



BCH01/005

Police Staff Disciplinary  
Procedure

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## **1. PROCEDURE AIM**

1.1. The aim of the procedure is to provide an effective framework for encouraging improvement in and managing any breach of professional standards of conduct. It provides a method of dealing with such shortcoming in a fair and transparent way and to allow each case to be dealt with separately and on its own merits.

1.2. The procedure provides the framework to manage people who have allegedly carried out an act which can be categorised as misconduct or gross misconduct under the Disciplinary Procedure. Whilst this will primarily relate to issues arising within working hours and in the course of performing their duties, the Disciplinary Procedure may also be applied in relation to issues that occur outside of this definition.

## **2. APPLICABILITY**

### **2.1 Inclusions**

2.1.1 The Disciplinary Procedure applies to all police staff/employees of the Chief Constable, including temporary and fixed term employees; those in their probationary period; those seconded out of force or working in a Collaborated Unit; and Chief Officers.

2.1.2 Where disciplinary action is being considered against an employee who is a trade union representative, the matter should be brought to the attention of a trade union official. This must be with the agreement of the employee.

### **2.2 Exclusion**

2.2.1 The Disciplinary Procedure does not apply to Police Officers, the Special Constabulary or other volunteers.

## **3. PROCEDURE DETAIL**

### **3.1 Informal Management Action**

3.1.1 Minor conduct issues, should always be dealt with by managers on an on-going basis rather than letting issues escalate to a point where formal action is needed.

3.1.2 Before taking formal disciplinary action, the line manager will make every effort to resolve any minor shortcomings in an employee's conduct by informal management. Words of advice may be given by the immediate line manager for minor breaches of discipline. It may be appropriate for the line manager to consult with an HR professional to ensure a consistent approach.

3.1.3 The line manager should keep a note of the words of advice and actions agreed. It is recommended that any related notes are retained in an appropriate place for the purpose of the organisation's memory but normally be disregarded after 12 months.

3.1.4 Informal discussions provide an opportunity for improvement or for the matter to be corrected or resolved. Only where this fails to bring about the desired improvement, or the matter is more serious, will the formal disciplinary procedure be used.

## **3.2 Formal Action**

### **Levels of Misconduct**

3.2.1 Misconduct is behaviour that an employer deems inappropriate. It usually, but not exclusively, relates to an employee's conduct whilst at work.

3.2.2 Gross misconduct is generally seen as misconduct serious enough to destroy the employer/employee relationship and could justify dismissal.

3.2.3 A list of examples of acts of potential misconduct and gross misconduct are included in Appendix One. They aim to provide guidance but are not exhaustive. The Police Staff Council (PSC) has also reached agreement on the Standards of Professional Behaviour that apply to all police staff covered by the PSC Handbook (PSC Joint Circular No 54). These are listed at Appendix Two. A breach of these Standards is determined to be misconduct, which depending upon the seriousness of the breach, could justify dismissal (gross misconduct).

3.2.4 The Code of Ethics for the police service (Principles and Standards of Professional Behaviour for the Policing Standard of England and Wales) is a written guide to the principles that every member of the policing profession of England and Wales is expected to uphold and the standards of behaviour they are expected to meet. The Code of Ethics is not legally or contractually binding nor does it replace the Standards of Behaviour set out in the Police Staff Council Handbook and is intended to be used on a day-to-day basis to guide behaviour and decision-making. Behaviour that falls short of the Standards of Behaviour set out in the Code of Ethics might be used as evidence contributing to an allegation of misconduct, but that allegation has to apply to a failure to meet the particular standards set out in the Police Staff Council Standards of Professional Behaviour. The Code is available on the College of Policing website (<http://www.college.police.uk/en/20972.htm>).

### **Severity Assessment**

3.2.5 Where formal action is required, the line manager should consider the initial facts and the seriousness of the case and, without undue delay, determine if it is potential misconduct or gross misconduct. This initial determination is to be done in conjunction with an HR professional and the Head of Investigations (Misconduct) with the final decision on the matter being taken by the HR professional.

3.2.6 Whilst PSD will retain overall responsibility for cases where it is determined that there is potentially an act of gross misconduct, the investigator role will be resourced as considered appropriate in the circumstances and, if not a PSD investigator:

- ordinarily by an officer or staff member of the home force; or
- an individual from another force; or, where exceptional circumstances warrant,
- an independent from outside of the police service.

3.2.7 This will be determined as considered appropriate by the head of HR or their deputy.

3.2.8 Should investigation lead to a change of view regarding the severity of the matter, it may be appropriate to consider whether the investigator role should be undertaken by someone other than the person initially appointed. This decision will be made by the head of HR or their deputy in liaison with the Head of Investigations (Misconduct).

3.2.9 In the case of potential gross misconduct, consideration should be given to suspension with pay or, where possible and appropriate, alternative duties. Assessment of the case is to be done in consultation with an appropriate HR Professional and each case will be judged on its own merits. The decision to suspend or restrict duties shall be without prejudice to any subsequent action under this procedure.

3.2.10 Where a matter arises that is of a criminal nature, advice will be taken from Professional Standards about the appropriateness of commencing action under the procedure. Whilst this should not necessarily delay the taking of steps under this procedure, any such criminal investigation may take precedence in order to avoid compromising the investigation.

### **3.3 Suspension**

3.3.1 Suspension with pay may be necessary at any point either prior to, or during, an investigation and should be imposed only after careful consideration, including whether it is appropriate to temporarily redeploy the individual to alternative duties. It should be made clear that it is not a presumption of guilt or a disciplinary sanction and should be subject to review. Factors affecting the decision to suspend may include:-

- Seriousness of the case
- Risk to force (including reputation) and/or individuals
- The impact of continued attendance of the employee on the investigation
- Precedent.

3.3.2 Unless there are exceptional circumstances preventing this, advice is to be sought from HR prior to any suspension and wherever practicable an HR professional should be present at the suspension. The employee will be advised of the decision to suspend by a supervisor or manager and arrangements will be made to allow the employee to be accompanied by a trade union representative, a recognised staff association, internal support group or work colleague unless there are exceptional circumstances preventing this. Where an employee is unavailable to be advised in person, every effort will be made to discuss this with the person. All suspensions will be confirmed in writing.

3.3.3 The duration of suspension should be kept to a minimum and the employee is to be updated on progress of the investigation ideally at least every 4 weeks by the investigation manager. It is recognised that suspension can cause stress to an individual and their family. Accordingly, support should be provided in accordance with the PSD Welfare Protocol.

