
POLICE SERVICE OF NORTHERN IRELAND

**EQUALITY IMPACT ASSESSMENT OF THE
ELIGIBILITY CRITERIA FOR THE
PSNI VOLUNTARY SEVERANCE SCHEME**

FINAL REPORT



October 2003

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1. INTRODUCTION

1.1 Introduction

This document represents the outcome of an Equality Impact Assessment (EQIA) on the Police Service of Northern Ireland (PSNI) Eligibility Criteria for the Voluntary Severance Scheme (VSS). This assessment included the following stages as set out in the Equality Commission “Practical Guidance on Equality Impact Assessment”:

- definition of policy aims and objectives;
- consideration of available data and research;
- assessment of impacts;
- consideration of measures;
- formal consultation;
- decision by public authority;
- publication of results; and
- monitoring for future adverse impact.

1.2 Methodology

The methodology used to carry out the EQIA included:

- **desk research:** documentation relating to the design, objectives and operation of the VSS and the criteria was reviewed. In addition data was gathered from PSNI Human Resources in relation to the characteristics of PSNI and of officers who were eligible and ineligible for severance, using the criteria that has operated over years one to three of the scheme;
- **pre-consultation with key informants:** interviews were conducted with a number of interested individuals and groups to inform the EQIA as agreed at Project Initiation;
- **data analysis:** information gathered through pre-consultation and from desk research was analysed to identify the impact of the VSS criteria on the nine Section 75 categories;
- **policy analysis:** Policy aims and objectives were analysed to identify the potential options for delivering the policy;
- **formal consultation:** A 12 week formal consultation process was held by PSNI with a range of stakeholders invited to respond to the consultation document or meet with PSNI representatives. The 12 week consultation period was extended by an additional four weeks to allow consultees to consider additional background information. All

responses to the Formal Consultation period have been considered by PSNI;

- **decision by public authority:** A decision on the future Criteria policy was taken by PSNI, taking into account all of the preceding stages;
- **arrangements for future monitoring:** Arrangements were detailed for monitoring for future impacts arising from the policy;
- **reporting:** this report details the processes and findings of the PSNI EQIA; and
- **publication of results:** copies of this report are available on the PSNI website and have been circulated to all those involved in the pre-consultation phase and the Formal Consultation phase of this EQIA.

1.3 Section 75 of the Northern Ireland Act

Section 75 of the Northern Ireland Act (1998) (Section 75) aims to increase participation and inclusion, to change the culture of public decision making, and to place a more proactive approach to the promotion of equality of opportunity at the heart of public policy.

Public authorities are required, in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

The legislation requires public authorities to identify where a policy has a differential impact upon the relevant groups, the nature and extent of the differential impact and whether any differential impact found is justifiable.

PSNI was designated for the purposes of Section 75 in November 2001. The Equality Commission approved their equality scheme in March 2003 following a period of public consultation. At the inception of the VSS, it was decided that a review should be conducted at the end of year three of the scheme. PSNI have decided to conduct an EQIA of the criteria used to determine eligibility for the VSS, to determine whether there is a differential impact on equality of opportunity in respect of any of the nine equality categories and to inform decision-making for the remainder of the scheme.

The EQIA will consider whether:

- there is any evidence of higher or lower participation or uptake within any of the nine equality categories;
- there is any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular main policy area; and
- whether consultation with relevant groups, organisations, or individuals indicated that particular policies create problems that are specific to them.

The purpose of this assessment is to identify those categories for whom the policy may have a differential impact, the extent of this and if identified whether the aims of the policy justify the differential impact(s) identified.

1.4 Report Structure

The remainder of this report is set out as follows:

Section 2 Background and Policy Context;

Section 3 Consideration of available quantitative data and research;

Section 4 Consideration of available qualitative data, research and Pre-Consultation;

Section 5 Assessment of Impacts;

Section 6 Consideration of Measures;

Section 7 Formal Consultation; and

Section 8 Decision by Public Authority.

2. BACKGROUND AND POLICY CONTEXT

2.1 Introduction

The purpose of this section is to detail the background to and effect of the PSNI Voluntary Severance Scheme.

2.2 Background to Voluntary Severance Scheme-the Patten Report

The VSS arose from the recommendations of the Independent Commission on Policing for Northern Ireland (Patten Commission) which was established as a result of the Belfast Agreement. Recommendations within the report aimed to make the Police Service of Northern Ireland 'representative of the society it serves'.

The report noted that:

'only about 8 per cent of its officers are Roman Catholics while more than 40 per cent of the population of Northern Ireland is Roman Catholic (in the most recent census in 1991, 43 per cent of those aged between 20 and 59 who declared their religion were Catholics, and 50 per cent of those aged below 20). Only 12.6 per cent of its officers are women (a third of whom are in the Part Time Reserve). We received many submissions from all parts of the community arguing that there should be more Catholics/Nationalists and more women in the police. The RUC is widely seen as overwhelmingly Protestant and male'.

