



Home Office
Policy equality statement (PES)

Name of Policy:

Introduction

Ministers and officials are required by Section 149 of the Equality Act 2010 to have due regard to the need to:

- **Eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
- **Advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
- **Foster good relations** between people who share a protected characteristic.

Policy aims - Police

Police technical amendments:

The aim of the policy is to correct or clarify technical issues in the 2015 Police Pension Regulations.

Police injury benefit amendments:

The aim of the policy is to make the Police (Injury Benefit) Regulations 2006 compatible with the 2015 Police Pension Regulations.

Voluntary Scheme Pays:

The aim of the policy is to provide an option for scheme managers to allow members to use a Voluntary Scheme Pays arrangement, where they have Annual Allowance tax charges that cannot be paid through Mandatory Scheme Pays. Voluntary Scheme Pays will be available in each police pension scheme and will permit members to pay any Annual Allowance tax charge on pension income accrued in all the schemes above HMRC's Annual Allowance limit and the first £1000 of tax the member is liable for.

Policy aims – Fire

Fire specific amendments:

The aim of the policy is to make a number of technical changes in the 1992, 2006 and 2015 firefighters' pension schemes.

Policy aims - Police and Fire

Survivor cohabiting partners in the 2006 and 2015 police pension schemes and the 2006 firelighters' pension scheme:

The aim of the policy is to remove discrimination in the police and firefighter pension schemes that currently do not permit cohabiting partners to receive a survivor pension unless the scheme member has nominated them. This can be achieved by removing the requirement of nomination forms to receive survivor benefits for cohabiting partners.

In addition, a specific requirement in the police pension schemes only for scheme managers to be required to pay a second death grant to a surviving cohabiting partner. The death grant can be proportioned if the cohabiting partner benefited from the original death grant payment made to the member's estate.

Amendments – Police

Police technical amendments:

The Home Office is making a number of amendments to the 2015 Police Pension Regulations.

Voluntary Scheme Pays:

The Home Office is amending the Police Pension Regulations 1987, the Police Pension Regulations 2006 and the Police Pension Regulations 2015 to include regulations to provide a Voluntary Scheme Pays arrangement and sets out the conditions in which it applies.

Survivor cohabiting partners - police and fire pension schemes:

The Home Office is amending the 2006 and 2015 Police Pension Schemes and the 2006 Firefighters' Pension Scheme to remove the requirement of a nomination form as a condition to receive survivor pension.

Further amendments are being made to the 2006 and 2015 Police Pension Schemes to insert the provisions on a second death grant payment to be made where the eligibility conditions are met.

Implementation

The changes will come into force on the 8th October. However, the amendments on survivor cohabiting partners will be effective from earlier dates as follows:

2006 Police Pension Scheme effective - 6 April 2006

2015 Police Pension Scheme - 1 April 2015

2006 Firefighters' Pension Scheme - 6 April 2006

Summary of the evidence considered in demonstrating due regard to the Public Sector Equality Duty.

In 2018 the Home Office consulted on making this policy change ensuring the necessary persons and representatives had an opportunity to comment.

Throughout the development of these policies consideration was given to the potential impact on groups with protected characteristics under the Equality Act 2010.

Surviving cohabiting partners Police and Fire

The Home Office is satisfied that it has discharged its equality responsibilities in making these amendments. All qualifying cohabiting partners are being given the equivalent rights as spouses. In common with other public sector schemes being reformed, the amendments are being backdated to the inception of the scheme.

Voluntary Scheme Pays

The Home Office is satisfied that there are no equality issues when making these amendments.

Amendments to the police Injury Benefit scheme and police pension funding arrangements to account for the 2015 scheme

The Home Office is satisfied that there are no equality issues when making these amendments. In particular, the Injury Benefit scheme deals with part-time officers in the 2015 scheme in an analogous way to the treatment of 1987 and 2006 scheme officers.

Technical amendments in the 2015 police pension scheme

The Home Office is satisfied that there are no equality issues when making these amendments.

Technical amendments in the firefighters' pension schemes

The Home Office is satisfied that there are no equality issues when making these amendments.

Consideration in relation to specific protected characteristics

On establishing the scope of the policy, the impact on those with protected characteristics has been considered.

Age – This policy does not treat those persons of different ages differently in any way.

Disability – This policy does not treat those persons of different ages differently in any way.

Gender reassignment – This policy has no impact on a person who has undergone, is undergoing or will undergo gender reassignment.

Marriage and Civil Partnership – This policy does not treat those individuals that are married, in a civil partnership or single differently in any way.

Pregnancy and Maternity - This policy has no impact on pregnancy or maternity.

Race – The policy will apply to all scheme members in the aforementioned circumstances regardless of race.

<p><i>Religion or Belief</i> – The policy will apply to all scheme members in the aforementioned circumstances regardless of religion or belief.</p> <p><i>Sex</i> – This policy applies to male and female scheme members in exactly the same manner.</p> <p><i>Sexual Orientation</i> – The policy will apply to all scheme members in the aforementioned circumstances regardless of sexual orientation.</p>			
SCS sign off	Rachel Watson	Name/Title	Rachel Watson / Head of Unit
<p>I have read the available evidence and I am satisfied that this demonstrates compliance, where relevant, with Section 149 of the Equality Act and that due regard has been made to the need to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations.</p>			
Directorate/Unit	Police Workforce and Professionalism Unit	Lead contact	Simon Glenville
Date	September 2018	Review Date	

**Retain the completed PES for your records and send a copy to
[Diversity team@homeoffice.gsi.gov.uk](mailto:Diversity.team@homeoffice.gsi.gov.uk) and your relevant business area
 Equality and Diversity Lead.**

Part 2 - Policy Equality Sign-off

N.B. The PES can be completed throughout the development of a policy but is only signed at the point the policy is made public i.e. finalised and implemented.

To assist in evaluating whether there is robust evidence that could withstand legal challenge, the following questions must be asked prior to sign-off.

- Q.** Has 'due regard' been made to the three aims of the General Duty (Section 149 of the Equality Act 2010)?
- **Eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
 - **Advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
 - **Foster good relations** between people who share a protected characteristic.
- Q.** Have all the **protected characteristics** been considered – age; disability; gender reassignment; pregnancy and maternity; race (includes ethnic or national origins, colour or nationality); religion or belief (includes lack of belief); sex; and sexual orientation?
- Q.** Have the relevant stakeholders been involved and/or consulted?
- Q.** Has all the relevant **quantitative and qualitative data** been considered and been subjected to **appropriate analysis**?
- Q.** Have lawyers been consulted on any legal matters arising?
- Q.** Has a date been established for reviewing the policy?

Further resources including: Case Law; Equality Assurance Table; examples of best practice are available on Horizon.