3.3.4 The suspension should be reviewed as the investigation progresses. If, as the investigation progresses, suspension is no longer deemed necessary, it should be lifted immediately and the employee allowed to return to work.

3.3.5 Where it is decided against suspension this decision may be reviewed at any point in the investigation.

#### **3.4 Fact Finding and Investigation**

3.4.1 Fact finding and the investigation should usually be conducted by the line manager, however there may be circumstances whereby another suitable manager is appointed.

3.4.2 The employee should be advised as soon as practicable that the allegations have been received and will be investigated. Any necessary investigation to establish the facts of the case should be proportionate to the issue, commenced promptly and concluded as swiftly as possible. Where a criminal investigation is ongoing, notification may be delayed to avoid impeding that investigation.

3.4.3 It is usual to hold an investigatory meeting with the employee to further explore the facts of the case. The employee can be accompanied by a trade union representative, a recognised staff association, internal support group or work colleague. There may be circumstances where it is not necessary to hold an investigatory meeting with the employee; however a proportionate investigation must be conducted. This should be discussed with a HR professional.

3.4.4 No disciplinary action will be considered against a member of staff until the allegation against that individual has been thoroughly investigated. Having established and recorded the facts, the investigator, with advice from HR, will decide whether there is a case to answer, or not.

3.4.5 Where it is deemed that there is a case to answer, formal disciplinary proceedings will be instigated. There may be some circumstances where an employee acknowledges their misconduct and wishes to accept a formal warning without the need to attend a formal disciplinary meeting. Except in a case of gross misconduct, the person who is to hear the formal disciplinary meeting (chair) can, in conjunction with all parties, accept an employee's wish to waive their right to a formal meeting and their right to be accompanied. Where a request not to proceed with a formal disciplinary meeting is agreed, the meeting chair will still be required to consider the evidence and provide a formal determination and sanction.

3.4.6 Disciplinary issues may need to be reported to other parties where an individual appears as a witness at court on behalf of the police service. Therefore, at the point that the decision is made to progress

to a formal disciplinary meeting, the investigator must seek advice from Professional Standards regarding the content of the Crown Prosecution Service Disclosure Manual.

### **3.5 Procedural requirements of a disciplinary meeting**

3.5.1 A disciplinary meeting should be held without unreasonable delay whilst allowing the employee reasonable time to prepare their case.

3.5.2 The investigator must provide a copy of the documentation to be referred to at the disciplinary meeting and details of who they wish to call as witnesses to HR in order that this can be provided to the employee with notification that a formal disciplinary meeting is to take place.

3.5.3 HR will arrange the disciplinary meeting. Where the individual is to be accompanied by a trade union representative, a recognised staff association or internal support group, the meeting should be arranged in conjunction with that representative. The employee will be given at least 14 calendar days' notice of a formal disciplinary meeting. This will be provided in writing and will include:-

- name of chair of meeting
- date, time and venue of meeting;
- confirmation of alleged misconduct;
- documentation to be referred to by the investigator at the meeting;
- details of the witnesses to be called by the investigator;
- the maximum possible sanction;
- the employee's right to be accompanied;
- the employee's right to call relevant witnesses;
- the employee's right to submit documentation.

3.5.4 The employee must provide documentation/witnesses details to HR within 7 calendar days of receipt of the above. HR will both ensure that a copy is provided to the investigator without delay and distribute copies of all documentation etc to the chair and other appropriate parties.

3.5.5 If, following full disclosure, either side determines that it wishes to amend its list of witnesses, or produce additional documentation, this must be provided to both HR and the other party without delay. Where necessary, the date of the meeting may have to be amended to ensure that the recipient party has received the additional information no later than 5 calendar days before the disciplinary meeting.

3.5.6 Where disagreements arise over the appropriateness of witnesses, the chair of the meeting may receive representations prior to the meeting in order to determine attendees. There may be occasions when an employee is repeatedly unable or unwilling to attend a meeting, including the initial investigatory meeting. This may be for various reasons, including genuine illness or a refusal to take responsibility for their actions. Where the employee is repeatedly unable to attend a meeting the chair of the meeting may decide to proceed in their absence and a decision will be made on the evidence available. The employee

will be informed of the decision where this is the case and will still have the right to appeal the decision if necessary.

3.5.7 The disciplinary meeting will be heard by a different person to the initial investigator who must be at least the same level of authority as the investigator. An objective HR specialist who will not have been involved in the case to date will act as the HR advisor to the disciplinary meeting. As well as advising on the application of procedure etc, the HR adviser can ask questions in order to determine points of clarity on substance or procedural issues in order that a fully considered decision is made. The meeting will be recorded for the purposes of keeping an independent record.

3.5.8 **Minimum** authority levels for chairing at the meetings are as follows, but in all cases the Chair must be senior to the employee involved:-

| <b>Consideration of:</b> | <b>Chair:</b>  |
|--------------------------|--|
| First Written Warning    | Person of at least equivalent grade to line manager.   |
| Final Written Warning    | Person of at least equivalent grade to line manager and at least the rank of Inspector or Police Staff equivalent. |
| Dismissal                | Superintendent or Police Staff equivalent  |

3.5.8 An employee has the right to be accompanied by a trade union representative, a recognised staff association, internal support group or a workplace colleague and the employee is responsible for making these arrangements. This person will be referred to as their companion. If the companion cannot attend on the proposed date the meeting may be deferred and re-arranged for an alternative date normally within 7 calendar days of the original meeting date. The companion will be allowed to address the meeting to put and sum up the employee's case (to include proposing the level of sanction he/she sees appropriate in the circumstances), respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the meeting. The companion will not, however, have the right to answer questions on the employee's behalf, address the meeting if the employee does not wish it or prevent the employee from explaining their case.

3.5.9 An employee is permitted to be accompanied by a legal representative if there is the potential that the result of disciplinary meeting would lead to debarment from practising in that profession in the future (eg solicitor, nurse etc). The legal representative will undertake the role of companion detailed above.

3.5.10 At the meeting the investigator will put forward the facts of the case. The employee will have the right to respond and to:

- state their case;
- respond to the allegation;
- outline any mitigation;
- answer questions put by the investigator
- ask questions of the investigator;
- challenge points raised by others.

3.5.11 The chair of the disciplinary meeting and HR advisor will in turn have the opportunity to ask questions of the employee and the investigator in order to clarify any issues/evidence or to determine points of clarity on substance or procedural issues.