The report went on to make 175 recommendations in relation to Policing in Northern Ireland. A key recommendation of the report was:

'provided the peace process does not collapse and the security situation does not deteriorate significantly from the situation pertaining at present, the approximate size of the police service over the next ten years should be 7,500 full time officers'.

The recommendations in relation to size and composition of the police force aimed to ensure that PSNI is broadly reflective of the community in which it serves. Patten envisaged a phased reduction to the size of PSNI over a ten-year period. Projections for the reduction in the size of the regular force and recruitment intake for each of the ten years are detailed in Table 2.1 overleaf.

Table 2.1

Size of PSNI and Number of Recruits envisaged by Patten (Year Base - 10)

Year	Size of Regular Force	PSNI Recruits
Base Year	8,457	0
Year One	9286	370
Year Two	8190	370
Year Three	7116	370
Year Four	7221	370
Year Five	7349	370
Year Six	7448	370
Year Seven	7508	370
Year Eight	7547	370
Year Nine	7529	370
Year Ten	7536	370

Source : Patten Report

In order to achieve the required numbers of officers exiting PSNI, a Voluntary Severance Scheme for existing Police Officers was envisaged by Patten. The report stated:

'the early retirement or severance package offered to regular officers and full time reservists aged 50 or above should include a generous lump sum payment according to the length of service, pension enhancement of up to five years, early pension commutation and payment in lieu of pension until pensionable age is reached'.

At the same time as the VSS was operating it was envisaged that 370 trainees would be recruited each year (with 50 per cent of these recruits being Roman Catholic)

In relation to the VSS, Patten also allowed for lump sum payments to officers leaving the police service before the age of 50 with more than five years service, although pensions would be preserved until normal retirement date.

2.3 Overall Objectives of the VSS

The purpose of this section is to consider the overarching objectives of the VSS policy.

The defined primary policy objectives of the VSS (the criteria and the benefits together) are:

- to achieve a significant and measurable change, in the relatively short term, to the composition of PSNI;
- to achieve a concomitant change to the culture and ethos of policing; and
- to achieve a smaller overall policing complement in Northern Ireland.

Ancillary objectives of the VSS are:

- that the package should meet Governments declared intention of treating RUC officers generously and with sympathy;
- packages should represent the best possible value for money consistent with policy objectives; and
- the scheme should be implemented in a way that achieves value for money.

2.4 Key Stakeholders

A number of groups and individuals are identified as key stakeholders in the context of this policy. These are:

- the Government, who have overall responsibility for delivering the policy objectives, for example, in terms of value for money, account must be taken of existing Treasury and Inland Revenue rules;
- Individual Officers within PSNI, are obviously key stakeholders in relation to this policy as it will determine whether or not they can choose to exit under severance or remain within PSNI; and
- the public, are key stakeholders in relation to this policy in two ways, firstly the operational requirements in relation to policing will affect the public in terms of the need to ensure that PSNI can discharge its functions and ultimately Severance will be funded by the taxpayer.

2.5 Background to Criteria Development-VSS benefits

There are two separate elements to the Voluntary Severance Scheme; the criteria and the benefits. The **criteria** determine **whether** an officer is allowed to apply for severance. The **benefits** determine **what package** an officer will receive when exiting the scheme under severance.

Responsibility for the **benefits** that an officer is entitled to rests with the Northern Ireland Office (NIO). Responsibility for determining the **criteria** to allow an officer to apply for severance rests with the Chief Constable of PSNI. The focus of this assessment is on the criteria used to determine eligibility, although consideration is also given to the benefits, in so far as they provided the context in which the criteria were developed.

The Patten recommendations were considered when developing the policy for the **benefits** that should be available to PSNI officers exiting under severance, which were determined by the NIO following a period of 8 months discussion with the police staff associations. There were initial concerns that insufficient officers would leave under the scheme if pension enhancements were payable only to officers over the age of 50 (as envisaged by Patten) and the finalised benefits consequently provided for pension enhancements to be paid to exiting officers over the age of 45.

The VSS benefits built upon the benefits provided for within the PSNI pension scheme, to which officers contribute 11 per cent of their salary. Under the standard PSNI pension scheme, in common with other UK police forces, 30 years pensionable service is required to qualify for a full pension.

The benefits that an officer will receive exiting under VSS depend on their age at the time of exiting. The effect of the current benefits policy is that:

- officers that are aged **over the age of 55** will receive up to five years pension enhancement, up to 21 months pensionable pay as a lump sum and immediate payment of pension or payment in lieu of pension if not entitled to immediate pension;
- officers aged **between 50 and 54** on the date of leaving receive up to five years pension enhancement, up to three years pensionable pay as a lump sum and immediate payment of pension or payment in lieu of pension if not entitled to immediate pension;
- officers aged **between 45 and 49** on the day of leaving receive pension enhancement of one months pensionable service for each month of pensionable service after age 45 up to a maximum of 59 months and up to three years pensionable pay as a lump sum. **If 30 years pensionable service is achieved, including pension enhancement, pension is payable immediately.** Where less than 30 years pensionable service, including pension enhancement, is achieved pension is preserved according to current rules; and
- officers aged **under 45** on the date of leaving receive up to three years pensionable pay as a lump sum and pension preserved according to current pension rules.

