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**REPORT TO:** Diversity Action Group

**DATE:** 8<sup>th</sup> June 2005

**SUBJECT:** BTP Race and Equality Scheme – Annual progress update and Quarterly progress report

**SPONSOR:** ACC David McCall

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## 1. PURPOSE OF PAPER

- 1.1 The purpose of this paper is to provide DAG with the 2004/05 annual progress report for the British Transport Police (BTP) Race and Equality Scheme.
- 1.2 This report also sets out a progress update for the first quarter of the 2005 – 2008 BTP Race and Equality Scheme, which was published in May 2005.

## 2. BACKGROUND

- 2.1 The requirement for BTP to provide an annual Race and Equality Scheme progress report and quarterly updates is embedded throughout the Scheme Action Plan, and originates from the ACPO Interim Race Equality Action Plan for the Police Service (no. A1). Please refer to the R and ES Action Plan, particularly the 'Review periods and Milestones' Section. The Scheme and Action Plan are available on the intranet and internet.
- 2.2 Annual and quarterly updates will be communicated to staff and the public through publication on the Intranet and Internet, after DAG approval.
- 2.3 The first BTP Race and Equality Scheme was launched between 2002 – 2005 and the Community and Race Relations Unit has just published (in May 2005) the new Scheme, to cover 2005 – 2008.

### 2.4 Legislative Requirements

- 2.4.1 The Race Relations (Amendment Act) 2000 strengthened and extended the Race Relations Act 1976 and has provided two major changes. In summary, these are:
  - A. Extension of protection against discrimination, making it unlawful for a public authority to discriminate on racial grounds in carrying out any of its functions;
  - B. The two **duties** under the Act;

The **General Duties** relate to:

- Setting out priorities to review policies and procedures;

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The **Specific Duties** relate to Employment Related functions including:

- Staff in Post;
- Applicants for employment, training and promotion.

## **2.5 British Transport Police Approach**

2.5.1 BTP introduced its first Race Equality Scheme on 31 May 2002 (A Specific Duty in itself)<sup>1</sup>. Parallel to this was the publication of a policy statement on Equal Opportunities and Diversity, "Valuing the Difference", designed to reaffirm BTP's commitment to diversity and assist in the development of an inclusive equalities culture. "Valuing the Difference" was developed in consultation with our Diversity Action Group<sup>2</sup>, and has been widely circulated throughout BTP.

2.5.2 The Race and Equality Scheme publication coincided with a briefing process to all levels of BTP and to our communities in the following ways:

- Presentations to Chief Officer Group, Force Management Team, Diversity Action Group, Strategic Rail Authority, R.M.T, LGBT group, Race Equality Scheme networking group of Police Forces, ACPO South East Region Race Portfolio meeting, Business In the Community (Race for Opportunity) Racial Equality Councils and local authorities.
- Published on the intra and internet;
- Publication in the Blue Line;
- Hard copy distributed via the Central Office of Information to 138 organisations and public bodies;
- Hard copy summaries to all Area Headquarters with accompanying letters for distribution to police stations;
- The requirements of the Race and Equality Scheme is incorporated into the classroom based Diversity awareness training at both at Strategic Level and for the entire workforce;
- The Race and Equality Scheme has natural links with the BTP Strategic Plan. This has been referenced in the Scheme to assist our monitoring and compliance procedures.

2.5.3 During 2004 – 2005, BTP introduced a number of significant changes to operations in relation to Race and Diversity in line with the Scheme. To drive forward these important issues, the portfolios of key personnel and departments have been realigned; this will be pivotal to our success in this important and high profile area of policing. In summary, these changes are:

- ACC (Scotland and Community Affairs) leads on the external framework of Race and Diversity issues incorporating Community and Race Relations, Community Partnerships and Crime and Disorder.
- Director of Human Resources leads on the internal framework of Diversity issues, which includes Positive Action and Diversity Training.

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<sup>1</sup> BTP Strategic Plan 2003 – 2006 Aim 6