3.5.12 The following is a guide to the key stages of evidence presentation and summing up that should be observed at the meeting:

3.5.13 Presentation of the Investigator's Case:

- The investigator will present the case, highlighting the key points in the introduction and calling each witness, if any, to present their evidence in turn. The investigator will present documents as necessary and can question each witness.
- The employee or his/her companion may in turn question each witness and the investigator and provide comment on any documentation provided as evidence.
- The investigator may re-examine each witness.
- The chair of the disciplinary meeting and/or their HR advisor may also question each witness, the investigator and the employee or their representative.

3.5.14 Presentation of the Employee's Case:

- The employee or representative will present his/her case, including mitigating circumstances and calling each witness, if any, to present their evidence in turn. The employee or representative will present documents as necessary and can question each witness.
- The investigator may in turn question each witness and the employee and provide comment on any documentation provided as evidence.
- The employee or their representative may re-examine each witness.
- The chair of the disciplinary meeting and/or their HR advisor may also question each witness, the employee or their representative and the investigator.

3.5.15 Summing up:

- The investigator summarises the main points of his/her case.
- The employee or his/her representative summarises the main points of his/her case including any mitigating circumstances.

- At the summary stage no new evidence may be introduced. The investigator and the employee and his/her representative then withdraw to allow the chair of the disciplinary meeting to consider the matter and make a decision.

### **3.6 Decision Making and Consideration of Sanctions**

3.6.1 The chair of the disciplinary meeting has the responsibility for making decisions related to the alleged misconduct. The chair of the disciplinary meeting will deliberate in private, only recalling both parties to clear points of uncertainty on evidence already given. If recall is necessary, both parties shall return notwithstanding only one is concerned with the point in question. The HR Advisor will advise the chair of the disciplinary meeting on any relevant issues.

3.6.2 The chair of the disciplinary meeting must act reasonably in the interests of fairness and should take into account and satisfy himself / herself as to the following:

- (i) That the level of investigation has been reasonable in the circumstances;
- (ii) That the explanation put forward by the employee has been paid sufficient regard;
- (iii) That on the balance of probabilities there are reasonable grounds to genuinely believe that the employee has committed the alleged misconduct.

3.6.3 When determining what action should be taken the manager should consider the following:

- (i) The level of severity of the misconduct;
- (ii) The mitigating circumstances put forward by or on behalf of the employee;
- (iii) Any statement made by the employee/their representative regarding sanction;
- (iv) Whether the action will, in the circumstances, be considered to be within the band of reasonable responses of a reasonable employer.

3.6.4 If a sanction is to be issued, the following factors should be considered:-

- Force standards
- Gravity of the offence;
- Precedent;
- Employee's general record;
- Position in the organisation;
- Length of service;
- Special circumstances which might make it appropriate to adjust the severity of the penalty.

3.6.5 Where appropriate, guidance, review and training arrangements will be made in conjunction with any warning issued.

3.6.6 In the case of misconduct, sanctions are usually applied incrementally; however, stages can be omitted where the alleged misconduct is sufficiently serious. No member of staff will be dismissed for a first breach of discipline except in the case of gross misconduct.

3.6.7 The decision will be taken as soon as is reasonably practicable and communicated to the employee either on the day or as soon as possible thereafter.

3.6.8 The range of sanctions available to a chair of a disciplinary meeting is as set out below. In cases where the chair is of the belief that the potential sanction is more severe than within their authority to issue they may adjourn the meeting and request that the case is presented to a more senior chair.

| <b>Sanctions:</b>                         | <b>Notes:</b>   |
|---|---|
| First or Final Written Warning            | Live on the individual's file for 12 months                                   |
| Dismissal with notice                     | Contractual or statutory notice applies (whichever is the greater)            |
| Summary Dismissal (Gross Misconduct only) | Effective immediately, no entitlement to paid notice or pay in lieu of notice |

3.6.9 Should there be further allegations of misconduct within the period that a warning remains live, consideration will be given to the next stage of the disciplinary procedure. A warning will normally be disregarded for the purposes of subsequent disciplinary action once the period it remains live has expired unless there are subsequent issues that indicate a pattern of behaviour that is of concern, eg where there is acceptable behaviour during the period of warning but this lapses shortly after expiration. Accordingly, warnings will be retained on an individual's file for 12 months after expiry and will be treated as live if there is any similar misconduct. After that period the warning will normally be expunged from the individual's file and the individual informed of this. Should the warning need to be retained the individual will be informed and justification for this action will be supplied by the relevant authority.

3.6.10 Where a dismissal with notice occurs, the employee will be advised verbally, and followed up in writing as soon as possible, of the effective date of dismissal. The notice of dismissal period cannot, however, commence before the first whole day following the disciplinary meeting.

### **3.7 Procedural requirements post disciplinary meeting**

3.7.1 The outcome of the disciplinary meeting will be confirmed in writing and will include:

- the reason for the outcome;
- how long any warning will remain live;

- consequences of further misconduct
- the right of appeal and how to appeal.

3.7.2 Where the employee has been dismissed:

- reason for dismissal;
- the date on which the contract between the parties will terminate;
- the appropriate period of notice;
- the right of appeal

### **3.8 Appeals**

#### **Right of Appeal**

3.8.1 If an employee is of the opinion that disciplinary action taken against them is wrong or unjust they may appeal against the decision. Appeals may be made on various grounds, including new evidence, undue severity or inconsistency of the penalty. The grounds for the appeal should however be reasonable and minor breaches of procedure or personal feelings will not usually change the decision that has been reached.

#### **Exercising the Right of Appeal**

3.8.2 In exercising their right to appeal, the person submitting the appeal must clearly state in writing on what grounds they are appealing and provide a brief outline of the basis of this appeal. This will be the specific area(s) that will be explored at the appeal meeting. These written grounds for appeal should be submitted to the head of HR within 7 calendar days of receiving written confirmation of the original decision.

3.8.3 Within 7 calendar days of receiving the appeal letter, the head of HR will:

- acknowledge receipt of the appeal;
- advise who will deal with the appeal (Appeal Manager);
- advise the management representative for the appeal process (the person who chaired the original meeting) that an appeal has been submitted and the basis of this appeal.

#### **Appeal Manager**

3.8.4 The manager who will hear the appeal should be at least one level of seniority above the management representative and will have had no previous involvement in the matter.

