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**Equality and Diversity Employment Monitoring
(Police Officers and Authority/Police Staff)**

Standard Operating Procedure

Notice:

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Owning Department:	People and Development
Version Number:	2.00 (Publication Scheme)
Date Published:	25/05/2018

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Compliance Record

Equality and Human Rights Impact Assessment: Date Completed / Reviewed:	10/11/2016
Information Management Compliant:	Yes
Health and Safety Compliant:	Yes
Publication Scheme Compliant:	Yes

Version Control Table

Version	History of Amendments	Approval Date
1.00	Initial Approved Version	01/11/2016
2.00	Updated to reflect changes in data protection legislation	25/05/2018

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1. Purpose

- 1.1. This Standard Operating Procedure (SOP) for the Scottish Police Authority (SPA) / Police Service of Scotland (Police Scotland) provides information about the requirement to undertake Equality and Diversity (E&D) monitoring and the processes in place for doing this.
- 1.2. The SOP supports the SPA / Police Scotland, Equality, Diversity and Dignity Policy.
- 1.3. SPA / Police Scotland are committed to delivering a fair and professional service, promoting equality for all. Equality and Diversity Monitoring is an important tool used to:
 - build up and maintain a workforce profile;
 - ensure adherence to legislative requirements;
 - develop areas of good practice;
 - inform the development of HR policies and processes; and
 - facilitate the completion of Equality Impact Assessments

2. Application

- 2.1 This SOP applies to all police officers, authority / police staff (including temporary staff), special constables and applicants to SPA / Police Scotland. The term individual will be used to refer to the aforementioned from this point forward.

3. Legislative Requirements

- 3.1 Information is supplied by People and Development (P&D) and reported to the Chief Constable / SPA Board on recruitment, development and retention in line with legislative requirements, on an annual basis and upon request.
- 3.2 To comply with the Equality Act 2010 and The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, and to assist SPA / Police Scotland monitor the impact on equality throughout the employment cycle, data is collected on:
 - Age;
 - Disability, including reasonable adjustments;
 - Gender reassignment, including transgender identity;
 - Pregnancy and maternity;
 - Race;
 - Religion or belief;

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- Sex; and
- Sexual orientation.

4. Confidentiality

- 4.1 All sensitive personal data, including E&D employment data, is gathered and recorded by SPA / Police Scotland only for legitimate business purposes and is treated in the strictest confidence.
- 4.2 The access to this information is strictly controlled and undertaken by staff on a need to know basis if required to do so to inform strategy and policy development, or to aid reporting under legislation.
- 4.3 All sensitive personal data is processed with due consideration of the data protection principles and the rights of the individual as detailed within the Information Commissioner's Office, Guide to Data Protection.

5. Equality and Diversity Employment Monitoring / Reporting

- 5.1 SPA / Police Scotland utilises both SCoPE and the Equality and Diversity Employment Monitoring Form (120-005) to gather E&D data. Statistics will not be provided if there is the possibility an individual may be identified and, in any case, where the numbers are less than five.
- 5.2 Data gathered is recoded under the 'Equality and Diversity' tab of the individuals Personal Record within SCoPE.

6. People and Development

- 6.1 Trust of staff is essential to ensure that they feel confident to disclose information. This assists SPA / Police Scotland to identify progress in relation to equality and that individuals needs are being met.
- 6.2 Whilst the legal requirement for SPA / Police Scotland is to gather data for staff in respect of recruitment, development and retention, SPA / Police Scotland adopt good practice to monitor additional data.
- 6.3 P&D are responsible for recording data in respect of age and gender when they create an initial SCoPE record for a newly appointed member of staff. P&D also record details of proposed maternity leave dates upon receipt of application.

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7. SCoPE

7.1 Within SCoPE, Equality Data is recorded under the Equality and Diversity tab of each individual's record. This tab is split into two sections:

7.1.2 **Personal Details** – information stored under the Personal Details section includes:

- Age;
- Gender.

This information will be visible to any member of staff who demonstrates a business need for seeing this data.

7.1.3 **Personal Details Self-Classification** – information stored under the Personal Details Self-Classification section includes:

- Disability;
- Ethnic Origin;
- Religion;
- Sexual Orientation;
- Transgender.

This information is only visible to the individual, members of the P&D Equality and Diversity team and a restricted number of the SCoPE Lifetime Management team who, by virtue of their role, are required to access this data.

7.2 Each individual member of staff is able to see their own information. In addition this data will also be visible to members of the P&D E&D Team. Staff are encouraged to complete the form as fully as possible, however an option of 'Choose not to Disclose' is available.

7.3 To assist staff in completing the form there is an information page available on the intranet which provides additional guidance: Equality and Diversity Employment Monitoring.

7.4 Staff who do not have access to SCoPE are asked to complete a paper based Equality and Diversity Employment Monitoring Form (120-005), the details of which are added to their SCoPE record via the E&D team. This form is then destroyed by E&D once the information is recorded.

7.5 Staff can update personal data stored in the Self-Classification section at any time through their own personal access to SCoPE.

