

**Equality and Human Rights Impact Assessment (EqHRIA)**

# Summary of Results

## Policy/Practice Name:

Unacceptable Actions by Complainers Standard Operating Procedure

## Owning Department:

Professional Standards Department

## Date EqHRIA Completed:

24/07/2024

## Purpose of Policy/Practice:

The above-named SOP provides instruction to officers and staff and informs them of their role and responsibilities with regard to the rare instances where a relatively small number of individuals whose actions or behaviour Police Scotland consider unreasonable or unacceptable.

## Summary of Analysis / Decisions:

### What the assessment found, and actions already taken.

The EqHRIA assessed that there was potential for the above-named SOP to impact on the below areas.

* EDI – At present Police Scotland does not gather EDI data during the Complaint About the Police process. Whilst this is a recommendations made within the report by Lady Angiolini, work has been undertaken in order to collect this data to allow for it to be considered and provide a better understanding of the communities Police Scotland serve.
* Age – At present no evidence available to suggest any known or inferred impact. Available data provides low numbers of complainers between ages of 16 – 24 years old and 65 – 84 years old. However, the SOP provides that appropriate steps should be taken to address any additional supports needs.
* Disability - At present there is no evidence available to suggest any known or inferred impact in relation to this group. The SOP provides that officers and staff should conduct a subjective assessment when considering an individual’s behaviours.
* Race - At present there is no evidence available to suggest any known or inferred impacts in relation to this group. The SOP states that where individuals may not understand the procedures being carried out as English is not their first language, reasonable efforts should be made to ensure an individuals have a clear understanding of the information communicated to them and, where their understanding is unclear, reasonable measures should be taken to help them.
* Article 6 - Right to a Fair Trial - This SOP outlines access and potential restriction of access to Police Scotland in carrying out a public function. The Decision Making Framework has been formalised to ensure that a consistent and fair approach is taken, whilst considering the individual’s needs. The current appeal process in place will continue to ensure fair and transparent decision making, and a review will be carried out annually to ensure any new information and relevant is taken into consideration.
* Article 8 - Right to Respect for Private and Family Life - This SOP infringes this article, in the retention of an individual’s data for the purposes of recording their restrictions. This is, however, overall protected by existing policies and procedures including the Data Protection PSoS SOP and Record Retention PSoS SOP, which provide clear framework for officers and staff to ensure all information is not retained for longer than necessary, reducing the risk to individuals.
* Article 10 - Freedom of Expression - This SOP infringes an individual’s freedom of expression, however the SOP outlines the restriction process, appeals process and review process which will protect an individual to ensure that any restrictions are reasonably applied.

## Summary of Mitigation Actions:

### What the assessment found, and actions already taken.

If your assessment identified any actions required to mitigate impact, provide details of what actions were identified and how these will be monitored or reviewed.

* There is currently no demographic data held on Centurion to allow for meaningful comparisons. This will be rectified with updates to the Centurion system to allow EDI data to be collected.