#### **HR Support/Contact**

3.8.5 Appropriate support will be provided by HR in order that the appeal is addressed in good time, documents are received by all parties etc.

### **Statement of appeal**

3.8.6 A full statement of appeal (including a full set of documents to be presented at the meeting) must be provided to HR within 14 calendar days of submission of the initial appeal. This will detail the reason(s) for the appeal, duly noting the grounds on which the initial appeal has been made.

3.8.7 New evidence within the submission should be identified to HR in order to determine whether further investigation, information and/or clarification is required, which in turn may require a suspension of the process to allow this to be undertaken.

3.8.8 HR will ensure that a copy is provided to the management representative without delay.

### **Management Statement**

3.8.9 This statement will be provided by the management representative and should include both a summary of the case and appropriate comment on the points and evidence of appeal. This must be submitted to HR within 7 days of receipt of the employee statement along with a full set of documents to be presented at the meeting.

3.8.10 HR will ensure that a copy is provided to the employee without delay.

### **Additional evidence**

3.8.11 If, following full disclosure, either side determines that it wishes to produce additional documentation, this must be provided to both HR and the other party without delay. Where necessary, the date of the meeting may have to be amended to ensure that the recipient party has received the additional information 5 calendar days before the appeal meeting.

### **Arrangement of Appeal Meeting**

3.8.12 An appeal meeting will be held without unreasonable delay but noting the timetable for production and distribution of documents. HR will arrange the appeal meeting, to include notifying all parties in writing of the date, time and location of the meeting and who will be in attendance. Where the individual is to be accompanied by a trade union representative, a recognised staff association or internal support group, the meeting should be arranged in conjunction with that representative.

3.8.13 Parties should be given at least 14 calendar days' notice of the appeal meeting.

### **Distribution of Documents**

3.8.14 Copies of statements and documents submitted by both parties will be distributed to the Appeal Manager and the HR adviser to the appeal meeting by HR at least 7 calendar days in advance of the appeal meeting.

### **Witnesses**

3.8.15 It would not usually be necessary to recall witnesses to the appeal meeting unless they need to be questioned on aspects that relate to the specific point(s) of appeal.

### **Companion**

3.8.16 If they wish, the individual may be accompanied by a trade union representative, a recognised staff association, internal support group or a workplace colleague. The individual is responsible for making these arrangements. This person will be referred to as their companion. If the companion cannot attend on the proposed date the meeting may be deferred and re-arranged for an alternative date, normally within 7 calendar days of the original meeting date. The companion will be allowed to address the meeting to put and sum up the individual's case, respond on behalf of the individual to any views expressed and confer with the individual during the meeting. The companion will not, however, have the right to answer questions on the individual's behalf, address the meeting if the individual does not wish it or prevent the individual from explaining their case.

3.8.17 An individual is only permitted to have legal representation if there is the potential that the result of the meeting would lead to debarment from practising in that profession in the future (eg solicitor, nurse etc).

### **HR Role at the Meeting**

3.8.18 An objective HR specialist who will not have been involved in the case to date will act as the HR adviser to the appeal meeting. As well as advising on the application of procedure etc, the HR adviser can ask questions in order to determine points of clarity on substance or procedural issues in order that a fully considered decision is made.

### **Meeting Purpose**

3.8.19 Unless the grounds of appeal warrant it, the appeal meeting will not be a re-hearing of the original meeting. It will address only the specific point(s) of appeal and, dependent upon the stated basis of the appeal, consider the following questions:

- Does any new evidence alter the facts of the case and the fairness or appropriateness of the action?
- Did the manager act reasonably in the circumstances?
- Was procedure followed?

- If there was a breach of procedure, was this breach sufficiently significant to call into question the fairness of the action?
- Was the decision made consistent with that made in comparison to other cases?

### **Procedure at the Appeal Meeting**

3.8.20 The purpose of the Appeal Meeting will be to explore the issues which the individual has cited within their appeal. The Appeal Manager will conduct the meeting as a fact finding process ensuring good order and natural justice; decide any dispute about procedure; consider the grounds of appeal; and reconsider the original decision. Where any new evidence has been introduced, he/she should ensure the individual has the opportunity to comment on it.

3.8.21 The following procedure will be observed:

Introduction:

The Appeal Manager will introduce all parties and explain the purpose of the meeting, the process to be adopted and the powers the Appeal Manager has.

Presentation of individual's case:

- The individual, or companion, will present the case for appeal. This will cover only the areas where appeal is permitted and which were stated as the basis of appeal. If witnesses are necessary, they will present their evidence and answer questions posed by the individual or companion.
- The management representative will have the opportunity to ask questions of any witness, the individual and companion (where they present the case for appeal) in order to clarify any issue/new evidence.
- The individual, or companion, may ask supplementary questions to each witness on any matter that has been raised during the questions put by the management representative.
- The Appeal Manager and/or HR adviser may question each witness and the individual or their companion as appropriate in order to clarify any issue/new evidence.
- The individual or companion will have the opportunity to clarify any point of the case of appeal. No new evidence can be introduced.

Presentation of management case:

- The management representative will present appropriate evidence related to the issues on which the individual has appealed. If witnesses are necessary, they will present their evidence and answer questions posed by the management representative.
- The individual or companion will have the opportunity to ask questions of any witnesses and the management representative in order to clarify any issues/new evidence.
- The management representative may ask supplementary questions to each witness on any matters that have been raised during the questions put by the individual or companion.
- The Appeal Manager and/or HR adviser may question each witness and the management representative in order to clarify any issue/new evidence.

Summing up:

Once the relevant issues have been thoroughly explored, the individual or their companion and the management representative will have the opportunity to sum up if they wish. The individual will have the right to speak last. In summing up, neither party may introduce any new matter.

The Appeal Manager will call an adjournment to consider the decision.

### **Appeal Outcome**

3.8.22 The Appeal Manager will consider the evidence and seek to make a decision on the appeal, taking into account the questions within the section on Meeting Purpose above.

3.8.23 The Appeal Manager will deliberate in private along with the HR adviser, recalling parties only to clarify points of uncertainty on evidence already given. If recall is necessary, both parties shall return notwithstanding only one is concerned with the point in question.

3.8.24 The decision on the outcome of the appeal will be taken as soon as is reasonably practicable after the meeting. The Appeal Manager may either dismiss or allow the appeal and, in the latter case, may impose an appropriate alternative resolution. In making the decision, the manager should ensure that what they are determining is within their authority. Where a manager is in doubt, he/she should seek advice from HR.

