made accessible to the public.

# The Equality Impact Assessment (EIA)

## The Assessor/s

	Name	Role
<b>Lead</b>	Paul Trott	Chief Executive Officer, OPCC
<b>Support</b>	Richard Bradley	Deputy Chief Executive, OPCC
<b>Support</b>	Peter Skelton	Joint Chief Finance Officer, OPCC / Gloucestershire Constabulary
<b>Support</b>	Hilary Alison	Joint Head of Public Affairs, OPCC, Gloucestershire Constabulary
<b>Support</b>	Ruth Greenwood	Policy Officer, OPCC

## Name of the policy

Gloucestershire Fire and Rescue Service (GFRS) governance review

## Description of the policy

The Policing and Crime Act, which became law on 3 April 2017, includes provisions that enable Police and Crime Commissioners (PCCs), where a local case is made in the interest of economy, efficiency and effectiveness, or public safety, to take on responsibility for the governance of Fire and Rescue Services.

In 2017, the Gloucestershire PCC commissioned analysis to investigate whether changing Gloucestershire Fire and Rescue Service's (GFRS) governance is beneficial to Gloucestershire. Prior to the development of an outline business case, the Commissioner decided to pause the process and to instead pursue collaboration between GFRS and Gloucestershire Constabulary within existing governance arrangements and on a voluntary basis.

In autumn 2018, the PCC decided to refresh the analysis and develop an outline business case for a change in Fire and Rescue governance in Gloucestershire. The PCC took the decision to submit a full business case to the Home Secretary on 14 February 2019.

Based on detailed analysis of the economy and efficiency, effectiveness, public safety, and deliverability of four distinct proposed models it was found that a 'governance model' offered the best option. This option appraisal set out to disaggregate the Fire and Rescue Authority and Gloucestershire Fire and Rescue Service from Gloucestershire County Council and set it up as an independent entity under the Police and Crime Commissioner, who would perform the same role as the current Fire and Rescue Authority. Gloucestershire Constabulary would remain in its current form under the Chief Constable.

The reported benefits of this policy included improving community safety, improving collaboration between the police and fire services, speeding up decision making processes, and achieving financial and operational benefits.

The full business case can be found [here](#).

Regarding equality, the Gloucestershire Fire and Rescue Service would remain responsible for complying with the Public Sector Equality Duty. Under the new governance model, the Police and Crime Commissioner would become the Police, Fire and Crime Commissioner with the responsibility of holding the Chief Fire Officer to account regarding performance. Therefore, the new governance model would enable the Chief Fire Officer to be held to account on achieving the Public Sector Equality Duty.

## Who will the policy impact?

The policy will impact on three interrelated groups:

- Staff of Gloucestershire Constabulary and Gloucestershire Fire and Rescue Service: these groups will be impacted by the potential of their organisation changing its structure and increasing joint working between them, and
- The general public, who benefit from receiving the services provided by Gloucestershire Fire and Rescue Service

## Why is an EIA needed?

An EIA is needed to ensure that the proposed policy (which will impact upon the public, internal and external staff) is not discriminatory, provides equality of opportunity and fosters good relations between groups with protected characteristics.

Undertaking an EIA provides transparency to the decision making processes regarding policy development, which is needed when considering a policy that will impact on the impacted groups. Further, it ensures that equality is considered and central to the development of the policy.

Lastly, undertaking an EIA will provide the opportunity to assess the impact of a policy prior to enactment through consultation. This consultation will identify issues that may occur if the policy was introduced, including negative impacts on protected characteristic groups.

## Assessing the impact

### Other relevant information

This EIA will assess the potential impact through consultation and the evidence presented in this section. A number of PCCs have already undertaken fire governance business cases, of which an EIA was a requirement. This has provided some indication of equality impacts that may occur and provided content for the consultation. No negative effects have been identified through these other business cases submitted to the Home Office. In fact, some of the submissions have identified positive equality impacts associated with the Fire and Rescue Service being exposed to an increased level of accountability.

