

Equality impact analysis

Code of Ethics

Document revision history:

Version number	Date	Author	Comments
0.2	12.06.23	CoE team	EIA

Overview

Name of policy, project, practice or procedure under development	Project; Code of Ethics review
Brief description of the planned product	<p>The Code of Ethics was written in 2014 and the College are reviewing this product.</p> <p>The Code of Ethics will be replaced by a trio of products that complement each other and are interdependent:</p> <ol style="list-style-type: none">1. A Code of Practice for chief constables to ensure ethical and professional behaviour in their forces2. A set of ethical policing principles to support ethical decision making3. Guidance on ethical and professional behaviour in policing
Date started	16.07.2022
Equality analysis author/lead	Marcus Griffiths
Date of last review	12.06.2023

Date of next review	Following revision of the content of the documents where updates are required or legislative change requires change.
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The equality analysis will allow you to evidence your public sector equality duty (PSED) compliance. It is a 'living document' that outlines the way equality has been considered throughout the life of the project, and such is subject to change. Key dates and decisions associated with equality should be noted. The document will form a rich source of information to demonstrate how you have shaped your product to support the equality duty aims. The equality duty aims are:

1. Eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under the Equality Act 2010.
2. Advance equality of opportunity between persons who share a protected characteristic and those who do not share it.
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

To meet the PSED, you must pay due regard to the equality duty aims. [More information about the PSED](#) can be found on the Equality and Human Rights Commission website.

Identify points in the project at which the equality analysis will be reviewed

To meet the PSED, equality must be reviewed throughout the life of the product. The equality analysis consider equality as a standard item at all key stages of product development. For example planning meetings, project board meetings, discussions with stakeholders, highlight reports, budget planning, progress bulletins etc. Please add additional rows if required.

Key stage	Review date
Development of scope	21/07/21
Public consultation of scope	22/11/21
Evidence collection	25/04/22
Development of products	31/08/22
Quality assurance of draft products	30/09/22
Public consultation	6/03/23 – 28/04/23
Post release	TBC
Subsequent review frequency	TBC

Planned sources of information

Use this section to list what sources of information you will use to inform your thinking and planning. This can be quantitative (statistical) data, qualitative data (this could include surveys, service user feedback – already available or commissioned, specifically to inform your product) or other research. It helps to provide a brief summary or headline of the data, output or information. You may also want to use this section to list the staff networks and associations you will connect with.

The review of the Code of Ethics was developed in part using the College's evidence-based guideline approach through the support of two committees with a broad representation of key stakeholders, a range of police forces and key academics.

Using empirical evidence is central to the development of College products. The development process for the Code of Ethics review involves collecting and reviewing evidence and data. The evidence collection and review is split into two evidence workstreams: academic and practice. The academic evidence workstream is made up of a rapid evidence assessment, which consists of a review of the research literature. The practice evidence workstream consists of engagement and elicitation activities with policing practitioners and other stakeholders, as well as desk-based research.

Key stakeholders involved include:

- Association of Police and Crime Commissioners (APCC)
- Association of Special Constabulary Officers (ASCO)
- Chief Police Officers Staff Association (CPOSA)
- His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)
- Home Office
- Independent Office for Police Conduct (IOPC)
- National Crime Agency (NCA)
- National Police Chiefs' Council (NPCC)
- Police Federation of England and Wales (PFEW)
- Police Firearms Officers Association (PFOA)
- Police Scotland
- Police Superintendents' Association (PSA)
- UNISON

Police forces represented include:

- Avon and Somerset Police
- Devon and Cornwall Police
- Dorset Police
- Dyfed-Powys Police
- Gwent Police
- Hertfordshire Constabulary
- Metropolitan Police Service
- Northamptonshire Police
- Northumbria Police
- Police Scotland
- Police Service of Northern Ireland
- South Yorkshire Police

- South Wales Police
- Sussex Police
- Thames Valley Police
- West Midlands Police