<sup>2</sup> BTP Strategic Plan – 2003 – 2006 Aim 6

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- 2.5.4 To ensure a focussed approach to Diversity issues relevant to BTP both internally and externally, the chairing of the Diversity Action Group has transferred to the Deputy Chief Constable, with ACC (Scotland and Community Affairs) and the Director of Human Resources remaining key stakeholders and active members.
- 2.5.5 Diversity Action Group meets quarterly and comprises of the Community and Race Relations (CRR) Unit, Positive Action, Employee Relations, Crime, Territorial Operations, Support Groups (SAME, WSF, TSSA, LGBT), Gender representation, BTP Federation, Strategic Planning and Policy Co-ordination Unit, Training, and Area Diversity Action Group representatives.
- 2.5.6 The aims of the Diversity Action Group include ensuring current and future diversity issues are reacted to by the BTP at the correct level and in a timely manner.
- 2.5.7 The DCC, as DAG Chair, initiated a narrowed-down agenda to focus on relevant and fundamental issues where progress was essential. Specific work carried out by the group in the future will be taken to Chief Officer Group (COG) on completion, and thence on to Force Management Team (FMT) to influence and implement policy and change.
- 2.5.8 BTP has established consultation sources both internally with staff and externally using a variety of agencies and lay advisors. We use this process to inform organisational planning processes in relation to policy creation, amendment and review.
- 2.5.9 The Community and Race Relations (CRR) Unit provides corporate support to BTP and publishes specific areas of Race and Diversity to the departmental intranet site. Many of the subject areas are also circulated in hard copy or briefed to BTP. A summary of the support provided by the unit is listed below (although this list is not exhaustive.)
- Race and Equality Scheme co-ordination and management
  - Forced Marriages
  - ACPO guide to Hate Crime
  - Hate Crime self and third party reporting
  - Consultation on race and diversity matters
  - Liaison with statutory and non statutory bodies
  - Horizon scanning
  - Guidance on working with the travelling community
  - Islam and Muslims guidance for police
  - Transsexual issues guidance
  - Support groups information
  - Other Training
  - Partnerships
  - Stop and Search
  - Policy and Procedural advice
  - Minority groups operational guidance and liaison
  - Capacity building
  - Community tension briefings

## **2.6 Annual Review – Assessment of policies and procedures**

- 2.6.1 In line with the Race Relations (Amendment) Act General Duty (see 2.4.1 of this report) the C and RR Unit and Policy Unit (now Strategic Planning and Policy Co-ordination Unit) began a joint project in January 2004 to review each BTP ‘policy document’ held on PNLD. This

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involved a full-time PC dedicated to the review (conducting interviews and research work), as well as input from the Chief Inspector, C and RR, and two Policy Unit staff.

2.6.2 The Policy project identified:

- 25 policies as HIGH Impact
- 19 policies as MEDIUM Impact
- 18 policies as LOW Impact

2.6.3 The project team found the most challenging issues came from policy ownership, cross-portfolio policies, and a lack of resources in some departments to continue the policy review work necessary.

2.6.4 BTP has approximately 1000 written policies in existence with associated functions and procedures. Through the Race and Equality Scheme policy review, the documents have been allocated a high, medium or low priority review indicator. Not all of these policies fall into the criteria of having an impact upon protected groups. These indicators are useful in determining the level of consultation necessary, and frequency of review.

2.6.5 **High Priority:** Those policies or procedures where there is evidence that different racial groups are or could be affected, or where there is public concern have been selected and assessed as High Priority. During 2004, **25 policies** were given high priority review status by the review team. The 25 policies are in need of closer scrutiny to determine the specific relationship to the Race Equality Scheme prior to amendment and are awaiting return to their originators for further assessment to allow us to achieve this. We will achieve completion of these high priority policies by May 2006.

2.6.6 Some of the High Priority policies in this group which have already been reviewed are:

- **Stop and Search:** The policy incorporates the 16+1 self-defined ethnicity has been introduced into BTP to ensure a fair delivery of policing at service encounter level. The policy includes:
  - Human Rights legislation;
  - Principles to consider when conducting a search;
  - Responsibilities of officers conducting Stop and Search;
  - Responsibilities of Supervisory officers;
  - Briefing relevance to community issues, local policing style and exact nature of the tasking;
  - Responsibilities of Area Commanders;
  - Recording of ethnicity;
  - Community Consultation including advice on the Diversity Steering Group;
  - Proportionality;
  - Media;
  - Training.

*The Stop and Search policy and its application remains under constant scrutiny and requires further amendments with the roll out across all forces of Section 61. Of particular importance is the need to assess the impact it may have on community confidence. CRR is*

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*currently a member of the Metropolitan Police Stop and Search working group in conjunction with the Operations department at Force Headquarters. This ensures BTP keeps abreast of current developments related to this important issue.*

- **Reporting of Hate Crime Incidents<sup>3</sup>.** The policy and associated minimum standards have been published. This policy links to Recording, Investigation, Intelligence, Evaluation, Victim and Witness Care and Management of Hate Crime. There is regular contact with other Forces to ensure BTP is identifying and incorporating good practice.
- We are currently examining methods that will enhance accessibility for victims and witnesses to enable them to report Hate Crime to us and obtain information from us via the internet as an alternative to visiting or contacting police stations on every occasion. There is also an ACPO team undertaking a feasibility study with a view to establishing a service wide capacity.
- **Recording of Hate Crime:** The self defined 16 +1 ethnicity is now included on Crime Reports. A flagging system has been introduced into the E PINS system, which includes Racist, Homophobic, Gender, Disability, Religion and Domestic Violence. There is an accompanying HELP menu of definitions to assist officers when inputting this data.
- The Procurement Manager has revisited the clauses in the procurement conditions of contract. The conditions have been found to be compliant with current legislation relating to Race and Diversity issues. Comment from the Procurement Manager has been provided to the CRE on the 'Race Equality and Public Procurement' consultation document circulated by the CRE in April 2003.

