



Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

1. Identification of Function, Policy or Plan	
Name of function / policy / plan to be assessed.	Regulation of Investigatory Powers (Scotland) Act 2000 - Revised Policies and Procedures.
Service / service area responsible.	Corporate Services.
Name of person carrying Out the assessment and contact details.	Gavin Mitchell, Solicitor, Head of Legal Services.
Date of assessment.	29 March 2018.
Is the function / policy / plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly).	Revision of existing policies and procedures.

2. Initial Screening	
What are the intended outcomes of the function / policy / plan?	That the Council's existing written policies and procedures in relation to the use of covert surveillance in terms of RIPSA are amended and updated in order to reflect revised Codes of Practice issued by the Scottish Government.
State who is, or may be affected by this function / policy / plan, and how.	Council officers who have statutory powers of surveillance; members of the public who may be subject to surveillance. The updated policies and procedures regulate how these activities may be carried out and ensure that all relevant legal provisions are complied with.

<p>How have stakeholders been involved in the development of this function / policy / plan?</p>	<p>The revisions to the policies and procedures seek to reflect good practice as set out in the revised Codes of Practice published by the Scottish Government.</p>
<p>Is there any existing data and / or research relating to equalities issues in this policy area? Please summarise. E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking (see equalities resources on OIC information portal).</p>	<p>Covert surveillance can be applied to any person where it is lawful, necessary and proportionate. There has been no previous equality monitoring undertaken in respect of those who have been subject to covert surveillance.</p> <p>Article 8 of the Human Rights Act 1998 is the 'Right to respect for private and family life, home and correspondence'. It is a qualified right and, as such, the right may be subject to restrictions which are in accordance with the law, necessary and proportionate to achieving a legitimate aim, including the prevention of disorder or crime. Adhering to the terms of the policies and procedures will help to ensure that any interference with Article 8 rights satisfies these criteria. These matters are included in bespoke 2.5 hour training sessions provided by Legal Services to relevant officers.</p>
<p>Could the function / policy have a differential impact on any of the following equality strands?</p>	<p>(Please provide any evidence – positive impacts / benefits, negative impacts and reasons).</p>
<p>1. Race: this includes ethnic or national groups, colour and nationality.</p>	<p>None identified.</p>
<p>2. Sex: a man or a woman.</p>	<p>None identified.</p>
<p>3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.</p>	<p>None identified.</p>
<p>4. Gender Reassignment: the process of transitioning from one gender to another.</p>	<p>None identified.</p>
<p>5. Pregnancy and maternity.</p>	<p>None identified.</p>
<p>6. Age: people of different ages.</p>	<p>None identified.</p>
<p>7. Religion or beliefs or none (atheists).</p>	<p>None identified.</p>
<p>8. Caring responsibilities.</p>	<p>None identified.</p>
<p>9. Marriage and Civil Partnerships.</p>	<p>None identified.</p>

10. Disability: people with disabilities (whether registered or not).	None identified.
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3. Impact Assessment

Does the analysis above identify any differential impacts which need to be addressed?	No.
How could you minimise or remove any potential negative impacts?	N/A.
Do you have enough information to make a judgement? If no, what information do you require?	Yes.

4. Conclusions and Planned Action

Is further work required?	No.
What action is to be taken?	N/A.
Who will undertake it?	N/A.
When will it be done?	N/A.
How will it be monitored? (e.g. through service plans).	N/A.

Signature:



Date: 29 March 2018.

Name: GAVIN MITCHELL

(BLOCK CAPITALS).

Please sign and date this form, keep one copy and send a copy to HR and Performance. A Word version should also be emailed to HR and Performance at hrsupport@orkney.gov.uk