Academic institutions involved include:

- Cranfield University
- London School of Economics
- University of Birmingham
- University of Essex
- University of Leeds

A range of engagement activities have been undertaken with a variety of individuals, including 50 semi-structured interviews with policing professionals from a variety of roles (across 25 police forces), as well as a WeCops chat on Twitter that resulted in participation from 65 unique users. This work is supported by a rapid evidence assessment that identified 56 relevant academic studies and research papers. The three products are being considered collectively for this equality impact assessment (EIA), as although they can be read independently, they are designed to work together to change and improve ethical and professional behaviour.

- The Code of Practice sets out the provisions that chief officers should make to ensure ethical decision making and professional behaviour in their organisations.
- The guidance on ethical and professional behaviour describes the behavioural expectations placed on those in the policing profession, ensuring public trust and confidence.
- The ethical policing principles inform decisions, guide behaviour and shape an ethical policing culture.

Before final publication, the full draft version of the revised documents went out for public consultation (between 6 March and 28 April 2023), with targeted communications sent to key stakeholders not directly involved in the development (for example, Stopwatch, Centre for Women's Justice, Office of the Victims' Commissioner).

The documents were scrutinised before consultation and again before final publication using the College quality assurance and governance processes, which provide additional opportunities for equality issues to be identified and raised. All products are subject to a legal, equality and diversity validation as part of the quality assurance process.

Stage 1 – Scoping

Empirical evidence is used to inform the scoping of the documents. The sources of information used to initially develop the scope include College research, PEEL reports, academic articles and engagement workshops. These formed the basis of the scope for this project and are therefore pivotal to shaping how the project developed.

In summary, the following evidence was identified.

- There were inconsistencies in the implementation of the Code of Ethics, including in the adoption of all nine policing principles, in the application of the Code across forces, and in the use of the Code in everyday decision-making.^{1,2}
- There was confusion around the number of different guiding documents (Code of Ethics, individual force values' statements, standards of professional behaviour). This was identified as affecting decision-making and professional judgements of officers, staff and volunteers.
- As well as supervisors influencing the compliance with codes, role-modelling by senior figures was considered important in the effective implementation of codes.³ Leaders who set values and standards, and who communicated and enforced those standards fairly, were also considered key components of promoting ethical police behaviour.⁴ The idea of organisational justice (fair decision-making and respectful treatment

¹ HMICFRS. (2015). [PEEL: Police legitimacy 2015 – a national overview](#) [internet]. [Accessed June 2021]

² HMICFRS. (2016). [PEEL: Police legitimacy 2016 – a national overview](#) [internet]. [Accessed June 2021]

³ See, for example:

Brown D. (2014). [The impact of codes of ethics on behaviour: A rapid evidence assessment](#). College of Policing. [Internet]. [Accessed March 2021].

Thaler J and Helmig B. (2016). 'Do codes of conduct and ethical leadership influence public employees' attitudes and behaviours? An experimental analysis'. *Public Management Review*, 18(9), pp 1365–1399.

Neyroud P. (2019). 'Ethical leadership in policing: Towards a new evidence-based, ethical professionalism?'. In: Ramshaw P, Silvestri M and Simpson M, eds. 'Police leadership'. Cham: Palgrave Macmillan.

⁴ Porter L and others. (2015). [The role of leadership in promoting ethical police behaviour: The findings of qualitative case study research](#) [internet]. College of Policing. [Accessed March 2021]

internally) and ethical leadership were associated with an increased commitment to the principles of ethical policing.⁵

- Forces are trying to foster a 'no blame' culture where staff are encouraged to learn from mistakes in an open and honest manner.^{6,7} The basis of this culture is identifying what went wrong and taking steps to ensure that mistakes are not repeated, as opposed to focusing purely on blame and punishment. Staff can be better supported in the decisions they make if they can demonstrate good decision-making, focused on fairness, integrity and 'doing things right for the right reasons'⁸ (decision makers are accountable for the decisions they make and the way those decisions are taken).⁹

The scope of the review went out for public consultation between 29 July and 10 September 2021 (six weeks) on the College website,¹⁰ receiving a total of 21 responses. Consultation feedback included a question on potential equality issues:

'Is there anything that we should include in the scope to promote inclusive practice, and that eliminate or reduce adverse impacts on individuals?' Responses to this question were used as information to inform the scope and the next stages of development.

