

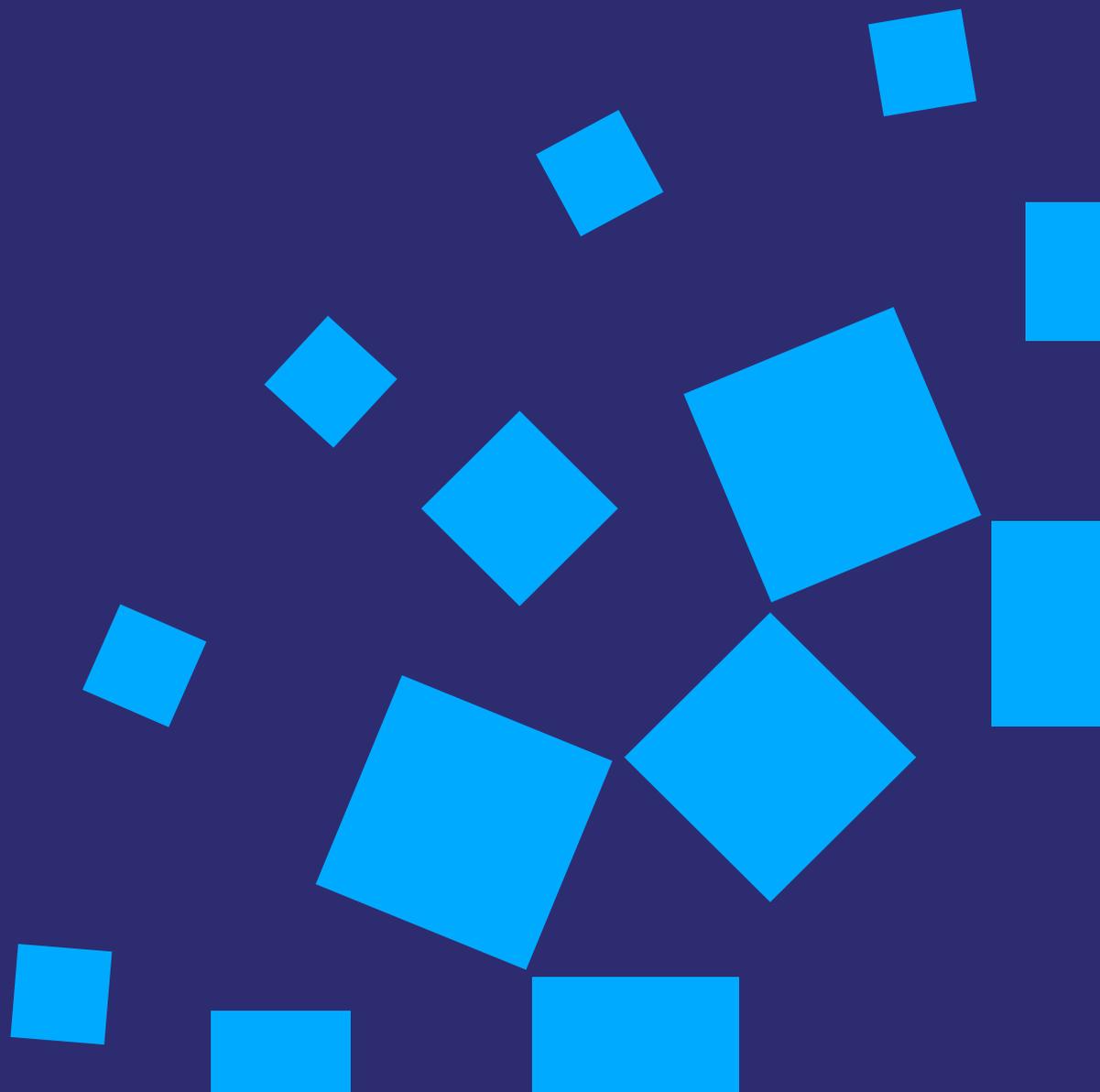


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Protected characteristics and personal information

Guidance for forces in requesting workforce data



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Introduction

Having an understanding of accurate workforce representation will allow forces to better plan and implement inclusive policies and practices.

This guidance has been developed for those who manage or process workforce data. While officers and staff cannot be mandated to share information about their protection characteristics, this guidance prepares forces to support and encourage their officers and staff to share data and information about their protected characteristics and personal information. It also looks at some of the challenges around collecting data and outlines the benefits for officers, staff and the organisation as a whole.

The guidance includes a number of recommendations for forces and is linked to a set of digital assets, Safe to Say and Make Your Mark, which have been developed to raise awareness and encourage greater participation.

