

Equality and Human Rights Impact Assessment (EqHRIA) Summary of Results

Policy / Practice	Child Protection - Inter-agency Referral Discussion
Owning Department	SCD Child and Adult Protection Policy
Date EqHRIA Completed	14/08/2019
Purpose of Policy / Practice	<p>This SOP is designed to ensure that Inter-Agency Referral Discussions (IRDs) are conducted professionally and consistently. The SOP outlines the purpose, required conduct and management of decisions and actions resulting from an IRD.</p> <p>Policy recognises the complexities around conducting IRD's and seeks to ensure that there is a consistent delivery of service across Police Scotland.</p>

A. Summary of Analysis / Decisions - What the assessment found and actions already taken.

There is no evidence or concerns to suggest that this policy is likely to have anything other than a positive impact on the service delivery of Police Scotland in relation to conducting IRD's.

The SOP seeks to establish a proportionate and consistent approach where the needs and welfare of the child are paramount and ensures appropriate child protection measures are put in place, implemented through an informed decision making process.

The SOP outlines the requirement for a multi-agency response from the outset of any child protection enquiry and to recognise the importance of holding an IRD to share relevant information and determine and investigative strategy or safety plan to protect the child and ensure the most appropriate course of action is implemented.

The SOP will take into account all requirement of relevant legislation detailed within the National Guidance for Child Protection in Scotland (2014) and strives to protect all children and young people regardless of their age, status, abilities, race, religion, gender, sexual orientation or beliefs.

In respect of Human Rights , there may be occasions where the following are breached however these are legitimate and on a legal basis:

Article 5 - Right to Liberty - this Article will be infringed upon, as in order to enable police investigation, in the majority of cases and in all cases involving a preview examination, the suspect may be arrested in terms of the Criminal Justice (Scotland) Act 2016 and taken to a police station for interview.

Article 8 - Right to Respect for Private and Family Life - there is a possibility for collateral intrusion due to the potential sensitive nature of an IRD and the requirement to ensure all relevant information is available to be shared. This will ordinarily extend to the family as a whole.

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This article might be perceived as infringed upon, as exhaustive information regarding the applicant/subject/children in question, will be recorded on police systems. When required, this information will be shared with other agencies.

Article 11 - Freedom of Expression - Perpetrator - the SOP aims to protect children from harm and may result in details of an individual's association with that child being restricted or prohibited.

Article 1, Protocol 1 - Protection of Property - in instances where criminality or child protection matters arise from an IRD and subsequent enquiry, the seizure of items as productions may be required from either the applicant, subject or children. There could be search warrants executed within properties, which could ultimately result in unintentional damage.

B. Summary of Mitigation Actions - What else we plan to do and how we are going to check that it has been done.

Owning department will monitor changes in legislation/ circumstances which may impact on the SOP and assess how these changes affect the protected groups outlined.

In addition, the department will be responsible for the cyclical review of both the SOP and the EqHRIA.

Management Log – Policy Support Dept. Use Only

Review Date		Review Date	
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