In addition all officers leaving under severance receive an additional lump sum equivalent to one months-pensionable pay. Severance benefits are subject to a treasury cap, which provides that an officer should not be better off exiting under severance than if they continued to work. There are a number of key points in relation to the VSS benefits which are important in the context of the criteria. These are:

- officers are not eligible for Severance benefits unless they were serving officers in the RUC before 1995;
- no pension enhancements are paid to PSNI officers below the age of 45; and
- the minimum age at which an officer could leave under severance and obtain a full PSNI pension is 46 and six months old (if they joined the force on their 18th birthday).

The VSS benefits were determined prior to the development of the criteria and therefore provided an important context for the development of the criteria.

2.6 Development of the VSS Criteria

The criteria for determining eligibility of officers was the responsibility of the Chief Constable of PSNI. Evidence reviewed shows that the impact of the benefits was considered when developing the criteria.

Documents reviewed show that the criteria for the Voluntary Severance Scheme aimed to ensure that applications could be

'prioritised in a controlled and efficient manner in terms of providing support and advice, maintaining operational capability and integrity, sustaining appropriate manning at all levels in the organisation and remaining within the resources available'.

The Patten projections envisaged that the regular PSNI force would reduce from a base of 8,457 to 7,331 in year one of the scheme and fall to 7,116 officers by the end of year three, rising to a figure of 7,536 at the end of year ten.

Documents reviewed and interviews with PSNI have revealed that these figures were used as the initial blueprint, taking into account 50:50 recruitment, retirement and natural wastage, to develop a target number of officers exiting under severance for each year of the scheme.

Criteria was developed to determine when officers would become eligible for severance. Review of PSNI papers shows that a number of criteria were considered including systems based on:

- service;
- rank; and
- age and service.

The Chief Constable decided to use criteria based on a combination of an officers age and their combined service in PSNI and the RUC. These figures were added to give a number of 'points' and the total points required to be eligible for severance each year was determined in advance of applications being invited from officers. Profiling work to identify the numbers of officers that would be eligible and their benefit entitlement was used to judge the number of likely exits under the VSS. In year one of the scheme 81 points were required, falling to 76 in year two and 73 in year three.

Examples of the application of the points criteria are detailed in Table 2.2 below which shows whether different combinations of age and service would have made officers eligible for severance in years one to three.

Table 2.2.
Eligibility in Years One to Three of the Scheme

Age¹	Service²	Total points	Year One	Year Two	Year Three
45	27 years	72	No	No	No
47	26 years	73	No	No	Yes
49	23 years	73	No	No	Yes
51	15 years	66	No	No	No
53	29 years	82	Yes	Yes	Yes

Source: PSNI

In order to be eligible for VSS over the past three years an officer would have to have been at least 46 years old at their exit date in order to acquire sufficient points (if they joined at age 18 then they would have 28 years service which would give them 74 points to meet the criteria). Based on a compulsory retirement age of 57, an officer would have needed a minimum of 16 years service to meet the criteria.

¹ For illustrative purposes age is taken as age on date of leaving

² For illustrative purposes service is calculated as completed service on date of leaving

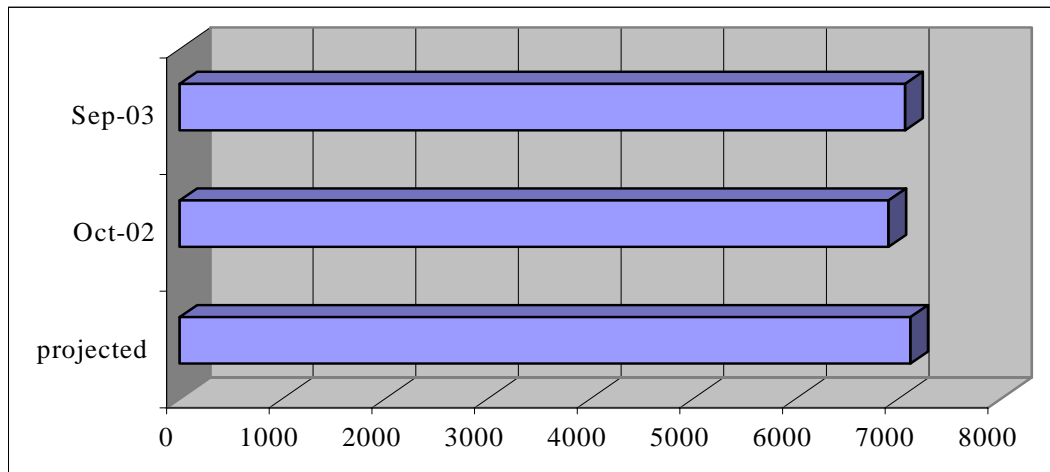
2.7 Preliminary Equality Impact Assessment

A Preliminary Equality Impact Assessment (PEQIA) was conducted by PSNI prior to designation under Section 75 of the Northern Ireland Act. A decision was made to carry out a full Equality Impact Assessment using the data available from the operation of VSS for three years. The PEQIA was used as background information to inform the strategic context to the EQIA. The assessments in this EQIA are made on the basis of the most recent qualitative and quantitative data available at the time of conducting the EQIA.