Sharing personal information – Why?

The recent 'Prefer not to say' research report, jointly commissioned by the Police Uplift Programme (PUP) and the National Police Chiefs' Council (NPCC), identified several reasons why officers and staff may not share their personal information. Research has shown that in terms of what information people are more likely not to share, the ranking order is as follows.

Protected characteristic	Prefer not to say %
Age	7.1%
Gender identity	10.4%
Sex	10.6%
Pregnancy and maternity	10.9%
Ethnicity	11.7%
Gender reassignment	11.8%
Disability	12.3%
Marital status and civil partnership	13.6%
Sexual orientation	15.5%
Religion	15.5%

The table above suggests that officers and staff are generally more reluctant to share personal information about their religion and sexual orientation. However, there will inevitably be local variations where other protected characteristics take precedence.

Recommendation

Work with your local staff networks and associations, as well as other informal networks of officers and staff, to better understand and engage with under-represented groups. These networks have a wealth of information about their members' existence, experiences and relations with the force. The aim should be to understand why particular groups are not sharing their personal information and then to identify appropriate strategies to prioritise engagement with those groups.

At every opportunity, it is important to explain to officers and staff exactly why the force is requesting their personal information and how they will process this. Tell individuals about the benefits for them as employees and for the organisation as a whole. However, it is also important not to mandate individuals to supply this information, as this must remain voluntary at all times.

Benefits for officers and staff

- Sharing personal information allows the organisation to provide better resources, facilities and support for their officers and staff.
- Sharing personal information gives scope for prompting a discussion about workplace adjustments or other support, as required.
- It also enables officers and staff to receive targeted information about support or positive action initiatives, such as development programmes for officers and staff from under-represented groups.
- Sharing personal information contributes to a pool of robust data and evidence that will help the force meet the diverse needs of officers and staff (for example, in relation to provision of catering options or facilities for prayer or contemplation).
- Officers and staff may also receive increased legal protection by sharing personal information. In many cases, the force may be placed under an increased obligation to protect officers and staff from discrimination if it has received disclosure information from an officer or member staff member – for example, about their disability status – or if it holds broader evidence of the diversity of its workforce.

Benefits for the organisation

- Forces are better able to respond to the needs of the workforce if they better understand the profile of its officers and staff.
- To ensure that policies and processes are being applied fairly and equitably, and to help identify and tackle prejudice, discrimination and harassment.
- To make the workplace as inclusive as possible and to meet the public sector equality duty.
- To consider the diverse needs of the workforce and to monitor equality of opportunity and access.

Communication

Communication about sharing personal information must be an ongoing process using a variety of forums. It is key to demystifying the process and to explaining how, why and when the organisation is likely to ask for information. It is also crucial for engaging staff and officers with the process, giving them an opportunity to raise any concerns and to share their stories. The list below is not exhaustive but gives some general guidance on where to start.

- Focus groups allow the force to gather invaluable feedback from individuals and groups on what some of the internal barriers might be and how these might be addressed.
- For officers and staff from under-represented groups who may be reluctant to share their personal information or are unsure of the benefits, personal stories and testimonies from others who have shared their personal information and seen a positive difference can be encouraging.
- Workforce surveys can be used to gather both qualitative and quantitative data and/or feedback from officers and staff.
- Regular briefings to officers and staff that are specifically about sharing personal information can provide a forum for discussion and for officers and staff to input.
- Workshops for officers and staff help to raise awareness about the sharing, management and use of personal information.
- Online forums and social media are helpful in stimulating conversations and debate.
- Lunch and learn sessions – where officers and staff can come together to share, learn about and celebrate diversity – can help to embed broader messages around inclusivity and how much better a force is able to operate if it truly knows its workforce.

Recommendation

Take every opportunity to amplify where a positive difference has been made because of people sharing their personal information. This will improve transparency, raise awareness, build confidence and change the culture around sharing personal information. Under the UK GDPR, all forces should also have a privacy notice, which should be made available to all. This is often available through the force website.

It's important that the current workforce understands the benefits that diversity and inclusion bring, both internally and externally, as well as the interventions that are in place throughout a person's policing career to help forces achieve those benefits.

We know from our research that the majority of the workforce don't have this knowledge currently, and that forces find it challenging to talk about this internally due to a lack of resources.

These findings were fed into a campaign for forces to use on their internal channels, which explains the benefits, outlines how we can achieve our ambition of being representative through the use of positive action, and busts some of the myths about how positive action is used. The All Together Better campaign is available for all forces across England and Wales. The link to the assets is: uplifthub.co.uk/all-together-better

Sharing personal information – Barriers

The previously referenced [‘Prefer Not To Say’ Research Report](#) identified several reasons why officers and staff do not share their personal information. The table below lists the reasons identified, along with some recommended mitigations for forces to consider.

