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# Annex to EIA on implementing professional development review and Assessment and Recognition of Competence

## Summary of key EIA issues

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## PDR and ARC – Equality impact assessment

College of Policing Limited  
Leamington Road  
Ryton-on-Dunsmore  
Coventry  
CV8 3EN

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## PDR and ARC – Equality impact assessment

**Summary of EIA issues for PDR and ARC**

Gender	Mitigation	Action for forces to consider
<p><b>Gender pay gap</b></p> <p>At foundation threshold (pay point three), men and women officers are predominantly uniform first response. Some women officers may be part-time due to caring role outside of the work place and have limited opportunity to gain evidence.</p>	<p>Evidence of occupational competence at the ARC foundation level is attainable by both part-time and full-time officers. Only officers who, at pay point three, have already moved to a specialist role are likely to have difficulty.</p> <p>The model allows for line managers to assess knowledge and understanding via professional discussion.</p>	<p>Force policy statement HR to monitor</p>
<p><b>Pregnancy and maternity</b></p> <p>Women officers returning from maternity leave require satisfactory PDR grade to access ARC. Dependent on return date, officers may be significantly delayed in accessing ARC if required to wait until next PDR.</p>	<p>The College of Policing guidance is that evidence for the PDR and ARC processes is drawn from the previous twelve months. The College of Policing programme board agreed that women returning to work after maternity leave can be assessed against evidence gained over the previous 24 months. Women must not be disadvantaged in terms of pay progression due to pregnancy or maternity leave.</p>	<p>Force policy statement HR to monitor</p>
<p>Pregnant women in the workplace tend to be removed from public-facing, operational work as part of a risk assessment.</p>	<p>Forces are aware of the issues with officers and police staff members who are pregnant. Where, as part of a risk assessment, women are moved to a limited or no public contact role, line managers must show flexibility in agreeing bespoke developmental or experiential learning opportunities.</p> <p>Where evidence is unable to be gathered from the previous twelve months, however, in cases of statutory leave, evidence may be gathered from the previous 24 months.</p>	<p>Force policy statement HR to monitor impact</p>

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<p>This may then lead to line manager bias and/or inappropriate grading.</p>	<p>In line with their duties under the Public Sector Equality Duty, forces should regularly monitor the success rates of candidates by protected characteristic group to ensure that there is no adverse impact. Where forces identify impact, they should explore the reasons for this disparity and will be expected to make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	
<p><b>Part-time</b> Women predominantly make up part-time workers. Issues include line managers not regarding these workers as effective workers. Requirement to engage in CPD and to evidence occupational competence will be limited.</p>	<p>Line managers must be aware of bias towards part-time workers. Assessments must be based on standards expected of full-time officers but, due to restricted hours in the workplace, line managers may need to show flexibility in agreeing developmental or experiential learning opportunities.</p> <p>Forces will be expected to pay due regard and make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>Force policy statement HR to monitor</p>
<p><b>Specialist posts</b> The evidence and consultation suggest that those in some specialist posts are less able to meet the standards set out than colleagues outside specialist posts. These posts are more likely to be staffed by white, male officers.</p>	<p>Foundation assessment relates to officers at pay point three who, in the main, will be uniform operational response. Where such officers have transferred to roles, where the full range of occupational competence is not part of their role, line managers may use alternative strategies to assess.</p> <p>Line managers may need to show flexibility in agreeing bespoke developmental or experiential learning opportunities for non-operational officers.</p> <p>Line managers will be expected to make reasonable adjustments to allow for evidence to be gathered, eg, simulated scenario assessment, professional discussions, where officers are genuinely unable to provide direct evidence due to the covert nature of their role.</p>	<p>Force policy statement</p>