2.6.7 **Medium priority** - policies or procedures where there is little or some evidence that racial groups are or could be differently affected, or where there is public concern are to be reviewed prior to 31 May 2007.

2.6.8 Currently, **19 policies** will require reviewing as Medium priority.

2.6.9 **Low priority** – policies or procedures that do not fall into any of the above categories will be reviewed following completion of the High and Medium review process and in any event by 31 May 2008. Currently **18 policies** have been given a low priority grading.

## **2.7 Policy Impact Assessment/Development**

2.7.1 During 2003 the BTP revised and re introduced a pro forma for creating, amending and reviewing policy. This process incorporates consultation and the degree of relevance of the policy to Race and Diversity, Human Rights, Freedom of Information Act, Data Protection, Health and Safety, and the Welsh Language Act. This current policy creation process has not met with expectations and is currently subject of review by the Strategic Planning and Policy Co-ordination Unit (SP and PC Unit) and CRR.

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<sup>3</sup> BTP Strategic Plan – 2003 – 2006 Aim 7

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2.7.2 Rigorous self-scrutiny in the area of policy development has identified training needs and policy review guidance requirements for staff involved in this process. The Strategic Planning and Policy Co-ordination Unit and CRR are working in partnership to develop a way forward to improve resilience in the way policy is reviewed, amended or created. This will ensure the BTP is current and effective on race and the wider diversity issues in respect of our policies and procedures.

2.7.3 The outcome will be a manual providing 'guidance' to staff when reviewing, amending or creating policy. The C and RR Unit and SP and PC Unit are working to a deadline of July 2005 to have this manual, template and guidance completed.

## **2.8 Monitoring**

2.8.1 It is a 'Specific Duty' under the Race Relations Amendment Act (see section 2.4.1 of this report) for public bodies such as BTP to collate and monitor employment information broken down by ethnicity. To date, BTP has not had the technology or processes in place to do this.

2.8.2 To meet the Specific Duties on employment under the Act, BTP is required to collect data in the following areas, by reference to racial groups to which they belong<sup>4</sup>. These include:

- Staff in post - Monitoring forms have been sent out by the APOLLO team. Returned forms are being used by Area Personnel Departments to update APOLLO;
- Applicants for employment, training and promotion - New screens have been set up on APOLLO and relevant staff trained. New recruits and transferees from under represented groups are monitored monthly by the Personnel Systems Officer.
- Staff Appraisals are monitored by the Career Development Department. Interviews with staff from all groups will be monitored and a report produced detailing BTP progress in promoting equality of opportunity and eliminating racial discrimination. Support for individuals in relation to career planning and development and positive actions issues will be provided by the Career Planning Officer.
- Grievance procedures - Information is recorded by the Employee Relations Manager, with data produced to inform the Force Management Team;
- Exit Interviews – A new [Exit Interview policy](#) and procedure was introduced in March 2003. The Personnel Systems Officer undertakes the analysis of reasons for staff leaving BTP and a report is forwarded to FMT for review.

2.8.3 BTP collects data associated with Section 95 Criminal Justice Act 1991 (as amended), about people involved in the Criminal Justice System. The Performance Monitoring Unit provides operational monitoring data in this respect. This data is published to the Force Management Team and is available on the BTP Internet at [www.btp.police.uk](http://www.btp.police.uk)

2.8.4 BTP personnel data base APOLLO has been modified during the previous twelve months and now includes 16 +1 self defined ethnicity classifications for the workforce. Although this information improves ethnic monitoring and is available, there is no comparative analysis of this data during 2004/05 (the review period).

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<sup>4</sup> BTP Strategic Plan 2003 – 2006 Aim 6