2.8 Size of Force Compared with Patten Objectives

Figure 2.2 shows the current size of the regular force compared with that envisaged by Patten.

Figure 2.2
Size of Regular Force Compared with Patten Projections



Source: PSNI

It was envisaged that there would be 7,116 regular officers in PSNI by the end of year three of the severance scheme. In October 2002 there were 6,905 regular officers. This figure has since risen to 7,065 regular officers with an intake of new recruits. The PSNI Human Resource Planning Strategy notes that while the first officers left under the VSS in January 2001, new police trainees did not arrive in stations until August 2002, resulting in the current shortfall in numbers. Year four of the severance scheme has been deferred to harmonise recruitment intakes and VSS exits. The current size of the regular force is in line with that envisaged by Patten.

3. CONSIDERATION OF AVAILABLE QUANTITATIVE DATA AND RESEARCH

This section identifies the data sources used in conducting the equality assessment of the VSS.

3.1 Key Data Sources

A variety of data was collected for the purposes of the equality assessment through desk research and key informant interviews. Table 3.1 details the main data sources used to inform this review.

Table 3.1
Summary Review of Available Data Sources

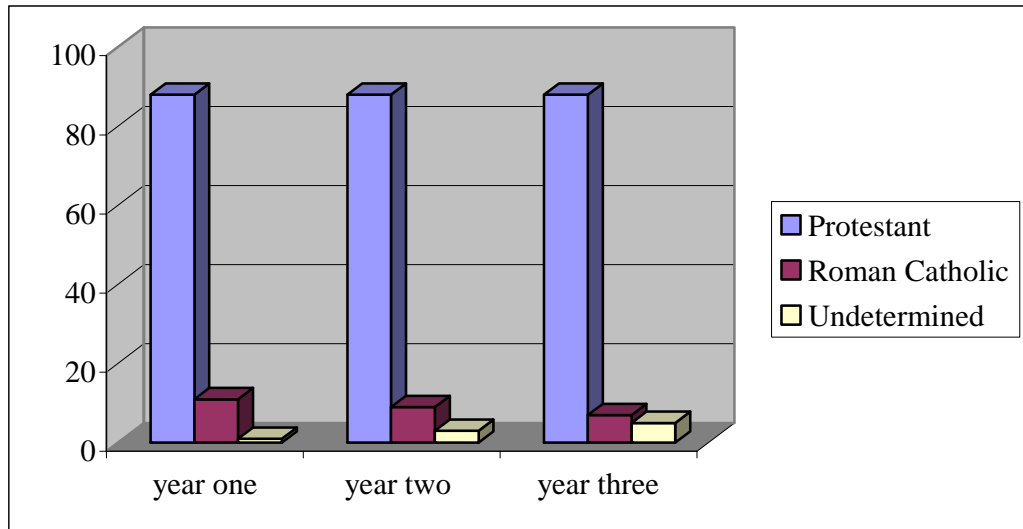
Source	Data
PSNI Human Resources	2001 Composition of PSNI by gender, religion and age. 2001 Breakdown of PSNI officers by gender and rank. 2001 Breakdown of PSNI officers by age and service. Data on percentage of Officers leaving under VSS that maximised their benefits. Qualitative data on equality categories.
VSSU	Background documentation on criteria objectives and design.
VSSU Consultative Group	Qualitative data relating to the impact of VSS criteria on equality categories.
Age Discrimination Group	Qualitative and quantitative data relating to the impact of VSS criteria on officers of different ages.
Police Association	Qualitative data was gathered through key informant interviews with representatives of the three organisations of the Police Association relating to the impact of the VSS criteria on the nine equality categories.
NI Policing Board	Qualitative data was gathered through a telephone interview with the Policing Board on the impact of the VSS criteria on the nine equality categories.

Source: Deloitte

3.2 Religious Belief

The composition of PSNI by community background prior to the introduction of the VSS, was 88 per cent Protestant and 8 per cent Roman Catholic, with four per cent undetermined. This compares with the population of Northern Ireland which is 42 per cent Roman Catholic. Figure 3.1 illustrates that across the three years of the VSS, officers from Protestant and Roman Catholic community backgrounds were represented among those leaving under the scheme, broadly in proportion to their relative composition within the force.