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<p><b>Menopause</b></p> <p>There is evidence to show that women may, as a result of the symptoms of menopause, be adversely affected in terms of performance.</p> <p>The subject area is, however, sensitive and women are likely to be reluctant to raise it with their line manager, particularly where the line manager is male.</p> <p>The possible outcome may lead to a grading below actual performance or even under performance.</p>	<p>Line managers should be aware of sensitivities around the menopause. This should be considered as an issue for local training of managers. Forces should be conscious that women may be unlikely to raise this issue with their line manager. Advice can be sought from various support groups, including BAWP (British Association of Women in Policing).</p> <p>Forces will be expected to pay due regard and make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>Force policy statement</p> <p>Line manager training</p> <p>HR to monitor</p>
<p><b>Paternity/adoption leave</b></p> <p>People on paternity, adoption or carer's leave are less likely to have time to complete the evidence required to meet the ARC or PDR standards.</p>	<p>Forces should take this into account when constructing local policy and compliance with their duties under the Public Sector Equality Duty.</p> <p>Women are more likely (but not exclusively) to take the caring role and, as such, apply for leave. Where leave is likely to take them out of the workplace for a significant period, assessment evidence may, if appropriate, be drawn from the previous 24 months.</p> <p>Forces should regularly monitor the success rates of candidates by protected characteristic group to ensure that there is no adverse impact. Where forces identify impact, they should explore the reasons for this disparity and will be expected to make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>Force policy statement</p> <p>HR to monitor impact</p>

Ethnicity	Mitigation	Action for forces to consider
<p><b>Underperformance due to first language</b></p> <p>The quality of reading, writing and spoken English, where it is not the first language, may lead to underperforming PDR grades. For police officers, the risk is mitigated, by some extent, by participation in the SEARCH assessment process where skills are tested. This is likely but not exclusively, to be an issue for police staff.</p>	<p>Within an annual appraisal and where it is appropriate to do so, members of police staff for whom English is not their first language may be given additional opportunity to provide oral evidence or greater explanation in their assessment meeting. The line manager should take this into consideration and mention it in a narrative summary to explain why a grade allocated may not directly reflect the written evidence.</p> <p>The same criteria may be applied to police officers where it is appropriate to do so.</p> <p>Forces will be expected to pay due regard and make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>Force policy statement</p> <p>HR to monitor PDR grading of minority ethnic staff</p> <p>HR to monitor PDR and ARC assessment of minority ethnic officers</p>
<p><b>Potential impact of line manager bias</b></p> <p>Conscious bias by line manager in requiring BME officers and staff to perform to a higher standard than the peer group. This may arise from actual prejudice against the individual or that to be seen to positively manage BME staff, they need to ensure that every aspect of delivery is covered in great detail. This requirement is not being made of others in the peer group.</p>	<p>Forces should be aware of unconscious or conscious bias by managers in any assessment or selection process. Forces will be expected to pay due regard and make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p> <p>Forces may wish to consider further training for officers as part of ongoing development. Alternatively they should make force intranet information available.</p> <p>Dip sampling and comparative analysis from the PDR/ARC by HR may assist in identifying negative or positive trends.</p>	<p>Force policy statement</p> <p>Line manager training</p> <p>HR to monitor</p>

<p><b>Traditionally lower assessment success rates within minority ethnic groups</b></p> <p>There is no direct evidence to show that officers and staff would be disadvantaged in an assessment process, although a number of indicators show that some disparity may exist.</p>	<p>In line with their duties under the Public Sector Equality Duty, forces should regularly monitor the success rates of candidates by ethnic group to ensure that there is no adverse impact.</p> <p>Where forces identify impact, they should explore the reasons for this disparity and will be expected to make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>HR to monitor</p>
<p><b>Ethnic disparity in subjects of unsatisfactory performance and misconduct proceedings.</b></p> <p>There is a potential that BME officers and police staff are more likely than white officers and staff to be referred to formal misconduct proceedings.</p> <p>This potentially has an impact on assessment criteria in that, being subject to misconduct, even though it may not have been adjudicated on, may influence a grading competence.</p>	<p>While line managers may be obliged to mention in a PDR or ARC that an officer or member of staff is subject of a misconduct, if the matter has still to be adjudicated then that officer or staff member is entitled to be awarded a grading or assessment score that accurately reflects their contribution. Where the matter is serious or contentious, however, senior HR staff may be asked to advise. Any assessment must be based on the circumstances not the ethnicity or other protected characteristic of the appraisee.</p> <p>In line with their duties under the Public Sector Equality Duty, forces should regularly monitor the success rates of candidates by ethnic group to ensure that there is no adverse impact. Where forces identify impact, they should explore the reasons for this disparity and will be expected to make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>Force policy statement</p> <p>HR to monitor</p>