Reason	Mitigation
<p>Concerns that information will be used against the individual.</p> <p>A good case in point is where an officer shares information that they have a disability or are neurodivergent. Many fear that this will have a negative impact on their career and development opportunities, as well as on their relationships with fellow officers and staff.</p>	<p>Reassure officers and staff about confidentiality and UK General Data Protection Regulation (UK GDPR) requirements. Publicise the support available for officers and staff who require it.</p>
<p>Not clear how details will be used. Officers and staff have a right to know how their personal information will be used. There are two main reasons:</p> <ul style="list-style-type: none"> ■ to monitor and review how protected groups are represented within the force ■ to evidence the targeting of resources and support 	<p>Be transparent about why information is being collected and what it will be used for. This should be included in the force’s privacy notice. Access to this should be provided.</p> <p>Let officers and staff know who within the force has access to their information and how they might use it.</p>
<p>Not seeing the value of sharing information.</p>	<p>Work with champions and advocates who can share lived examples of how information sharing has made a positive difference.</p>

Reason	Mitigation
Options do not apply.	<p>People will often identify with characteristics that are not included specifically in the Equality Act (like non-binary). The national data set allows for individuals who choose to self-identify with the option of ‘other’ included in all categories.</p>
Do not believe that the force should be collecting data on protected characteristics.	<p>Engagement with staff networks and directly with officers and staff will allow forces to better explain why collecting this information is necessary.</p> <p>Explain legal gateway through the UK GDPR if required.</p>
Do not believe in positive action.	<p>Some officers and staff may not fully understand what positive action is and/or how it is implemented. It is often conflated with positive discrimination, which is illegal, or seen as an approach that supports favouritism. This is a sensitive and complex area that should be explained carefully.</p> <p>Positive action strategies should be supported with a comprehensive communications strategy that includes internal staff and officer engagement. This will allow forces to better explain what positive action is, including why, how, when and where it might be required.</p>

Sharing personal information – When?

Personal characteristics can – and do – change, the most notable being age. It is therefore important that officers and staff are given every opportunity not only to share, but also to update their personal information to reflect changes in circumstance. Under the UK, GDPR personal information must remain accurate and up to date.

Where the infrastructure allows, officers and staff should be encouraged to keep their personal information up to date intermittently (for example, annually) or at any time, via a self-service system. Messages about updating your personal information or reassurances about how personal information is collected, stored, managed and used can also be communicated through force electronic devices.

Recommendation

Forces should provide appropriate and timely mechanisms to give officers and staff ongoing opportunities to share personal information throughout their employment, ideally through some form of self-service system.

Recommended stages

- **Initial recruitment.** The messaging around sharing personal information should be promoted to encourage the widest level of engagement. The national data set will ensure that information is consistently collected across forces. Candidates will need to fully understand why their information is being requested, how it will be used and stored, and who will have access to it. This should be provided in the form of a privacy notice.
- **Induction.** This is a prime opportunity to promote the culture of sharing personal information, explaining to new officers and staff how their information is stored and managed, and what is being used for.

- **Line management meetings.** Line managers should be confident to have conversations and give reassurances to their officers and staff about the importance of sharing personal information, as well as the support that is available.
- **Promotion and progression.** Forces need to have a better overview of which officers and staff are progressing, either vertically or laterally, and whether there is any disproportionality.
- **Exit interview.** This is another critical information collection point that will enable forces to better understand whether particular groups are leaving the organisation in disproportionate numbers.

Sharing personal information – How?

Safe to Say

The **Safe to Say** internal communications campaign was developed by the PUP via consultation with key force stakeholders. The campaign focuses on how personal information is used, with the aim being to encourage more officers and staff to share personal information. The campaign has two connected strands.

- The first wave of activity focuses on building trust and confidence that officers and staff can share their personal information, including details of their protected characteristics. It involves educating them on who sees the information, what it is used for and how it is stored.
- The second wave of activity explains how sharing information can directly help to shape policing.

It is recommended that forces on-board the resources in two waves, as outlined above.

To support forces, there is a large amount of creative assets developed for the **Safe to Say campaign**, which were designed to proactively support force Communications teams. This includes digital assets across a range of channels and a range of engaging intranet content.

See the **[Police Uplift Programme](#)** website for resources.

Recommendation: If you have specific queries or concerns around collecting data on protected characteristics or personal information, consult your internal Force Data Protection Team.

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