Figure 3.1
Community Background of Severance Leavers



Source:PSNI

Over the three years of the scheme 88 per cent of officers that left were from a Protestant community background and nine per cent of officers were from a Roman Catholic community background, almost replicating the composition of PSNI at the initiation of the scheme. It is noteworthy that the effect of the VSS and 50:50 recruitment has been to increase the proportion of Roman Catholic Officers to 11.44 per cent of the service.

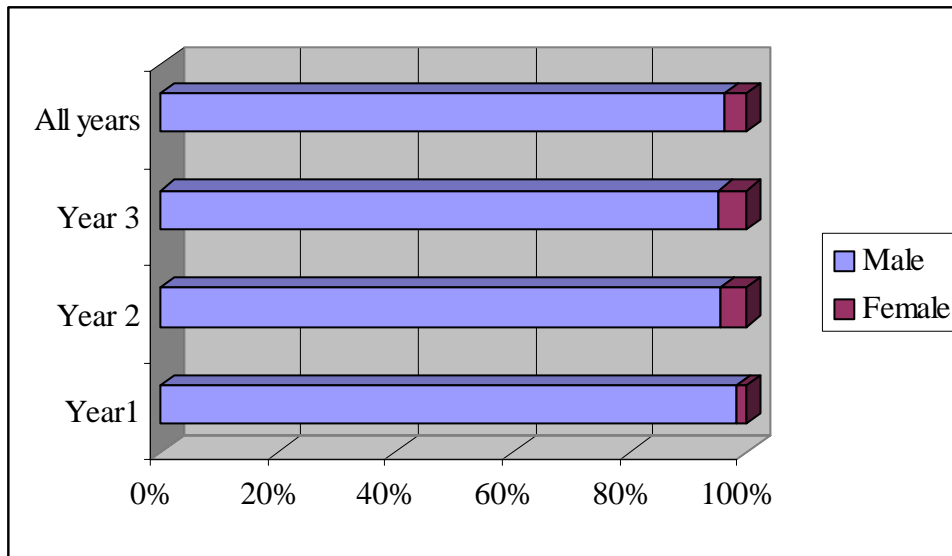
3.3 Political Opinion

No data is available on the political opinion of PSNI officers or of officers leaving under the scheme. In terms of unionist/nationalist political opinion, community background data is commonly used as a proxy for this information. As noted above, officers leaving under the VSS reflected the relative composition of PSNI by community background over the three years of the scheme, suggesting that the composition of the force in terms of political opinion was also reflected.

3.4 Gender

Thirteen per cent of PSNI officers were female compared with 87 per cent male at the beginning of the severance scheme. The proportion of female officers has risen to 17 per cent in this period. Significantly of the female officers within PSNI, 86 per cent are below the age of 43 and would not have been able in years one to three of the scheme to achieve sufficient points to be eligible for severance. Sixty eight per cent of male officers are below the age of 43 suggesting that a greater proportion of men are able to meet the severance criteria than women. The numbers of female officers who have left through the VSS reflects this position. Figure 3.1 indicates the proportion of female officers exiting under severance.

Figure 3.1
Percentage of Officers Leaving Under the VSS by Gender



Source PSNI

Just four per cent of the total officers leaving under the VSS were female compared with 14 per cent of PSNI officers being female. The proportion of female officers leaving under the VSS ranged from two per cent in year one to five per cent in years two and three.

3.5 Age

As detailed in Section 2, age is explicitly used as one of the criteria for achieving sufficient points. The second criteria, service, also is indirectly based on age as longer serving officers will tend to be older.

Table 3.3 shows the minimum age required to achieve sufficient points in years one to three of the scheme.

Table 3.1
Minimum Age for Severance Eligibility in Years One to Three

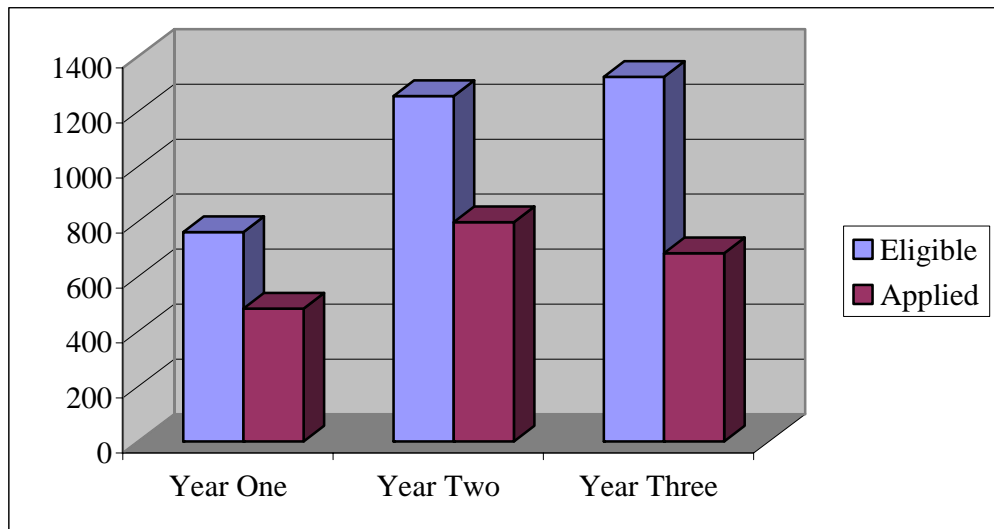
Points required	Minimum age	Service required (if minimum age)
81	50	31 ³
76	47	29
73	46	27

Source: PSNI

The criteria as currently applied thus means that some officers can be eligible for the scheme with less service than some younger ineligible officers (eg an officer aged 50 with 26 years service would be eligible in years two and three while an officer aged 45 with 27 years service would not have been eligible in years two and three).