From an EIA perspective, the majority of respondents did not highlight any positive or negative impacts arising from the content. It did emphasise the importance of considering diversity in committee recruitment and signalled the need to consult with diverse stakeholders (for example, the National Black Police Association).

⁵ Fridell LA, Mskaly J and Donner CM. (2020). 'The relationship between organisational justice and police officer attitude toward misconduct'. *Policing and Society*, pp 10–26.

⁶ See for example: HMICFRS. (2020). [**PEEL: Police: Police effectiveness, efficiency and legitimacy 2018/2016 – an inspection of West Yorkshire Police**](#) [internet]. [Accessed March 2021]

⁷ Changes brought about in the Police (Conduct) Regulations 2020 have introduced the reflective practice review process to promote a reflective and learning culture in policing.

⁸ Kingshott B and Prinsloo J. (2004). 'Ethics in policing'. *Phronimon (Journal of The South African Society For Greek Philosophy And The Humanities)*, 5, pp 49–70.

⁹ Nolan JJ, Parsons T and Crispino F. (2020). "Doing right": Police ethics in an age of reform'. In: Nolan JJ, Crispino F and Parsons T, eds. 'Policing in an age of reform'. Cham: Palgrave Macmillan.

¹⁰ College of Policing. (2021). [**Code of Ethics review: Public consultation on scope and recruitment of committee members**](#) [internet].

Stage 2 – Ethical principles committee outputs

At the first ethical principles committee meeting, attendees discussed the consultation responses and their thoughts on the scope. Feedback on the scope from the committee was used to finalise the scope.

A rapid evidence assessment was completed by the College research team and findings were summarised for the guideline committee into an evidence pack. The evidence was discussed and used to develop the ethical policing principles.

Practice evidence was gathered systematically alongside the rapid evidence assessment using a range of engagement activities. The information provided by the practice evidence review was summarised into a report, which was quality assured by the What Works Standards Manager and Evidence and Evaluation Advisor. It was presented to the committee at the second committee meeting.

The College team used the discussions and outputs from the second committee meeting to develop the ethical policing principles. Feedback has been sought on draft text from both committees.

Stage 3 – Code of Practice and guidance on ethical and professional behaviour outputs

A number of meetings have been held with the guidance on ethical and professional behaviour committee in order to develop draft content of the revised document. Feedback from each meeting has been incorporated into the draft documents and shared for further comments.

Stage 3 – Public consultation on final products

Responses have been used to inform the final products.

Other information and context that will be considered

Use this section to list any information you may have to further your understanding. For example, public service trends, knowledge of inequalities within society, anecdotal evidence, perceptions, findings from other EIAs, best practice in related fields and innovations that will help you identify equality opportunities and risks in the product.

- Police Race Action Plan.
- Violence Against Women and Girls work.
- Office of the Victims' Commissioner (when documents are published).
- Competency Values Framework review.
- Feedback from full public consultation.

The ethical principles committee was recruited through the consultation on the scope, which invited expressions of interest. The committee member selection criteria strived to maximise diversity. By having a wide range of backgrounds, experiences and thoughts represented in the group, we will collectively drive innovative thinking, embed evidence-based learning and encourage inclusive practices through our guidance. We asked potential committee members about their protected characteristics and about their skills and experiences. The diversity, equality and inclusion team were consulted in the development of the expression of interest form.