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8. Recording of Disability

- 8.1 In order to ensure that SPA / Police Scotland is providing appropriate support to employees with disabilities, and fulfilling its legal responsibility to make reasonable adjustments, an automatic email will be generated to line managers when a disability is disclosed. The line manager will then arrange to meet with the individual to discuss support provision and whether an Occupational Health referral / risk assessment is required in line with the Disability in Employment (Police Officers and Authority / Police Staff) SOP.
- 8.2 Information in relation to recording of disability is held in the Disability in Employment (Police Officers and Authority / Police Staff) SOP and the Recording of Disability and Related Reasonable Adjustments Guidance.

9. Recruitment

- 9.1 E&D employment monitoring applies to all internal and external recruitment for SPA / Police Scotland recruitment processes.
- 9.2 E&D data is requested at the application stage of the SPA / Police Scotland selection process via Equality and Diversity Employment Monitoring Form (120-005). The provision of this data is not mandatory.
- Equality data is recorded by the Recruitment Team onto the Recruitment IT system and is used to monitor all stages of the recruitment cycle. This information will be visible only to staff who work in Recruitment and will be provided to the E&D team annually for analysis.
 - E&D data can be drawn from the system to monitor attraction and recruitment trends across protected characteristics (with the exception of pregnancy and maternity).
 - Once appointed individuals are encouraged to complete the E&D questionnaire section in their SCoPE record.
- 9.3 Where a candidate with a disability is successful for a post, Recruiting will notify line management and / or Probationer Training.
- 9.4 **Police Staff** – where there are reasonable adjustments identified Recruitment will liaise with the individual's line management who are responsible for ensuring that adjustments are considered and implemented prior to their start date, wherever possible.
- 9.5 **Police Officers** – where there are reasonable adjustments identified Recruitment will notify Probationer Training Department in the first instance due to the requirement to attend the Scottish Police College (SPC) for the initial 11 week training course. In addition, this information will also be notified to the Division they are to be posted to.

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- Information relating to an unsuccessful applicant is retained by Recruitment as per the Record Retention SOP. This data is used to compile end of year statistics however the individual monitoring Equality and Diversity Employment Monitoring Form (120-005) is destroyed.
- Monitoring of the recruitment process relating to internal posts will be conducted by the P&D E&D team using the E&D questionnaire data held in SCOPE.

10. Promotions

- 10.1 Monitoring of the promotions process will be conducted by the P&D E&D team using the E&D monitoring questionnaire data held in SCOPE.
- 10.2 Information gathered at each stage of the promotion process is used solely for reporting purposes and not for selecting the successful candidate. Learning and Professional Development (LPD) are responsible for retaining and monitoring all paperwork relating to the promotion process.
- 10.3 Where an individual discloses a disability through the submission of a completed Equality and Diversity Employment Monitoring Form (120-005) as part of the National Police Promotion Process (NPPP), and this information has not previously been disclosed, the NPPP Team will liaise with the line manager to ensure that support is being provided in line with the Disability in Employment (Police Officers and Authority / Police Staff) SOP.

11. Recording, Collation and Reporting of Information

- 11.1 E&D data is collated and reported in relation to Officer and Staff Retention, Flexible Working and Career Breaks via SCoPE reporting.
- 11.2 E&D data in relation to Discipline and Grievance is also recorded. All such paperwork must be sent to the designated HR Assistant / Advisor at the conclusion of each stage of the grievance / discipline process.

12. Freedom of Information Requests

- 12.1 Under the Freedom of Information (Scotland) Act 2002 (FOI) there is a requirement for SPA / Police Scotland to provide information in response to FOI requests, which may include E&D data relating to staff.
- 12.2 Responses to any such requests will be provided via the P&D E&D Team who will prepare an appropriate response, liaising with the Information Management Department, ensuring that anonymity of staff is maintained and that no individual can be identified through the publication of data.

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13. Roles and Responsibilities

13.1 Individuals

13.1.1 Individuals are responsible for:

- Engaging with the E&D employment monitoring process;
- Updating E&D data to reflect any change in personal circumstances.

13.2 Line Managers / Supervisors

13.2.1 Line managers / supervisors are responsible for:

- Liaising with P&D to ensure appropriate support is provided to individuals as / if required.

13.3 People and Development

13.3.1 The P&D Team are responsible for:

- Collating and reporting appropriate E&D data;
- Using equality information to identify and understand trends and key equality issues to ensure employment practices are fair and non-discriminatory.

13.4 SCoPE Team

13.4.1 The SCoPE team is responsible for:

- Provision of SCoPE data where an appropriate request is made by the E&D team.

List of Associated Legislation

All relevant legislation relating to this policy may be found at www.legislation.gov.uk/ including but not limited to:

- Access to Medical Reports Act 1988
- Data Protection Act 2018
- Equality Act 2010
- The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012
- Freedom of Information (Scotland) Act 2002
- Gender Recognition Act 2004

List of Associated Reference Documents

Policy

- Equality, Diversity and Dignity

Standard Operating Procedures

- Disability in Employment (Police Officers and Authority / Police Staff) SOP
- Record Retention SOP

Reference Documents

- Recording of Disability and Related Reasonable Adjustments Guidance

List of Associated Forms

Relevant SPA/Police Scotland forms are available on the intranet including:

- Equality and Diversity Employment Monitoring Form (120-005)