However, consideration of the data in relation to eligible officers and those that actually apply for severance illustrates that not all eligible officers apply for the scheme. Figure 3.2 illustrates that there are significant numbers of PSNI officers that were eligible in years one to three of the scheme (ie they met the criteria) that did not apply for severance.

Figure 3.2
Number of Eligible Officers that Applied for Severance.



Source: PSNI

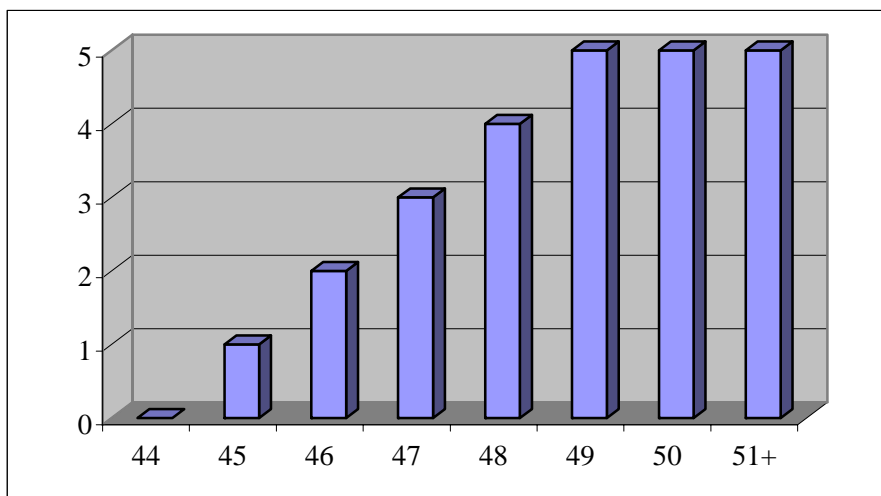
³ As points are calculated on the full age of officers an officer aged 51 with 30 years service could also achieve the required points

Just 59 per cent of eligible officers in years one to three applied for severance. Further review of PSNI data shows that a common characteristic of eligible officers applying for severance is that they have **maximised their benefits** under the scheme ie they have achieved as much pension entitlement as they would have if they continued working to retirement age. Ninety eight per cent of regular officers exiting under the VSS in year three maximised their pension benefits before they applied for severance. This suggests that the main determinant of when an officer chooses to apply for VSS is not whether or not they are eligible but whether or not they maximise their benefits.

3.6 Age and VSS Benefit entitlement

As detailed in Section 2, Patten envisaged that only officers over the age of 50 would receive enhancements to their pension. When the actual benefits were being determined by NIO, it was felt that insufficient officers might leave PSNI if only over 50's were offered enhancements and the payment of pension enhancements extended to officers over the age of 45. Figure 3.3 illustrates the maximum pension enhancement payable to officers above the age of 44. No pension enhancements are payable to officers aged between 18 and 44.

Figure 3.3
Maximum Pension Enhancements (years) Payable to Officers Aged Above 44



Source: PSNI

The effect of the VSS benefits is that the maximum pension enhancements payable to officers leaving start at one year at age 45, with one year added for each year of service, rising to the maximum level of 5 years payable when an officer turns 50.

Police officers, under the Royal Ulster Constabulary Pension Regulations 1988, as amended, Statutory Rule 374, can be paid a full pension after 30 years pensionable service. Current pension legislation does not **normally** permit pension payments to officers below the age of 50 with less than 30 years service. This means that if an officer left under severance, without a

30 year enhanced pension that they could not receive their pension until they were aged 50.

For illustrative purposes if an officer leaves at age 46½ with sufficient pension enhancements to achieve a 30-year pension they will receive payment of pension immediately. Leaving at age 45, the officer would receive three years salary as a lump sum and up to 12 months pension enhancement, giving almost 29 years pensionable service, **payable at age 50**. If an officer has less than 25 years service on leaving their pension is not **payable until age 60**. By working for a further six months and then applying for the VSS, not only does an officer achieve a full pension but immediate payment of pension for up to three and a half years which is a significant benefit.

3.7 Persons of different Racial Backgrounds

The Equality Commission guidance defines racial group as:

‘Chinese; Irish Traveller; Indian; Pakistani; Bangladeshi; Black, African; Black Caribbean; White; mixed ethnic group; any other ethnic group; and nationality’.

