

Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Regulation Of Investigatory Powers Act 2000 & Investigatory Powers Act 2016 Policies		
Directorate	E&E		
Service	Regulatory Services		
Responsible Officer	David Elrington & Lorraine Boothman		
Proposal planning start	1 February 2020	Proposal start date (due or actual date)	20 May 2020

1	What is the purpose of the proposal?	Yes / No	New / revision
	Show which category the proposal is and whether it is new or a revision.		
	Policy	Yes	Revision
	Procedure	No	
	Guidance	No	
	Is this a service to customers/staff/public?	No	
	If yes, is it contracted or commissioned?	No	
	Other - give details	It is to comply	
2	What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?		
The policies are required to ensure that the Authority complies with the requirements set out in the Regulation Of Investigatory Powers Act 2000 & Investigatory Powers Act 2016. They are an update of a previous policy to implement changes in the legislation and incorporate feedback from the Commissioner's inspections.			
3	Who is the proposal likely to affect?		
People in Walsall	Yes / No	Detail	
All	Y		
Specific group/s			
Council employees	Y		

Other (identify)

4 Please provide service data relating to this proposal on your customer's protected characteristics.

The policy places requirements officers of the Council and the way in which it conducts surveillance and the acquisition of communications data. It ensures that such conduct is necessary and proportionate. It does not affect any particular groups.

Walsall's population has risen by 6.2% from 253,401 in 2001 to 269,323 according to the 2011 census. The minority ethnic group population (everyone who is not White; English, Welsh, Scottish, Northern Irish or British) has shown an increase from 37,547 (14.81%) in 2001 to 62,085 (23.05%) in 2011.

Compared with the rest of the West Midlands (33.98%), Walsall (23.05%) has a lower percentage of minority ethnic group people and is the fifth lowest, compared with the other West Midlands areas. However, it is clear that, with new communities emerging, this figure is likely see higher percentages in the 2021 census.

Walsall population by broad group 2001 to 2011

Group	2001	2011
White British	85.2%	76.9%
All other White	1.2%	1.9%
Mixed	1.4%	2.7%
Asian	10.4%	15.2%
Black	1.4%	2.3%
Other	0.4%	0.8%

The largest increase is in people of Asian background, with a rise from 10.4% of all ethnic minority people in 2001 to 15.2% in 2011. Within this group, those of Pakistani background have increased the most to 5.3% of all residents (although Asian Indian remains the largest minority ethnic group at 6.1%).

Nine out of ten Walsall residents (90.1%) were born in the UK. There does not appear to be a high volume of residents from Eastern European countries living in the borough, with only 1.0% of residents, 2,681 people, born in EU Accession countries. This is in

contrast with 2.0% in England and with neighbouring authorities of Wolverhampton (2.1%) and Sandwell (2.6%).

The Council is committed to meeting the needs and expectations of people who use its services. This means ensuring that services are delivered in a fair and legal way, ensuring that the residents and businesses of Walsall are treated with dignity and respect. All groups of customers will positively benefit from this regime. The people who will be subject to the use of these powers are those suspected of committing offences. The legislative regime ensures that due consideration is given to the risks of collateral intrusion.

Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).

5 Consultation has taken place with internal services - Finance, Human Resources, Legal Services, Public Health, Communications, Equalities team and the Councils Consultation Officer in order to reassure decision makers that the content of the report and the policies are correct and meet the requirements of Council Policy making. As these are statutory policies setting out controls and requirements on how officers conduct their investigations and use powers available to them and not the provision of a service and as the public cannot influence the contents of the policy, public consultation is not necessary.

Officers	Consulted - Who	Date(s) consulted	Comments of consultees
(a) Legal services	Paul Green		No comments on final report. Consulted previously in drafting of policy
(b) Finance			
(c) Procurement – for all procurement and contract related reports			
(d) Property services			
(e) Public health			
(f) Human resources			
(g) Heads of other relevant service(s)			
(h) Communications communications@walsall.gov.uk			
(i) Trade Unions	Not required		

Consultation Activity

Internal Consultation as per the cabinet report process, in particular with legal services.

6

Concise overview of all evidence, engagement and consultation

Legal services involved in drafting the policy. No other feedback received.

**How may the proposal affect each protected characteristic or group?
The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.**

Characteristic	Affect	Reason	Action needed Yes / No
Age			
Disability			
Gender reassignment			
Marriage and civil partnership			

7	Pregnancy and maternity	None - The legislation stipulates that any conduct covered by the policies is necessary and proportionate. There are no impacts on protected characteristics other than the policy has been updated to provide additional safeguards for juvenile and vulnerable persons who may act as a CHIS (See RIPA policy). All impacts on the subject of surveillance and any potential collateral intrusion are outlined on each application. None other than in so far as note above applies.			
	Race				
	Religion or belief				
	Sex				None
	Sexual orientation				None
	Other (give detail)				None
	Further information				None None None
8	Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.			(Delete one) No	
9	Which justifiable action does the evidence, engagement and consultation feedback suggest you take?				
A	No major change required				
Action and monitoring plan					
Action	Action	Responsibility	Outcome	Outcome	
7/09/2022	Policies are considered at Cabinet	D Elrington, L Boothman, Paul Gordon, Simon Neilson.	7/09/2022	Policies will be approved to proceed to Council or not.	
19/09/2022	Policies are considered at Council	Simon Neilson, Cllr Perry	To be confirmed	Policies will be approved or not. Delegation will be granted or not	

Update to EqIA	
Date	Detail

Use this section for updates following the commencement of your proposal.

Contact us

Community, Equality and Cohesion
Resources and Transformation

Telephone 01922 655797

Textphone 01922 654000

Email equality@walsall.gov.uk

Inside Walsall: [http://int.walsall.gov.uk/Service information/Equality and diversity](http://int.walsall.gov.uk/Service_information/Equality_and_diversity)