The policy has been developed in line with national practice and guidance. Expertise has been sought where appropriate including legal and financial. Consideration has been given to the potential transfer of staff, which found that as both Gloucestershire Constabulary and Gloucestershire County Council adhere to the Equality Act and comply with the Public Sector Equality Duty, there should be no cause for concern. All staff will be transferred on the same terms and due consideration will be given to any specific needs of staff which will be identified through the co-operation of human resource departments. For the financial and estates proposals there were no identified equality considerations with the business case.

### Engagement activity

The consultation on the business case was open to all those living in Gloucestershire. The OPCC understands that there are barriers to taking part in consultation, such as not speaking English and having sight or hearing issues. Therefore the consultation was designed to be as inclusive as possible by:

- Ensuring consultation material is easy to understand.
- Providing content in different media types (online, in libraries, text and video).
- Willingness to act on requests for reasonable adjustment to enable members of the public to participate in the consultation.

- Monitoring the demographics of consultation responses to determine if any group are underrepresented in the consultation and taking steps to reduce this.

Responses were collected online, through a paper survey in libraries and via on-street rapid public consultation. The survey asked responders whether they agreed or disagreed with the proposal for a change in GFRS governance and were provided with relevant background information to help inform decisions.

The results of the consultation tell us that there were no specific concerns regarding the impact of the policy on any protected characteristic group. The consultation engaged with various protected groups as part of the consultation.

Whilst the on-street survey was smaller in number of respondents and more narrow in terms of demographics, the online survey was far more demographically representative and of statistical value in terms of number of respondents. A combination of results from the two surveys indicates 13% of respondents identified as belonging to an ethnic group other than 'white British' (5% on-street survey / 19% online survey) which is higher but similar to the proportion of non-white British Gloucestershire residents (11%) according to the [Gloucestershire County Council Population Profile 2018](#).<sup>1</sup> The age profile of respondents was also similar to that of the general population in Gloucestershire.

The responses provided suggest that a common concern was that of budget cuts / Fire and Rescue funding being used to support police activity and a merger of services which may reflect misconceptions resulting from misinformation circulating during the debate. However, this was not linked to any specific protected characteristic group. Further, the outline business case is explicit in identifying the illegality of operational and funding merger so this cannot be considered a negative of the policy.

#### What does this tell us about the equality impact of the policy?

	How would this be impacted by the policy?	Is it positive or negative?
<b>Age</b>	No impact	
<b>Disability</b>	No impact	
<b>Gender identity</b>	No impact	
<b>Marriage and civil partnership</b>	No impact	
<b>Pregnancy and maternity</b>	No impact	
<b>Race</b>	No impact	
<b>Religion or belief or none</b>	No impact	
<b>Sex</b>	No impact	
<b>Sexual orientation</b>	No impact	

#### Are there any gaps in information regarding equality impact?

There are no obvious gaps in information regarding equality impact for this policy.

<sup>1</sup> <https://www.gloucestershire.gov.uk/media/12777/equality-profile-2018.pdf>

## Next steps

This EIA has not identified any negative equality impacts associated with the policy. The Gloucestershire Fire and Rescue Service will remain an organisation in its own right and will be responsible for compliance with the Public Sector Equality Duty. Further the Office of the Police and Crime Commissioner for Gloucestershire and Gloucestershire Constabulary must also comply with this duty. Therefore, all three organisations will continue to work towards achieving the Public Sector Equality Duty and the policy provides an opportunity for them to work together to advance equality.

## EIA outcome

<b>Which of the following outcomes does your assessment match?</b>	✓
<b>Outcome 1:</b> No major change needed – the EIA has not identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken.	✓
<b>Outcome 2:</b> Adjust the policy to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?	
<b>Outcome 3:</b> Continue the policy despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are: <ul style="list-style-type: none"><li>• Sufficient plans to stop or minimise the negative impact.</li><li>• Mitigating actions for any remaining negative impacts.</li><li>• Plans to monitor the actual impact.</li></ul>	
<b>Outcome 4:</b> Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination.	

### Why did you feel this was the outcome?

The EIA identified no negative equality impacts; therefore it is not necessary to make changes to the policy.