As reflected in the Patten report, PSNI has historically had low levels of officers from minority ethnic groups. Specific data is not available on the impact of VSS on officers of different racial backgrounds. Anecdotal evidence suggests that there were very few officers from racial backgrounds other than white that exited under severance.

3.7.1 Nationality

In order to be eligible for VSS, the service taken into account is previous service within the PSNI and RUC. Officers joining the RUC with previous employment from other industries, including other police forces, the military and Civil Service as well as private industry can transfer their pension arrangements for a value determined between PSNI and the transferring pension fund.

In conducting this assessment it has been suggested that the practice of counting only PSNI/RUC service and not other pensionable service impacts differentially on people of different racial backgrounds, namely English, Scottish and Welsh people who have joined from other careers, in particular policing careers. No data is available on the regional nationality of UK born officers within PSNI.

3.8 Persons of Different Marital Status, or Sexual Orientation, Persons with Dependants and those Without and Persons with a Disability and those Without

Quantitative data is not currently available to assess the impact of the VSS criteria on these equality categories, although PSNI Human Resources Branch and the Voluntary Severance Support Unit are not aware of any concerns from people in any of these groups regarding the VSS.

4. PRE-CONSULTATION AND REVIEW OF QUALITATIVE DATA

The EQIA was informed by a series of key informant interviews with groups and individuals to gather qualitative data and to consult with stakeholders in advance of the formal consultation process. Table 4.1 sets out the participating groups and individuals.

Table 4.1
Details of consultees

Representatives from PSNI, Voluntary Severance Unit
Representatives from the Police Federation
Representative from the Policing Division of the Northern Ireland Office
Representative from the Superintendents' Association
Northern Ireland Policing Board
Members of the Voluntary Severance Consultative Group
Representatives from the Chief Police Officers Staff Association
Representatives from the 'Age Discrimination Group'

Source Deloitte

Through the pre-consultation, issues were raised in respect of the following equality categories:

4.1 Religious Belief

Consultees acknowledged that the majority of officers that left under the VSS were Protestant although none indicated that they felt that this suggested a differential impact, given the high proportion of PSNI officers that were Protestant at the introduction of the VSS. No consultees felt that the scheme criteria impacted differentially on people from different religious backgrounds. The wider policy context which seeks to ensure that PSNI reflects the community it serves, particularly in relation to Protestant and Catholic balance was also noted in this context by consultees, a number of whom felt that the policy promoted equality of opportunity between people of different religious backgrounds.

4.2 Political Opinion

No consultees identified the existence of a differential impact on people of different political opinion arising from the VSS benefits.

4.3 Gender

A number of consultees pointed to a historically low level of retention of women in the PSNI, preventing women from meeting the criteria requirement for severance. All consultees felt that the VSS criteria applied equally to men and women and despite the different proportions of men and women leaving under the scheme it was not felt that the criteria of the VSS impacted differentially on women.

The Police Federation noted that they had not received any complaints from female officers in relation to the scheme criteria. One consultee suggested that the wider impact of the VSS and 50:50 recruitment would be to promote equality of opportunity for women within PSNI by creating recruitment opportunities which would result in a higher proportion of women officers.

4.4 Age

Evidence was produced that sought to demonstrate the existence of a discriminatory impact arising from the VSS criteria in respect of persons of different age.

The 'Age Discrimination Group' focused on the position of officers that joined PSNI aged 18. A colleague who joined at the same time, aged 21 would achieve three additional 'points' and would therefore be able to meet the criteria before the 18 year-old joiner. It was suggested by this group that in this way the criteria is contrary to Section 75. A number of additional points were raised by this group. These are summarised as:

- younger officers are disadvantaged when compared with older officers that started at the same time as they cannot access the lump sum and pension enhancement benefits of the VSS because they do not meet the criteria;
- an officer that is younger is required to continue to make pension contributions on a monthly basis while they are continuing to serve. An older officer that started at the same time is not required to make pension contributions after they exit PSNI on severance; and
- the effect is that younger officers are discriminated against on the grounds of their age.

The view of the Police Federation at the beginning of the VSS was that the scheme should be open to all officers regardless of age. The Federation indicated that they had sought a legal opinion and were advised that the criteria represented the 'fairest and most equitable way' of controlling leavers. Police Federation representatives expressed the view that the current system is the fairest and that they would be opposed to any move to change the criteria.

One consultee interviewed stated that the scheme is based on a working assumption that police officers would want to maximise their pension benefits and that criteria based on service would be ineffective and not result in a

change to the individual officers applying for severance, once they maximised their benefits.

It was noted by consultees that the scheme will run until 2010 and that the majority of officers concerned about the schemes impact on younger officers will become eligible in the next years of the scheme.

4.5 Persons of Different Racial Backgrounds

A number of consultees were directly affected by the exclusion of non-PSNI/RUC service in the points calculation and felt that the scheme should be changed to accommodate officers that had transferred pensionable service from previous careers.

