



**EQUALITY AND HUMAN RIGHTS ASSESSMENT**

**York Property Store – Decision Notice**

An Equality and Human Rights Assessment must be used to inform your decision making when developing new or existing policies, procedures, initiatives, working practices or functions (hereafter referred to as 'initiatives').

The Assessment must be completed **before** decisions are made, and remain a live document to be reviewed and continually updated at key milestones during development.

Please refer to the guidance document when completing the assessment.

**1) What are the aims, objectives and intended outcomes of the initiative?**

The proposal is to provide a modern, fit for purpose exhibits store at York that will support a sustainable North Yorkshire Police, both now and into the future. The proposal further recommends the improved storage / centralisation of certain types of high-risk exhibits.

**2) What research/resources have been used or considered in the initial stages of this assessment?**

Access to the site:

The York site is located on a public transport route, therefore it is easily accessible for both staff and the public. For those with transport the location is situated close to a major road and also easily accessible from all parts of North Yorkshire and the City of York. This will offer an advantage for people with disabilities who should be able to access the location with ease.

Access to and use of the building:

The current Equality Act regulations in respect of access to buildings have and will be adopted as part of the delivery of the developed facility. This will result in a building that is easily accessible for people and staff with disabilities. The design will ensure that, as far as is reasonably possible, people have all of the necessary facilities to support any requirements arising from disability.

Minority Groups:

In considering the options available for the development consideration will be given to our impact on the local communities. In particular, where the perception of the development of a police facility may be disproportionately intrusive to minority groups should the facility be sited directly adjacent to them.

EQUALITY SECTION

**3) Who have you consulted with and what did you consult about?**

Discussed plans and implications with York Independent Advisory Group (IAG) member. Only concern raised was if people with learning and/or mobility difficulties require property back from the store at short notice then they may have difficulty accessing. NYP will make every reasonable effort to assist in helping people who may have a disability, including those with a learning disability, to retrieve their property back. It is anticipated that these instances may be rare, but it is imperative that any reasonable adjustments will be made to cater for individual needs or requirements, as this was raised as a genuine concern at the IAG meeting.

If any reasonable adjustments need to be made to the Exhibits Store plan with regards to compliance with the Equality Act and in line with the nine protected characteristics, then consultation will take place with the relevant personnel. This should ascertain any specialist considerations in order to accommodate any particular requirements.

**4) Following assessment of available information, has a beneficial (positive) or**

adverse (negative) impact been identified OR is the initiative equality neutral? eg. no particular impact or minimal affect on any group? Provide details on ALL decisions for ALL the protected characteristic groups below. Specify what actions, if any, will be taken as a result of the assessment, provide any findings and the reason any decisions were reached, and determine what changes may be necessary to either reduce any adverse impact or enhance any beneficial impact. If an adverse (negative) impact has been identified question 5 must be completed.				
	Beneficial (positive)	Adverse (negative)	Neutral	Details
Age	X			The improved facilities will be fully compliant with the requirements of the Equality Act, so access and facilities to and from the exhibits store will cater for people who are elderly.
Disability	X			The improved facilities will be fully compliant with the requirements of the Equality Act. The location will have good access as a result of being on a public transport route. Other provisions will include suitable access for wheelchair users both internal and external of the facility, car parking facilities and welfare/toilet facilities.
Gender Reassignment			X	The proposal applies equally to everyone and with no impact upon this group or an individual with this characteristic.
Marriage and Civil Partnership			X	The proposal applies equally to everyone and with no impact upon this group or an individual with this characteristic.
Pregnancy and Maternity			X	It is anticipated that anyone who falls within this characteristic will not be handling exhibits which are deemed to be too heavy, etc, and relevant risk assessments will have already been completed for them.
Race			X	The proposal applies equally to everyone and with no impact upon this group or an individual with this characteristic.
Religion or Belief			X	The proposal applies equally to everyone and with no impact upon this group or an individual with this characteristic.
Sex (Gender)			X	The proposal applies equally to everyone and with no impact upon this group or an individual with this characteristic.
Sexual Orientation			X	The proposal applies equally to everyone and with no impact upon this group or an individual with this characteristic.
5) If an adverse (negative) impact has been identified, please provide further details stating how any adverse impact can be justified for this initiative.				

<b>HUMAN</b>	<b>Human Rights</b>
	The European Convention on Human Rights came into force in the UK in 1953 and created convention

rights and freedoms. The Human Rights Act 1998 gives further effect to these conventional rights and fundamental freedoms with, for example, a right for an individual to bring proceedings against a public authority.

The Human Rights Act contains 16 basic rights for all individuals, and these consist of :

Absolute Rights (Articles) – they can never be taken away or withheld,

Limited Rights – these may be restricted under explicit circumstances,

Qualified Rights – these require a balance between the rights of the individual and the needs of the wider community or state, for example, Articles 8-11.

Interference of a Qualified Right is only permissible if ALL the following apply :

- (a) There is a clear legal basis for the interference; and
- (b) The action/interference seeks to achieve a legitimate aim; and
- (c) The action is necessary in a democratic society.

**1) Will the initiative engage anyone's Convention Rights?**

Article 8 – Right to respect for private and family life.  
Article 1, Protocol 1 – Right to peaceful enjoyment of possessions.

**2) Will the initiative result in the restriction of a right?**

None of the above Articles will be restricted as a result of this proposal.

**3) If any of the rights are Qualified Rights, you will need to undertake a balancing exercise. Consider the following:**

- (a) Is the restriction on the right lawful? Is there a law which allows you to make the initiative?**
- (b) What is the legitimate aim you are trying to achieve through this initiative?**
- (c) Is the restriction necessary and proportionate? Are you restricting one person's rights to protect the rights of another individual? Is there another way to achieve the aim identified in (b)?**

None of the above Articles will be restricted as a result of this proposal.

Assessment carried out by :

Date :

NOT PROTECTIVELY MARKED

<b>Kate Williams, Customer Relationship Manager</b> (advice provided by Ruth Williams, Legal Officer, Equality and Human Rights)	<b>20th January 2015:</b>

<b>Review of Assessment :</b>	<b>Date:</b>

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