### **Advising of the Appeal Outcome**

3.8.25 The Appeal Manager will inform the individual of the results of the appeal and the reasons for the decision as soon as possible, duly confirming this in writing within 7 calendar days. The decision of the Appeal Manager is final and there is no further right of internal appeal.

## **Other Considerations**

### **3.9 Reasonable adjustments**

3.9.1 Reasonable adjustments should be considered where appropriate at any stage of this procedure in line with the Equalities Act.

### **3.10 Application with regard to senior management**

3.10.1 In the event of disciplinary action becoming necessary against senior managers/FEB members or Police Staff Chief Officers, a hierarchical procedure will be devised appropriate to the circumstances and in accordance with the principles of fairness and impartiality.

### **3.11 Confidentiality**

3.11.1 At all times, disciplinary and appeal proceedings, witness statements and records will be kept confidential. There may be occasions where organisational learning from cases will be shared across the Force or forces. Under these circumstances, details that would identify individuals involved would be removed.

### **3.12 Records**

3.12.1 Where formal disciplinary action is taken, records will be kept detailing the nature of any breach of disciplinary rules, an employee's defence or mitigation, the action taken and the reasons for it, whether an appeal was lodged, its outcome and any subsequent developments.

3.12.2 Copies of the decision and reason behind it will be given to the employee, although in certain circumstances some information may be withheld, for example, to protect a vulnerable witness. Where a disciplinary meeting is recorded a copy will be retained by the HR Department and be available to the employee upon request.

3.12.3 A warning will normally be disregarded for the purposes of subsequent disciplinary action once the period it remains live has expired unless there are subsequent issues that indicate a pattern of behaviour that is of concern, eg where there is acceptable behaviour during the period of warning but this lapses shortly after expiration. Accordingly, warnings will be retained on an individual's file for 12 months after expiry and will be treated as live if there is any similar misconduct. After that period the warning will normally be expunged from the individual's file and the individual informed of this. Should the warning need to be retained the individual will be informed and justification for this action will be supplied by the relevant authority.

### **3.13 Fairness at Work**

3.13.1 Where an employee raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases

are related it may be appropriate to deal with both issues concurrently. Advice should be taken from an HR professional.

**APPENDIX ONE: Examples of Acts of Misconduct and Gross Misconduct**

**Misconduct:**

Incidents, which may be regarded as misconduct include:

- Failure to observe reasonable standards of behaviour e.g. use of bad language
- Poor timekeeping
- Conduct likely to bring the Force into disrepute
- Repeated bad language, swearing or insulting behaviour towards colleagues
- Persistent poor timekeeping
- Failure to follow a legitimate instruction
- Failure to observe health and safety rules and procedures or actions which endanger the health and safety of others
- Failure to report damage to the Force's property as soon as possible
- Failure to carry out duties adequately
- Unauthorised absence from work
- Damage to Force property through negligence or carelessness
- Smoking or drinking in contravention of stated restrictions
- Unauthorised private telephone calls or unauthorised use of the Force-provided internet facilities for non-work purposes
- Fraudulent time recording
- Repetition of the misconduct or behaviour that led to a previous warning being issued

**Gross Misconduct:**

Whilst not restricted to the following, incidents amounting to **gross misconduct** which might render the staff member liable to **summary dismissal** include:

- Theft, fraud, misappropriation of money or property or falsification of records
- Dangerous behaviour, fighting or physical assault
- Being unfit for work through alcohol or illegal drugs
- Breach of equality, including acts of discrimination, harassment or victimisation
- Bullying behaviour
- Gross negligence which causes/might cause unacceptable loss, damage or injury
- Gross insubordination
- Deliberate damage to Force property
- Misuse of the Force's property or name bringing the Force into serious disrepute
- Demanding or accepting monies or gifts, unless specifically authorised
- Unauthorised access to systems
- Unauthorised disclosure of information

- Serious breach of confidence (subject to the Public Interest Disclosure Act 1998)
- Serious act(s) which would call into question an individual's honesty and integrity.
- Criminal acts (including criminal acts outside the scope of employment).

**APPENDIX TWO: Police Staff Standards of Professional Behaviour**

**Police Staff Council Joint Circular No. 54  
Police Staff Standards of Professional Behaviour**

*(Note: Police Authorities have been superseded by the OPCC and therefore the roles and responsibilities of a Police Authority in this Circular now rest with the relevant Chief Constable or OPCC as appropriate).*

**Introduction**

Public confidence in the police depends on police staff demonstrating the highest level of personal professional standards of behaviour. The standards set out below reflect the expectations that the police service and the public have of how police staff should behave.

They are not intended to describe every situation but rather to set a framework which everyone can easily understand. They enable everybody to know what type of conduct by a member of police staff is acceptable and what is unacceptable. The standards should be read and applied having regard to this guidance.

The standards of professional behaviour also reflect relevant principles enshrined in the European Convention on Human Rights and the Council of Europe Code of Police Ethics. They apply to all police staff and to those subject to suspension.

The standards set out below do not restrict police staffs' discretion; rather they define the parameters of conduct within which that discretion should be exercised. A breach of these standards may damage confidence in the police service and could lead to disciplinary action, which in serious cases may result in dismissal.

The public have the right to expect the police service to protect them by upholding the law and providing a professional police service. Police staff have the right to a working environment free of harassment, inequality or discrimination from others within the service and members of the public. The police service will proactively support such a working environment.

**OVERVIEW**

**Honesty and Integrity**

Police staff are honest, act with integrity and do not compromise or abuse their position.

**Authority, Respect and Courtesy**

Police staff act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

Police staff do not abuse their powers or authority and respect the rights of all individuals.

**Equality and Diversity**

Police staff act with fairness and impartiality. They do not discriminate unlawfully or unfairly.

**Use of Restraint**

Police staff only use restraint as part of their roles and responsibilities to the extent that it is necessary, proportionate and reasonable in all the circumstances.

**Instructions**

Police staff only give and carry out reasonable instructions.

Police staff follow all reasonable instructions and abide by force policies.

**Work and Responsibilities**

Police staff are diligent in the exercise of their work and responsibilities

**Confidentiality**

Police staff treat information with respect and access or disclose it only in the proper course of their work.

**Fitness for Work**

Police staff when at work are fit to carry out their duties.

**Discreditable Conduct**

Police staff behave in a manner which does not discredit the police service or undermine public confidence in the police service.