Religion and belief	Mitigation	Action for forces to consider
<p><b>Potential lack of experiential development due to religious beliefs.</b></p> <p>The legislation doesn't give a list of religious and belief groups that are covered under the Act. However, religion includes not having any religion. So, an individual can be discriminated against if they have no religious belief. A religion must have a clear structure and belief system. 'Belief' means any religious or philosophical belief, or a lack of such belief. To fall under the Act, a belief must usually satisfy a number of criteria, including that it's an important aspect of the way in which a person behaves in conducting their life.</p> <p>Examples from case law in this area confirm that the following religions or beliefs have been covered under the discrimination provisions: Muslim, Christian, Hindu, Jewish, Sikh, Buddhist, Pagan, Humanist and Atheist beliefs.</p>	<p>Consultation with religious police associations highlighted this as a potential issue where managers may be reluctant to post officers to situations on the grounds of their religion or belief.</p> <p>Forces may wish to consider providing information and advice to managers to ensure equitable deployment decisions. The impact equally applies to other religions or beliefs.</p>	<p>Force policy statement</p> <p>Training for line managers</p>

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<p>Individuals must therefore not be discriminated against and/or treated less favourably on the grounds of their religion or belief.</p>		
<p><b>Isolation of individuals based on religion or belief</b></p> <p>Some officers may, for religious reasons, feel unable to engage in group activity where team bonding takes place, eg, after work, social engagements on licensed premises. This could lead to a (real or perceived) acceptance by an individual that they are not part of the team and consequently affect performance, The impact for the officer is isolation, lack of team support and lowering of performance as morale falls.</p>	<p>Line managers must consider suitability of venues for all members of the team and ensure that they are inclusive as to who is invited. This applies to events on duty and organised social events off duty.</p> <p>Staff should have the opportunity to attend organised social events but also the discretion to decline without comment or detriment to their role or any assessment linked to that role.</p> <p>Forces may wish to consider providing information and advice to managers to ensure equitable deployment decisions. The impact equally applies to other religions or beliefs.</p>	<p>Force policy statement</p> <p>Line manager training</p>
<p><b>Age</b></p>	<p>Mitigation</p>	<p>Action for forces to consider</p>
<p><b>Potential barrier for knowledge transfer based on age.</b></p> <p>Research has shown that the youngest individuals on a team participated least in CPD</p>	<p>Forces should consider how to balance the needs of officers and staff of different ages to enable effective participation. Line managers may need also to consider direct workplace learning opportunities for younger staff to secure the appropriate level of development. While not advocating a tutor or mentor for every officer or staff member, pairing younger and older workers may provide opportunities to learn from</p>	<p>Force policy statement</p>

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<p>practices that enhanced transfer of tacit knowledge. In addition they reported more experiences of injustice in terms of CPD than their older colleagues.</p>	<p>each other within CPD, which will then provide stronger evidence for the PDR or relevant ARC assessments.</p> <p>Forces to consider information and advice to managers to ensure equitable deployment and learning opportunities</p>	
<p><b>Developmental bias in the PDR</b></p> <p>Officers and staff approaching end of career are likely to be older than peer group. Officers may not be put forward for developmental or experiential learning on a presumption that it may not be wanted, is not relevant or cost/time ratio is not seen as good value. This lack of development may be shown as lack of performance within a PDR.</p>	<p>The PDR and the requirement for staff to complete CPD are mandatory.</p> <p>Developmental and experiential learning opportunities must be allocated, irrespective of age or length of service.</p> <p>Forces will be expected to pay due regard and make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>Force policy statement</p> <p>Line manager training</p> <p>HR to monitor</p>
<p><b>Disability</b></p>	<p>Mitigation</p>	<p>Action for forces to consider</p>
<p><b>Potential inability to participate in CPD</b></p> <p>Disabled staff or those on limited duty due to health may suffer adverse impact if they are unable to effectively participate in CPD.</p>	<p>CPD should reflect what an individual can do in terms of development and contribution to the service. Where CPD is mandated but the individual is not formally excused from participation, line managers should consider alternative methods to allow the individual to complete their CPD.</p> <p>This applies equally to developmental and experiential learning opportunities that may assist in the PDR or ARC assessment processes.</p> <p>Forces will be expected to pay due regard and make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>Force policy statement</p> <p>HR to monitor</p> <p>Line manager training</p>

