



LETTER SENT BY E-MAIL ONLY

7 February 2023

2023-010

Freedom of Information (Scotland) Act 2002

Request

Please find below our response to your correspondence dated 24 January, in which you made the following request under the Freedom of Information (Scotland) Act 2002:

I would be very grateful if you would let me know if your organisation carries out EQIAs, or the extended scope of Equality and Human Rights Impact Assessments (EQHRIAs).

Response

Your request for information has been considered and the Scottish Police Authority is able to provide the following.

The Authority carries out Equality and Human Rights Impact Assessments (EqHRIAs) using a guidance document and form jointly developed with Police Scotland - attached with this response. You will see the guidance covers both Equality and Human Rights.

Right to Review

If you are dissatisfied with the way in which your request has been dealt with you are entitled, in the first instance, to request a review of our actions and decisions

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of

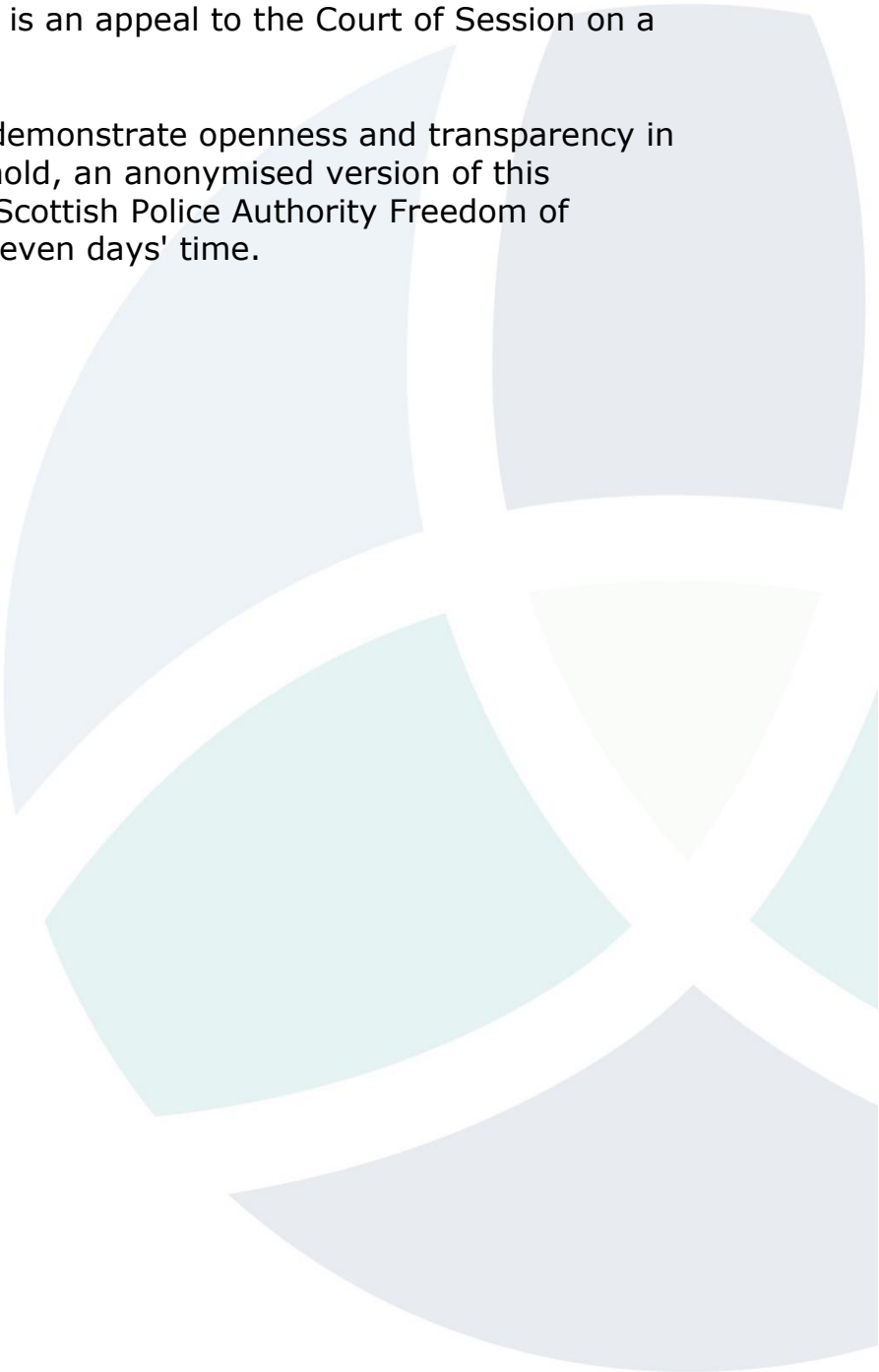
receiving this response - either by email to foi@spa.police.uk or by post to Corporate Management Team, Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision.

You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Scottish Police Authority Freedom of Information [Disclosure Log](#) in seven days' time.