Police staff report any conviction or caution against them for a criminal offence.

### **Challenging and Reporting Improper Conduct**

Police staff whilst at work report, challenge or take action against the conduct of colleagues which have fallen below the standards of professional behaviour expected.

### **Guidance on the Standards of Professional Behaviour**

Those entrusted to supervise and manage others are role models for delivering a professional, impartial and effective policing service. They have a particular responsibility to maintain standards of professional behaviour by demonstrating strong leadership and by dealing with conduct which has fallen below these standards in an appropriate way, such as by management action or the formal disciplinary process. Above all else managers should lead by example.

In carrying out their work in accordance with these standards, police staff have the right to receive the full support of the police service. It is recognised that the ability of police staff to carry out their work to the highest professional standards depends on the provision of appropriate training, status, pay and reward, equipment and management support.

The police service has a responsibility to keep police staff informed of changes to terms and conditions of employment, laws/legislation, local policies, and procedures also to provide training and familiarisation when such changes necessitate. Police staff have a duty to keep themselves up to date on the basis of the information provided by the employer, as far as it relates to them personally.

Where these Standards of Professional Behaviour are being applied in any decision or disciplinary process, they shall be applied in a reasonable, transparent, objective and proportionate manner. Due regard shall be paid to the nature and circumstances of the individuals conduct, including whether his or her actions or omissions were reasonable at the time of the conduct under scrutiny.

This guidance gives examples to help police staff interpret the standards expected in a consistent way. They are not intended to be an exclusive, prescriptive or exhaustive list.

Where the disciplinary procedure is being used, it is important to identify the actual behaviour that is alleged to have fallen below the standard expected of an individual, with clear particulars and evidence describing that behaviour.

It should be remembered that other procedures exist to deal with poor performance and issues of capability.

### **Honesty and Integrity**

Police staff are honest, act with integrity and do not compromise or abuse their position.

Police staff act with integrity and are open and truthful in their dealings with the public and their colleagues, so that confidence in the police service is secured and maintained.

Police staff do not knowingly make any false, misleading or inaccurate oral or written statements or entries in any record or document kept or made in connection with any police activity.

Police staff never accept any gift or gratuity that could compromise their impartiality. During the course of their work police staff may be offered hospitality (e.g. refreshments) and this may be acceptable as part of their role. However, police staff always consider carefully the motivation of the person offering a gift or gratuity of any type and the risk of becoming improperly beholden to a person or organisation.

It is not anticipated that inexpensive gifts would compromise the integrity of a member of police staff, such as those from conferences (e.g. promotional products) or discounts aimed at the entire police force (e.g. advertised discounts through police publications). However, all other gifts and gratuities must be declared in accordance with local force policy where authorisation may be required from a manager, Chief Officer or Police Authority to accept a gift or hospitality. If an individual is in any doubt then they should consult with their manager.

Police staff never use their position or force identification card to gain an unauthorised advantage (financial or otherwise) that could give rise to the impression that the individual is abusing his or her position. An identification card is only for identification or to express authority.

### **Authority, Respect and Courtesy**

Police staff act with self-control and tolerance, treating members of the public and colleagues with dignity, respect and courtesy.

Police staff do not abuse their powers or authority and respect the rights of all individuals.

In carrying out their roles, police staff should never abuse their authority or the powers entrusted to them. They have been given specific powers and responsibilities due to the complex and difficult situations they deal with. The public have the right to expect that such powers are used professionally, impartially and with integrity, irrespective of an individual's status.

Police staff do not harass or bully colleagues or members of the public.

Police staff do not, under any circumstances inflict, instigate or tolerate any act of inhuman or degrading treatment.

Police staff, recognise that some individuals who come into contact with the police, such as victims, witnesses or suspects, may be vulnerable and therefore may require additional support and assistance.

Police staff use appropriate language and behaviour in their dealings with their colleagues and the public. They do not deliberately use any language or behave in a way that is offensive or is likely to cause offence.

### **Equality and Diversity**

Police staff act with fairness and impartiality. They do not discriminate unlawfully or unfairly.

Police staff respect all individuals and their traditions, beliefs and lifestyles provided that such are compatible with the rule of law. In particular police staff do not discriminate unlawfully or unfairly when exercising any of their roles, discretion or authority.

Police staff pay due regard to the need to eliminate unlawful discrimination and promote equality of opportunity and good relations between persons of different groups.

Supervisors and managers have a particular responsibility to support the promotion of equality and by their actions to set a positive example.

### **Use of Restraint**

Police staff only use restraint as part of their roles and responsibilities to the extent that it is necessary, proportionate and reasonable in all the circumstances.

Police staff in specific designated roles may need to use restraint in carrying out their work.

It is for the individual to justify his or her use of force but when assessing whether this was necessary, proportionate and reasonable, all of the circumstances should be taken into account and especially the situation which the individual faced at the time. Police staff use restraint only if other means remain ineffective or without any realistic prospect of achieving the intended result.

As far as it is reasonable in the circumstances police staff act in accordance with their training in the use of restraint, i.e. by applying the management/conflict resolution model to decide what restraint may be necessary, proportionate and reasonable. Section 3 of the Criminal Law Act 1967 makes it clear that force may only be used when it is reasonable in the circumstances.

Police staff respect everyone's right to life and do not, under any circumstances, inflict, instigate or tolerate any act of torture, inhuman or degrading treatment or punishment.

### **Instructions**

Police staff only give and carry out reasonable instructions.

Police staff follow all reasonable instructions and abide by force policies.

Police staff do not give or carry out instructions which an individual would conclude were unreasonable.

Two factors should be considered when assessing if it was reasonable not to follow an instruction. First of all, was the instruction reasonable having regard to all the circumstances and secondly, did the individual have a good and sufficient reason not to comply having regard to all the circumstances and possible consequences.

Police staff, to the best of their ability, support their colleagues in their work.

Police staff abide by terms and conditions of employment.

### **Work and Responsibilities**

Police staff are diligent in the exercise of their work and responsibilities.

Police staff do not knowingly neglect their work or responsibilities.

When deciding if an individual has neglected his or her work or responsibilities, all of the circumstances should be taken into account. Police staff have discretion and may have to prioritise the demands on their time and resources. This may involve leaving a task to do a different one, which in their judgement is more important. This is accepted and in many cases essential for good working.

Police staff ensure that accurate records are kept of the exercise of their work and powers as required by relevant legislation, force policies and procedures.