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<p><b>Limited duties and disability related absence.</b></p> <p>Staff on limited duties or on leave due to a disability are less likely to be able to meet the full range of assessment criteria or the required level of competence.</p>	<p>Officers who are unable to undertake ARC assessment due to non-attendance that is directly attributable to their disability will be assessed when next appropriate to do so. Evidence may be taken from previous 24 months</p> <p>Where their role permits and subject to a risk assessment, officers should meet the standards required of them. Line managers may hold a professional discussion to assess knowledge in areas that cannot be covered by direct activity in the workplace.</p> <p>Where officers and staff are required to undertake learning as part of their CPD, additional consideration should be given to different learning styles.</p> <p>IT should meet the needs of the individual and/or additional time should be given as part of a reasonable adjustment.</p> <p>Forces will be expected to pay due regard and make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>Force policy statement</p> <p>Line manager training</p> <p>HR to monitor</p>
<p><b>Sexual orientation</b></p>	<p>Mitigation</p>	<p>Action for forces to consider</p>
<p><b>Potential negative bias</b></p> <p>It is possible that a negative bias against someone of a particular sexual orientation could lead to the lowering of performance grades. A line manager with strong or fundamental views of their own culture, religion or belief may adversely impact on a subordinate who has a diametrically opposed view.</p>	<p>It may not be possible to accurately monitor impact against this protected characteristic due to sexual orientation data being traditionally under-reported. However it should be discussed within force as a possible area to dip sample.</p> <p>Line managers should be made aware of potential for bias</p> <p>Forces will be expected to pay due regard and make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>Force quality assurance</p> <p>Force policy statement</p>

Transgender	Mitigation	Action for forces to consider
<p><b>Inaccurate perceptions reflected in performance assessment</b></p> <p>Perception remains that officers about to commence or already undergoing gender reassignment will require time off work for medical purposes. This perception leads to belief that the staff member cannot function properly and that others in the team will have to pick up the workload. This may be reflected poorly in a performance review.</p>	<p>Line managers should be encouraged to take personal responsibility to learn about transgender issues, in order to increase their knowledge and have discussions with individuals where applicable.</p> <p>Forces will be expected to pay due regard and make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>CPD for line managers</p> <p>Force policy statement</p>
<p><b>Inappropriate tasking leading to inability to evidence performance</b></p> <p>There may be management bias arising from a lack of confidence by line managers in how to manage a member of staff who is transsexual. This lack of knowledge could lead to managers not tasking appropriately which then impacts on the ability to meet a wide range of performance.</p>	<p>Line managers should be encouraged to take personal responsibility to learn about transgender issues in order to increase their knowledge and have discussions with individuals where applicable.</p> <p>Forces will be expected to pay due regard and make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>CPD for line managers</p> <p>Force policy statement</p>

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Marriage/civil partnership	Mitigation	Action for forces to consider
<p><b>Potentially greater impact for those who are single, divorced or separated</b></p> <p>Married/partnered staff and/or officers tend to have twin incomes and therefore a greater level of impact may fall on those who are single, divorced or separated.</p>	<p>Line managers should be aware of the issue and the potentially increased impact on officers and staff.</p> <p>Forces will be expected to pay due regard and make reasonable adjustments where appropriate to ensure that they reduce or eliminate adverse impact.</p>	<p>Force policy statement</p> <p>Line manager training</p> <p>HR to monitor</p>