

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

Policy / Practice	Police Service of Scotland (Conduct) Regulations 2014 SOP
Owning Department	Professional Standards Department
Date EqHRIA Completed	24/01/2019
Purpose of Policy / Practice	To provide guidance for a fair, open and proportionate method of dealing with alleged misconduct, in line with statutory guidance. The procedures are intended to encourage a culture of learning and development for individuals and/or the organisation.

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

The assessment noted that conduct investigations may look into the acts or omissions of an officer who was off-duty at the time of the matter being examined, which may infringe an officer's right for a private family life.

The assessment also took note of the possibility that on some occasions allegations of a criminal nature may become apparent during misconduct investigation, which relate to the Police Officer subject to investigation. In such cases, a criminal investigation will require to be carried out which may lead to the officer being detained/arrested/interviewed. The officers would in these circumstances be deprived of their liberty to allow investigation into the offence.

This Procedures were found during assessment to promote the rights of an officer to a Fair Trial.

In order to mitigate the infringement of the above rights, every case is assessed objectively and consideration given to whether a link exists between the situation being investigated and the role of the police officer, with full cognisance given to the Police Service of Scotland (Conduct) Regulations 2014 and associated Guidance.

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

OFFICIAL

The Owing Department will monitor changes in legislation/circumstances which may affect the SOP and assess how these changes may impact on protected groups.

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

Management Log – Policy Support Dept. Use Only

Review Date		Review Date	
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