In carrying out their work police staff have a responsibility to exercise reasonable care to prevent injury, loss of life or loss or damage to the property of others (including police property).

### **Confidentiality**

Police staff treat information with respect and access or disclose it only in the proper course of their work.

The police service shares information with other agencies and the public as part of its legitimate policing business. Police staff never access or disclose any information that is not in the proper course of police work. Police staff who are unsure if they should access or disclose information always consult with their manager or department that deals with data protection or freedom of information before accessing or disclosing it.

Police staff do not provide information to third parties who are not entitled to it. This includes for example, requests from family or friends, approaches by private investigators and unauthorised disclosure to the media. Certain disclosures may be covered by the Public Interest Disclosure Act.

### **Fitness for Work**

Police staff when at work are fit to carry out their duties

Police staff do not make themselves unfit or impaired for work as a result of drinking alcohol, using a substance for non-medical purposes or intentionally misusing a prescription drug.

Police staff with a drink or drugs misuse problem will be supported if they demonstrate an intention to address the problem and take steps to overcome it. However, the use of illegal drugs will not be condoned.

Police staff who are aware of any health concerns that may impair their ability to perform their work should seek guidance from the occupational health department or line manager and if appropriate reasonable adjustments can be made.

Police staff who are unexpectedly called to attend for work should be able to say that they are not fit to perform the required work as a result of having consumed alcohol without risk of bringing discredit on themselves or the police service or being subject to any disciplinary procedure.

Police staff when absent from work, on account of sickness, do not knowingly engage in activities which could impair their return to work. Police staff will engage with the force medical officer or other member of the occupational health team if required.

### **Discreditable Conduct**

Police staff behave in a manner which does not discredit the police service or undermine public confidence in the police service.

Police staff report any caution or conviction against them for a criminal offence.

Discredit can be brought on the police service by an act itself or because public confidence in the police is undermined. In general, it should be the actual underlying conduct of the individual that is considered under

the disciplinary procedure. However where a member of police staff has been convicted of a criminal offence that alone may lead to disciplinary action irrespective of the nature of the conduct itself. In all cases it must be clearly articulated and evidenced how the conduct or conviction has discredited the police service.

In the interests of fairness, consistency and reasonableness the test is not solely about media coverage and perception but has regard to all the circumstances and evidence.

Police staff do not purchase or consume alcohol when performing their duties, unless specifically authorised to do so or it becomes necessary for the proper discharge of a particular police function.

Police staff when at work whether in uniform or not, display a positive image of the police service in the standard of their appearance which is appropriate to their individual role.

Police staff attend punctually when rostered for work or other commitments (e.g. attendance at court).

### **Challenging and Reporting Improper Conduct**

Police staff report, challenge or take action against the conduct of colleagues which have fallen below the standards of professional behaviour expected.

Police staff are expected to uphold the standards of professional behaviour in the police service by taking appropriate action if they come across the conduct of a colleague which has fallen below these standards. They never ignore such conduct.

Police staff who in the circumstances feel they cannot challenge a colleague directly, for example if they are in a more junior role and are not confident, report their concerns, preferably to a line manager. If they do not feel able to approach a line manager with their concerns, they may report the matter through the force's confidential reporting mechanism, or to the Police Authority, Independent Police Complaints Commission (IPCC) or under the Public Interest Disclosure Act.

Police staff will be supported by the police service if they report conduct by an individual which has fallen below the standards expected unless such a report is found to be malicious or otherwise made in bad faith.

It is accepted that the circumstances may make immediate action difficult but managers are expected to challenge or take action as soon as possible.

It is accepted however that it will not always be necessary to report an individual's conduct if the matter has been dealt with appropriately by a manager in the police service.

**4. TRAINING AND ACCREDITATION REQUIREMENTS**

4.1 All those responsible for using and operating this disciplinary procedure will receive coaching/mentoring or training in the process as appropriate.

**5. ASSOCIATED DOCUMENTATION**

**5.1 Legislation/ National Guidance**

- Discipline and Grievances at Work – The ACAS statutory Code of Practice on Discipline and Grievance

**6. WHO TO CONTACT ABOUT THIS PROCEDURE**

- Heads of Human Resources/ HR Advisory Group

7. EQUALITY IMPACT ASSESSMENT

EQUALITY IMPACT ASSESSMENT

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|--|--|
| Name of Sponsor<br>Name of Author<br>Description of proposal being analysed  | Principal HR Adviser/HRAG<br>Sarah Knight /Jeanette Leem-Bruggen<br>Police Staff Disciplinary Procedure – This procedure aims to deal quickly but fairly with disciplinary issues and recognises the importance of a thorough and impartial investigation of each and every case regardless of an employees' protected characteristic. |
| Date EIA started<br>Date EIA finished  | 20/03/12<br>January 2013   |
| This Equality Impact Assessment is being undertaken as a result of:<br><i>Delete as appropriate</i> <ul style="list-style-type: none"><li>• A new or updated policy or procedure.</li></ul> <b>Note</b> – For ease of use of this document , we will refer to all of the above as “proposal” |  |

**STEP 1 – Relevance**

The general duty is set out in section 149 of the Equality Act 2010. In summary, those subject to the Equality Duty must have **DUE REGARD** to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

Authors have a statutory requirement to have **DUE REGARD** to the relevant protected characteristics shown below, whilst taking a common sense approach

- age
- disability
- gender reassignment
- marriage & civil partnership\*
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

\*marriage and civil partnership – the analysis applies only to the elimination of unlawful discrimination, harassment and victimisation.

Section 23 of the Equality Act 2006 allows the Equality and Human Rights Commission (EHRC) to enter into a formal agreement with an organisation if it believes the organisation has committed an unlawful act.

Under section 31 of the Equality Act 2006, the EHRC can carry out a formal assessment to establish to what extent, or the manner, in which a public authority has complied with the duty.

Additional guidance can be found by accessing the EHRC website:  
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

|  |   |   |
|--|---|---|
| Does this proposal have a direct impact on people who: | a) are any part of the Police workforce (including volunteers)? | YES   |
|  | b) reside in any part of England and Wales                      | YES   |
| If <b>NO</b> to both questions                         | <i>Explain why and give rational</i>                            | No Further Action and Return to Sponsor for Authorisation |
| If <b>Yes</b> to either question                       | Continue through to Step 2                                      |   |

**STEP 2 – Consultation / Engagement**

You should engage with those people who have an interest in how you carry out your work generally, or in a particular proposal. This may include former, current and potential service users, staff, staff equality groups, trade unions, equality organisations and the wider community. In deciding who to engage, you should consider the nature of the proposal and the groups who are most likely to be affected by it.