The committee developed the ethical policing principles based on the evidence presented to them. They received a training session on how to assess the evidence base when drafting the guidelines. This included consideration of equality and ethical issues.

All products will be subject to a legal, equality and diversity validation as part of the quality assurance process.

Impact and agreed actions related to each 'protected characteristic'

Using your research and your knowledge of the planned product, consider:

- What impact – positive or negative – will your product have on people who identify as any of the following protected characteristics?
- If your product can maximise equal outcomes for all. If it cannot, explain why this is and what measures can be put in place, if possible, to improve equality.
- What stakeholders or other sources of information have been consulted that will inform your thinking? How will that feedback improve the quality of the product? If you have not yet connected with stakeholders, who do you plan to consult and how will you apply the information they share with you?

- Using an audit trail, demonstrate how you have considered impact and how this has improved product quality.
- What actions have you agreed as a result of considering any of the issues raised in relation to the protected characteristic?

Use this document to note your agreed actions, conclusions and how they have informed your product.

For each consideration or impact, you may wish to follow the following structure:

- Impact.
- Mitigation: If the impact is negative, what mitigation can be introduced or if a mitigation is not possible, provide justification for this.
- PSED: If your considerations link directly to one or more of the equality duty aims (eliminating discrimination, advancing equal opportunity and/or fostering good relations), then you may want to note this.

You can also use the actions section below to list all your mitigations and follow up actions.

All characteristics

The use of the principles and expectations set out in the guidance on ethical and professional behaviour apply equally to all those in the policing profession (for example, officers, staff and volunteers). These documents, along with the Code of Practice, actively promote equality. There is therefore a positive impact both on those in the policing profession and on those persons receiving the delivery of policing services.

The ethical policing principles require a positive embracing of diversity and difference, inspiring confidence through ethical and fair treatment of others, and showing respect and courtesy to all.

The guidance on ethical and professional behaviour requires that people are dealt with as individuals. It recognises that different individuals or groups may have different needs, and that we should:

- try to understand these and respond appropriately, recognising that their perspectives may be very different to our own

- treat people without prejudice regardless of their background or circumstances and embrace diversity with acceptance and understanding
- treat everyone fairly, impartially and lawfully, in accordance with their needs
- be equitable in carrying out duties, irrespective of personal beliefs, values and philosophies
- pay due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between people of different groups
- recognise that all forms of abuse and discriminatory behaviour are unprofessional and unacceptable, and must be challenged

The document provides guidance on how to challenge and actions to take when individuals feel uncomfortable or unable to challenge directly.

A concern has been expressed about how parts of the CoE that describe statutory and other expectations that place restrictions on staff and officers might be inconsistently interpreted by forces. The concern is that individuals, especially those with protected characteristics, might wish to be involved in activity that could be interpreted as taking an active part in politics. Examples might include participation in Pride marches, 'taking the knee' as an expression of support for black communities or participation in protests supporting communities with particular characteristics. There are certainly examples of forces taking different approaches to staff participating in such activity while on duty. The concern was around the potential for inconsistency to lead to unfair treatment.

It is impractical to write guidance that can cover every eventuality, given the complexity of many of these issues, differences in local community attitudes and shifting public perceptions. However, the College will raise the matter with the NPCC professional standards and ethics coordination committee as an ethical dilemma for discussion.

The Code of Practice requires that staff are treated fairly and openly, in line with the principles of organisational and procedural justice, reinforcing a culture of inclusivity and openness. In turn, this may encourage an environment where individuals are willing to share concerns (for example, about wellbeing, welfare or disabilities) more openly and freely.

Age

Use this section to consider what positive or negative impacts your product may have on people of different ages or age groups. Outline these impacts and where there is a negative impact, explain what actions will be taken to either remove or mitigate this if possible. Where a negative impact cannot be removed or mitigated, explain why this is not possible. Use the questions above to help you with your analysis.

