

West Yorkshire Police Authority response to “Equality Act 2010: The public sector Equality Duty: Reducing bureaucracy – Policy Review paper

West Yorkshire Police Authority welcomes the opportunity to comment on the draft regulations.

In addition to the new draft regulations, the other significant change is the apparent re-insertion of police authorities within the Schedule accompanying the draft Statutory Instrument.

The draft regulations published on 12 January 2011 deliberately excluded police authorities from the Schedule, due to the short length of time they would be in place before being abolished and replaced by Police and Crime Commissioners (PCCs) under the Police Reform and Social Responsibility Bill going through Parliament at present.

Police authorities remained in the Schedule of public bodies subject to the general equality duty and a recent amendment to the Police Reform and Social Responsibility Bill has made provision for the relevant clause to be amended to be applicable to police and crime commissioners from May 2012.

It seems odd therefore that police authorities have been put back in the Schedule with deadlines for reporting information and publishing equality objectives so close to their demise.

The deadline for publishing equality objectives has not changed but it would seem absurd to require police authorities to publish objectives that would only be valid for one month. It would seem unlikely that a PCC would want to adopt the same objectives when their role would be so different to that of a police authority.

It may be that there are plans to include a clause within the Police Reform and Social Responsibility Bill to substitute a PCC for a police authority within the Schedule, but we would argue that a single person shouldn't be subject to these requirements unless they directly employed a sizeable number of staff. They will be subject to other legislation which will require them to consult widely and with diverse communities in order to hold the chief constable to account and publish police and crime plans that represent the views of their policing areas, so the requirement for them to comply with the general Equality Duty ought to be sufficient.

Specific proposed amendments

The proposals to remove certain reporting requirements do not overly concern the police authority, although there is a recognition that this will still need to be gathered in order to enable public bodies to reach conclusions about their level of compliance.

Unlike many public bodies, West Yorkshire Police Authority ceased its preparatory work in January following the removal of police authorities from the Schedule. Therefore we are less concerned that others might be about the time and money already spent in preparing to meet the original requirements and the July deadline.

The change of deadline for the reporting of information to December 2011 is of greater concern, not only in relation to the length of time left for police authorities to exist. We were pleased that the previous regulations altered the reporting deadline from April to July, as we had voiced a preference for being able to issue the information at the same time as our Annual Report in order to reduce bureaucracy. That would still be our preference and it may be so for a number of public bodies. In practice this would mean issuing a report by December 2011 and then a second around six month later in order to bring it back into line with other annual reporting. This will inevitably increase the bureaucracy in the first year.

West Yorkshire Police Authority welcomes the recognition that for some public bodies a single equality objective could be appropriate and is content with that revision.

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