The proposal owner (Sponsor/Author) must be satisfied that consultation / engagement will take place with the relevant business lead and stakeholders.

This **MUST** include engagement with the following relevant groups:

- Equality and Diversity Specialist
- Staff Associations
- Staff Support Groups
- Relevant community groups and members of the public

In addition, consider who else should you consult with internally and externally?

**Who might be affected?**

Does what you are considering further the aims of the general duty, to

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

Identify the risks and benefits where applicable, according to the different characteristics.

|  | <b>Positive Impact or Benefits</b>  | <b>Negative Impact or Risks</b>  |
|--|---|--|
| <b>Age</b> ( <i>Consider elderly or young people</i> )   |   | It is not anticipated there will be a differential or adverse impact due to the age of the individual.   |
| <b>Disability Groups</b> ( <i>Consider physical, sensory, cognitive, mental health issues or learning difficulties</i> ) | By considering the provision of reasonable adjustments e.g. documents in different forms, holding meetings in accessible rooms, using sign language interpreters, changing the process to give more breaks to provide explanations to be given will ensure a disabled worker can participate in the disciplinary procedure, as far as is reasonable, to the same standard as a non disabled worker, | Managers should be advised that staff who have a notified disability should remain subject to their agreed reasonable adjustments throughout the process. This is especially important when it comes to completing and or reading documents and attending meetings.  |
| <b>Gender Reassignment</b><br>( <i>Consider transgender, Transsexual, Intersex</i> )                                     |   | It is not anticipated there will be a differential impact for staff that are/have undergone gender reassignment.   |
| <b>Marriage &amp; Civil Partnership</b>  |   | No adverse impact perceived however it is recognised that individuals who are married or in a civil partnership may have childcare responsibilities and these should be considered when arranging meetings.  |
| <b>Pregnancy and Maternity</b>   | Discrimination can be avoided by ensuring the disciplinary procedure is applied fairly and consistently and is absolutely necessary in the circumstances.   | Care must be taken to ensure disciplinary action is not being taken for a reason related to pregnancy, childbirth or absence on maternity leave. It is recognised that we need to ensure an employee is not disadvantaged because of her absence from the workplace due to maternity leave during the disciplinary process.<br><br>When deciding when to hold a disciplinary meeting the period of compulsory maternity leave must be avoided. |
| <b>Race and Ethnic origin</b> – includes gypsies and travellers. ( <i>Consider language and</i>                          | Discrimination can be avoided by ensuring the disciplinary procedure is applied fairly and consistently across all ethnicities – this will be   | It is not anticipated there will be any differential impact for staff of different ethnicities. Under the process that multilingual support can be used.   |

**NOT PROTECTIVELY MARKED**

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| <i>cultural factors)</i>  | monitored via employment monitoring  |  |
| <b>Religious / Faith groups or Philosophical belief</b> ( <i>Consider practices of worship, religious or cultural observance including non belief</i> ) | By using multi faith calendars to avoid requiring staff to attend meetings on an identified key religious date will avoid any complaints or indirect discrimination.             | Whilst it is not anticipated there will be any specific differential impact due to religion and belief or non-belief there may be an adverse impact where a member of staff is required to attend a meeting on day that is of significant religious importance. Staff from some religious groups may be required to undertake religious acts at certain times e.g. Muslim Staff – Fridays.   |
| <b>Sex</b> ( <i>Male, Female</i> )  | Discrimination can be avoided by ensuring the disciplinary procedure is applied fairly and consistently across all sexes – this will be monitored via the employment monitoring. | It should be recognised that when arranging meetings with minimal notice this could have an adverse impact on some people. Females represent the greater overall proportion of staff and women are still the primary carers of children in our society. 70% of adult care is also delivered by women.<br><br>Monitoring this process through the employment monitoring report will show if this has a disproportional impact on either of the sexes. |
| <b>Sexual orientation</b> ( <i>Consider known or perceived orientation, lesbian, gay or bisexual</i> )  |  | It is not anticipated there will be any differential impact for staff or different sexual orientations.  |

|  | <b>Positive Impact or Benefits</b> | <b>Negative Impact or Risks</b> |
|--|------------------------------------|---------------------------------|
| Have you considered how this decision might affect work life balance? ( <i>Consider caring issues re: childcare &amp; disability, safeguarding issues, environmental issues, socio economic disadvantage, and low income families.</i> ) |                                    | .                               |

**STEP 3 – Assessment**

Complete the EIA by analysing the effect of your proposal and detail the outcomes.

What were the main findings from any consultation carried out?

What feedback has been received?

|   |   |
|---|---|
| Using the information you have gathered and consultation that you have undertaken answer the following questions. This will help you to understand the effect on equality your proposal might have. |   |
| Has the feedback indicated any problems that need to be addressed?  |   |
| Describe and evidence any part of the proposal which could discriminate   |   |
| Can the adverse impact identified be justified as being appropriate and necessary?<br>If so, state what the business case is:   |   |
| Where impact and feedback identified, what, if anything can be done?  | There could be a possible differential impact on protected characteristics through inconsistent application of the procedure by managers. This can be avoided by ensuring sufficient training on the policy to emphasise fairness, equity and consistent application across all groups. |
| What outcome will be achieved that demonstrates a positive impact on people?  |   |

**STEP 4 - Monitoring and Review**

**Equality analysis is an on-going process that does not end once a document has been produced.**

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|---|--|
| What monitoring mechanisms do you have in place to assess the actual impact of your proposal? |  |
| <b>Review Date:</b><br>First review must be no later than one year.                           |  |

**STEP 5 - Sign Off**

|   |  |
|---|--|
| Once the Equality Impact Assessment is complete it should be signed off by the Proposal Sponsor. This sign off is confirmation that the analysis is accurate, proportionate and relevant and actions will be delivered as required. |  |
| Approved by Senior Officer / Proposal lead  | Having considered the potential or actual effect of this proposal on equality, our assessment demonstrates that the proposal is robust and the evidence of our screening shows no potential for unlawful discrimination. We have taken all appropriate opportunities to advance equality and foster good relations between groups.<br><br>Date: 20 February 2013<br>Name: ACO Vince Hislop |