Where age or age groups may be affected differently is the recognition that those of a more senior rank, grade or role (which generally will correlate with older ages) have a greater potential for harm as a consequence of misuse of position or failing to meet expectations and greater responsibility as role models. This is mitigated through supervisory and leadership training programmes, to ensure that with seniority comes the understanding and competence required to mitigate the risk of harm.

The guidance on ethical and professional behaviour also requires those in policing to use social media responsibly and appropriately. There is some variance in use and attitude to social media through age demographics, which could mean that younger age groups are at greater risk of not meeting the expectations of use of social media. This is mitigated through training and the policing education qualifications framework (PEQF) in ensuring that all those joining policing, and as they progress through their careers, are clear about the expectations placed on them and the risks of inappropriate use.

Disability

Use this section to consider what positive or negative impacts your product may have on people living with a disability. Outline any impacts and where there is a negative impact, explain what actions will be taken to either remove or mitigate this if possible. Where a negative impact cannot be removed or mitigated, explain why this is not possible. Use the questions above to help you with your analysis.

The guidance on ethical and professional behaviour specifically addresses wellness and wellbeing, as well as providing support, to ensure that we are fit and able to carry out our policing roles and responsibilities.

Individuals that are neurodivergent may be affected, as one of the ethical policing principles requires the display of emotional awareness by asking them to demonstrate empathy. We recognise that some individuals may find this more difficult to do. As a result of the public consultation, the guidance on ethical and professional behaviour has been amended to acknowledge that it is important to recognise that we are all different in the extent to which we are able to recognise emotions in others.

The guidance also aims to create a culture of leadership and supervisory culture to talk about personal issues in the workplace, including welfare, wellbeing and disabilities.

Gender reassignment

Use this section to consider what positive or negative impacts your product may have on people who are undergoing or have undergone gender reassignment or people who identify as either non-binary, intersex, or gender-fluid. Outline any impacts and where there is a negative impact, explain what actions will be taken to either remove or mitigate this if possible. Where a negative impact cannot be removed or mitigated, explain why this is not possible. Use the questions above to help you with your analysis.

There is no identified adverse impact that would specifically affect a person who has undergone – or is undergoing – gender reassignment, or who identifies as non-binary, intersex or gender-fluid.

Marriage and civil partnership

Use this section to consider what positive or negative impacts your product may have on people who are married or in a civil partnership union. Outline any impacts and where there is a negative impact, explain what actions will be taken to either remove or mitigate this if possible. Where a negative impact cannot be removed or mitigated, explain why this is not possible. Use the questions above to help you with your analysis.

There is no identified adverse impact that would specifically affect a person who is married or in a civil partnership.

Pregnancy and maternity

Use this section to consider what positive or negative impacts your product may have on pregnant women, women who have given birth or a mother who is breastfeeding. Outline any impacts and where there is a negative impact, explain what actions will be taken to either remove or mitigate this if possible. Where a negative impact cannot be removed or mitigated, explain why this is not possible. Use the questions above to help you with your analysis.

Note that the Equality Act provides protections for up to 26 weeks after the birth of the child. In work cases, these protections continue if the woman has the right to ordinary and additional maternity leave – see [section 18 of the Equality Act](#).

There is no identified adverse impact that would specifically affect pregnant women, women who have given birth or a mother who is breastfeeding.

Race

Use this section to consider what positive or negative impacts your product may have on race. 'Race' under the Equality Act includes colour, nationality and ethnic or national origins. Outline any impacts and where there is a negative impact, explain what actions will be taken to either remove or mitigate this if possible. Where a negative impact cannot be removed or mitigated, explain why this is not possible. Use the questions above to help you with your analysis.

There is no identified adverse impact that would specifically affect any race, nationality and ethnic or national origin.