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- 2.8.5 The Corporate Best Value Performance Indicators are published in the Force Statistical Bulletin which is available on the internet.
- 2.8.6 Professional Standards – Amendments to the monitoring form has been undertaken and published in General Orders. The 16 + 1 categorisations are available for extraction from the Professional Standards database if required. Evaluation of complaints using the 16 + 1 categorisations is currently limited, and work is currently underway to improve our capacity in this area during 2005.
- 2.8.7 C and RR Unit has been working in conjunction with Human Resources (HR) and Professional Standards Department (PSD) to begin monitoring staff on the basis of their ethnicity, as required by the Specific Duty. Please see the 'Quarterly Review' section of this report for more information.
- 2.9 Training**
- 2.9.1 Since January 2003, 1800 staff, including senior management, have attended Diversity Awareness training.
- 2.9.2 Diversity Awareness training has been ongoing until earlier this year, but is now on hold whilst a review of the entire training package by the HR Leadership and Diversity Unit is completed<sup>5</sup>. This classroom-based training has incorporated interface speakers from many areas of the community including LGBT, Homeless charities, Drug Action Teams, Leaders of local Mosques etc, along with practical exercises and discussions.
- 2.9.3 The involvement of community interface speakers has led to new and sustainable forms of consultation for BTP.
- 2.9.4 Diversity Training is managed and co-ordinated by the Human Resources department. This followed a COG decision in August 2003 to devolve responsibility for diversity training from C and RR Unit to HR, along with the Positive Action function.
- 2.10 Employment**
- 2.10.1 The commitment to eliminating discrimination, promoting equality of opportunity and promoting good relations between persons of different racial groups will continue by means of the Cultural Audit Survey, managed and co-ordinated by the Human Resource Department. The questionnaires were distributed to all staff on 29<sup>th</sup> September 2003, with aspirations for a 60% return rate. The final report and analysis has been communicated to staff.
- 2.10.2 The results of this audit will allow BTP to target areas for improvement, to benchmark against other similar organisations, and formulate action plans.
- 2.10.3 A second cultural audit is currently underway, in May 2005, and will build on the lessons learnt from the initial audit.

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<sup>5</sup> BTP Strategic Plan 2003 – 2006 Aim 6

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2.10.4 The Positive Action Officer leads BTP goals for recruitment; retention and progression of officers from under represented sections of the community. BTP is currently reviewing how we recruit from minority groups. In addition to this Positive Action weekends have been held for under represented groups at BTP training centre.

## **2.11 Scheme Content**

2.11.1 This second annual review has been instrumental in identifying a number of areas of modification for the Scheme, which will help us to drive forward Race and Diversity aims. To ensure the Scheme remains dynamic it is also recommended that quarterly progress updates on the Action Plan are completed, presented to DAG, and made publicly accessible on the internet.

2.11.2 A summary of our main findings are listed below:

- Wider and more timely consultation with our communities is needed to inform BTP on the impact of policies or functions and could be incorporated into our strategic planning and consultation process.  
*Sustainable consultation sources have been identified to inform this finding, as well as research into new forms of consultation, such as Independent Advisory Groups (See Quarterly Review Section.)*
- The Scheme has been kept dynamic by reflecting recent portfolio and staff changes, during the Scheme review and amendment during 2003/04. This has allowed a proactive approach to the RRAA requirement to review the Scheme every three years.  
*This finding is already being implemented by the CRR Unit in conjunction with our Support Association for Minority Ethnic Staff (SAME).*
- Clearer devolved lines of responsibility for delivering the duties from the Race and Equality Scheme need to be identified through BTP Diversity Action Group.  
*The new Race and Equality Scheme attached action plan will be pivotal to achieving these outcomes.*

## **3. QUARTERLY UPDATE**

3.1 The Race and Equality Scheme Quarterly update is embedded through the Action Plan. Its purpose is to keep DAG members informed on progress against the Action Plan, which has been modeled on the ACPO Interim Race Equality Action Plan. This is to ensure effective monitoring is ongoing in terms of race and diversity issues.

3.2 The attached Action Plan comments on five over-arching areas:

- Leadership and Resources
- Staffing and the Internal Environment
- Partnerships and Community Engagement
- Monitoring and Performance Management
- Communication and Marketing

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- 3.3 The 2005 – 2008 Race and Equality Scheme consulted on internally and externally, approved by COG, and published in April 2005.
- 3.4 As per the Action Plan, C and RR will provide quarterly updates to DAG in the form of the attached Action Plan.
- 3.5 To facilitate the population of this Action Plan, the Race and Equality Scheme Co-ordinator would ask DAG members and attendees, particularly those from support groups, to contribute on a regular basis. This will ensure the Scheme remains a 'living document' and helps towards the goal of mainstreaming diversity issues into staffing and operational methods.
- 3.6 In future, C and RR would ask that DAG members provide contributions to Race and Equality Scheme co-ordinator Kirsten Newman **three weeks** prior to the DAG meeting (therefore the next deadline will be Wednesday 17<sup>th</sup> August 2005).
- 3.7 The Scheme has been disseminated to Chief Officers, Area Commanders, Area HR Managers, and other senior staff.
- 3.8 Please refer to the attached Action Plan for updates on each of the above key headings.

#### **4. RECOMMENDATIONS**

- 4.1 That DAG approves the Race and Equality Scheme Annual Progress Report and Quarterly Progress Report for publication on the internet and intranet.
- 4.2 That DAG members undertake to provide updates to the Race and Equality Scheme co-ordinator with contributions to the Action Plan three weeks prior to the DAG meeting.