Division		Department	
File Path Record			

Police Scotland / SPA Equality and Human Rights Impact Assessment (EqHRIA)

This form is to be completed in accordance with the instructions as set out in the [Equality and Human Rights Impact Assessment \(EqHRIA\) Guidance](#). A step-by-step guidance on how to complete this form is also available. You can access relevant sections of the [EqHRIA Form Guidance](#) by hovering over headings in this form and following the instructions.

Name of Policy / Practice (include version number)	
Owning Department	

1. Purpose and Intended Outcomes of the Policy / Practice – Consider why this policy / practice is being developed / reviewed and what it aims to achieve.

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2. Other Policies / Practices Related or Affected – Which other policies / practices, if any, may be related to or affected by the policy / practice under development / review?

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3. Who is likely to be affected by the policy / practice? (Place 'X' in one or more boxes)					
No impact on people <input type="checkbox"/>	Police Officers <input type="checkbox"/>	Special Constables / Cadets <input type="checkbox"/>	SPA / Police Staff <input type="checkbox"/>	Communities <input type="checkbox"/>	Partnerships <input type="checkbox"/>

3.1 Screening for Relevance to Equality Duty – if the policy / practice is considered to have no potential for direct or indirect impact on people, an Equality Impact Assessment is not required. Provide information / evidence to support this decision below, then proceed to Section 5 of the form, otherwise complete all sections.

It has been decided not to complete an equality impact assessment because

4. Equality Impact Assessment – Consider which Protected Characteristics, if any, are likely to be affected and how.			
4.1 Protected Characteristics Groups	4.2 Likely Impact Positive, Negative or No Impact (Assessment of Low / Medium / High impact)	4.3 Evidence Considered (e.g. legislation / common law powers, community / staff profiles, statistics, research, consultation feedback) Note any gaps in evidence and any plans to fill gaps.	4.4 Analysis of Evidence (Summarise how the findings have informed the policy / practice – include justification of assessment of No Impact)
General / Relevance to All			
Age			
Disability			
Gender Reassignment			
Marriage and Civil Partnership			
Pregnancy and Maternity			
Race			

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Religion or Belief			
Sex			
Sexual Orientation			

5. Human Rights Impact Assessment – Consider which rights / freedoms, if any, are likely to be protected or infringed?

5.1 Rights / Freedoms Relevant to Policing	5.2 Assessment Protects and / or Infringes or Not Applicable	5.3 Analysis What evidence is there as to how the process / practice protects or infringes Human Rights.	5.4 Justification – Summarise the following: <ul style="list-style-type: none"> • Legal Basis • Legitimate Aim • Necessity
Article 2 Right to Life			
Article 3 Prohibition of Torture			
Article 4 Prohibition of Slavery and Forced Labour			
Article 5 Right to Liberty and Security			
Article 6 Right to a Fair Trial			
Article 7 No Punishment without Law			
Article 8 Right to Respect for Private and Family Life			

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Article 9 Freedom of Thought, Conscience and Religion			
Article 10 Freedom of Expression			
Article 11 Freedom of Assembly and Association			
Article 14 Prohibition of Discrimination			
Protocol 1, Article 1 Protection of Property			

6. Decision – Decide how you will proceed in light of what your analysis shows (Place 'X' in appropriate box)	
6.1	Actual or potential unlawful discrimination and / or unlawful interference with human rights have been identified, which cannot be justified on legal / objective grounds. Stop and consider an alternative approach. <input type="checkbox"/>
6.2	Proceed despite a potential for discrimination and / or interference with human rights that cannot be avoided or mitigated but which can and have been justified on legal / objective grounds. <input type="checkbox"/>
6.3	Proceed with adjustments to remove or mitigate any identified potential for discrimination and / or interference in relation to our equality duty and / or human rights respectively. <input type="checkbox"/>
6.4	Proceed without adjustments as no potential for unlawful discrimination / adverse impact on equality duty or interference with human rights has been identified. <input type="checkbox"/>

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7. Monitoring and Review of Policy / Practice – State how you plan to monitor for impact post implementation and review policy / if required, and who will be responsible for this.

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8. Mitigation Action Plan – State how any adverse / disproportionate impact identified has been or will be mitigated.

Issue / Risk Identified	Action Taken / to be Taken	Action Owner / Dept.	Completion Date	Progress Update

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9. Management Log				
9.1 EqHRIA Author Log				
Name and Designation		Date (DD/MM/YY)		
Comments				
Name and Designation		Date (DD/MM/YY)		
Comments				
Name and Designation		Date (DD/MM/YY)		
Comments				
9.2 Quality Assurance Log				
Name and Designation		Date		Document Version
Comments				
Name and Designation		Date		Document Version
Comments				
Name and Designation		Date		Document Version
Comments				

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9.3 Divisional Commander / Head of Department Log			
Name and Designation		Date (DD/MM/YY)	
Comments			
Name and Designation		Date (DD/MM/YY)	
Comments			
Name and Designation		Date (DD/MM/YY)	
Comments			

9.4 Publication of EqHRIA Results Log				
Name and Designation		Date Published		Location of Publication
Comments				
Name and Designation		Date Published		Location of Publication
Comments				
Name and Designation		Date Published		Location of Publication
Comments				