Religion or belief

Use this section to consider what positive or negative impacts your product may have on any religions or beliefs. The Equality Act also protects people who do not identify with a religion or belief. Outline any impacts and where there is a negative impact, explain what actions will be taken to either remove or mitigate this if possible. Where a negative impact

cannot be removed or mitigated, explain why this is not possible. Use the questions above to help you with your analysis.

There is no identified adverse impact that would specifically affect any religion or belief.

Sex

Use this section to consider what positive or negative impacts your product may have on sex. Outline any impacts and where there is a negative impact, explain what actions will be taken to either remove or mitigate this if possible. Where a negative impact cannot be removed or mitigated, explain why this is not possible. Use the questions above to help you with your analysis.

There is no identified adverse impact that would specifically affect any sex.

Sexual orientation

Use this section to consider what positive or negative impacts your product may have on sexual orientation. For example, those who identify as asexual, bisexual, heterosexual or gay. Outline any impacts and where there is a negative impact, explain what actions will be taken to either remove or mitigate this if possible. Where a negative impact cannot be removed or mitigated, explain why this is not possible. Use the questions above to help you with your analysis.

There is no identified adverse impact that would specifically affect any sexual orientation.

Other characteristics

Use this section to consider what positive or negative impacts your product may have on people and communities that the College or the police can interact with. For example, you may want to explore the possible impact on homeless people or sex workers. Your product may have a significant impact on the high number of carers in your workforce or it may affect those of certain socioeconomic backgrounds. It may be used in an area with a high number of people with English as a second language, or in an area where the Welsh Language Act should be considered. Outline any impacts and where there is a negative impact, explain what actions will be taken to either remove or mitigate this if possible.

Where the negative impact cannot be removed or mitigated, explain why this is not possible.

The documents will be written in plain, clear English so they are understandable. Checks using readability scores and average reading age levels will be carried out. The documents will also be translated into Welsh. The College ensures that what it produces meets accessibility guidelines and that we consider factors such as layout, formatting, font size and other production points to promote accessibility and inclusion. Users are also able to contact the College to discuss the possibility of accessing the guidelines in other formats, as per the right to reasonable adjustment.

Secondary impacts to consider. Intersection, etc.

Use this section to consider if there is an opportunity for or risk of secondary impacts, both positive and negative. For example, an initiative that promotes recruitment from ethnic minority groups, in its promoting inclusion, leads to attracting applications from other minority groups.

You may also want to consider intersectionality (when different protected characteristics overlap) and whether this might change potential impacts.

Nothing identified.

Key dates when equality was considered and actions reviewed or evaluated

If you have not already done so in the sections above, you can use this section to list your action points. Listing them here serves as a useful prompt and quick reference point so that progress on your actions can be easily monitored. You can continue to add to this section as more considerations are identified. If you have recorded your actions elsewhere, you may prefer to delete this section of the document.

Consideration 1	
Review date(s)	29 July and 10 September 2021 (6 weeks)
Owner(s)	Anika Ludwig
Related action	
Scope of Ethics Review available for full public consultation on college website and advertised using Marcomms contacts and key stakeholder lists.	
Action review and evaluation outcome – what's next?	
Specific questions on audience and inclusivity asked during scope consultation and feedback was received that full consultation of final product(s) should be as wide as possible with as many communities as possible.	

Consideration 2	
Review date(s)	Ongoing
Owner(s)	Richard Bennett
Related action	
Variety of engagement activities/actions with a variety of key stakeholders to identify key concerns and issues regarding equality, diversity and inclusion.	
Action review and evaluation outcome – what's next?	

Consideration 3	
Review date(s)	Ongoing
Owner(s)	Helen Hopwood
Related action	
Full public consultation on three draft products – 6 March – 28 April 2023.	
Action review and evaluation outcome – what's next?	
Feedback relating to equality and diversity reviewed and embedded where appropriate.	

Consideration 4	
Review date(s)	TBC
Owner(s)	Marcus Griffiths
Related action	
Action review and evaluation outcome – what's next?	