The majority of consultees felt that to count previous GB police or civil service experience or even previous experience in industry would dilute the effect of the service requirement and run contrary to the Governments stated intention of '*generous and sympathetic treatment*' for RUC Officers.

It was noted that if the criteria was changed it would need to apply to all officers who transferred pension on joining PSNI which could include teachers and civil servants as well as officers from other forces. It was suggested that this would be unfair on officers who had policed through particularly difficult times.

4.6 Persons of Different Marital Status, or Sexual Orientation, Persons with Dependants and those Without and Persons with a Disability and those Without

Consultees were asked whether they felt that there was a differential impact on people from any of these categories as a result of the VSS Criteria. No consultees felt that the policy impacted differently on people from any of these groups.

5. ASSESSMENT OF IMPACTS

5.1 Introduction

This EQIA has taken account of available data and interviews with a range of stakeholders including members of the VSS Consultative Group, PSNI Human Resources, NIO, representatives from the Police Federation, Superintendents' Association and Chief Police Officers Staff Association, Northern Ireland Policing Board and a group of officers concerned about the impact of the VSS on people of different ages (Age Discrimination Group). Responses received to the formal consultation have also been considered in this assessment.

5.2 Age

The points system used for determining eligibility clearly differentiates among officers of different ages, resulting in fewer younger officers being eligible for the scheme. Officers below the age of 46 could not leave under VSS in years 1-3 of the scheme as they would not have achieved sufficient points to be eligible.

The specific issue of officers that joined at a young age was raised and it has been noted that in some cases older officers with less service have been eligible for severance where younger officers with longer service have not eg in the case of an officer that joined at aged 18 and an officer that joined age 21, the officer that joined age 21 will need three years less service in order to meet the criteria for severance.

Evidence reviewed shows that the differential impact on people of different ages was noted when the criteria was being determined. It is also evident that not all eligible officers have accepted severance. It is clear from data provided that officers have not accepted voluntary severance unless they were in a position to maximise their benefits, ie when they achieve, including pension enhancement, the pension that they would have achieved if they had worked until retirement age. The benefits are not within the control of PSNI but they do provide an important backdrop against which the criteria needed to be determined.

It has been suggested during the course of our assessment that the criteria should be changed to a points system based solely on RUC/PSNI service. Others have suggested the criteria should be based solely on age and it has also been recommended that the criteria should target specific ranks within PSNI. These options are considered in further detail in Section 6.6. below.

5.3 Gender

It is noted that there is potentially an indirect differential impact on women, as there are proportionately less older and longer-serving women in PSNI than

men. Therefore proportionately fewer women than men within PSNI can meet the criteria for severance.

It is not possible to determine the extent to which this represents a differential impact as it is not known whether female officers would choose to apply for severance if eligible. It is also noted that since the introduction of the VSS the proportion of women in PSNI has increased from 13 to 17 per cent. It is therefore suggested that the impact on equality of opportunity between men and women arising from the overall policy is a positive one. This is considered in further detail in Section 6.2.

5.4 Religious Belief/Political Opinion

Given that the composition of PSNI at the commencement of the VSS was 88 per cent Protestant and eight per cent Roman Catholic, it is unsurprising that a significantly larger proportion of officers accepting severance are Protestant. In the first three years of the scheme nine per cent of officers leaving through severance were Roman Catholic.

It is suggested that this does **not** represent a differential impact on people of different religion as the proportion of Roman Catholic and Protestant Officers that have accepted severance are broadly reflective of the composition of PSNI. It is also important to note that the severance scheme aims to change the size and composition of PSNI to more accurately reflect the population of Northern Ireland in terms of community background, and therefore promotes equality of opportunity and good relations among people of different religious beliefs.

5.5 Racial Group

During the course of our consultation it was noted that the criteria prevents a number of officers that have transferred from the GB police, British Army and other prior occupations from applying for severance as only service within the RUC and PSNI is counted for the purposes of determining an officers points. It has been suggested that this may pose an issue in relation to racial background under section 75.

Individuals transferring from other occupations often transfer their pension arrangements to PSNI based on a transfer value determined upon entry to the service.

It is suggested that the position of such officers is no different from that of any other person that joined PSNI with a prior employment history and therefore does not constitute a differential impact on the grounds of race.

5.6 Persons of Different Marital Status, or Sexual Orientation, Persons with Dependants and those Without and Persons with a Disability and those Without

There is no evidence to suggest that there is a differential impact on people from these categories.

5.7 Summary of Impacts

It is suggested that there is no evidence of a differential impact arising from the policy of paying benefits to officers leaving under the VSS on:

- persons of different religious belief, political opinion, racial group, marital status or sexual orientation;
- between persons with a disability and persons without; or
- between persons with dependants and those without.

This assessment has found evidence to suggest that there may be a potential differential impact on women in PSNI although it is not known to what extent women would apply for severance if the criteria were changed. The effect of the wider policy context in promoting equality of opportunity for women should also be considered in this context.

6. CONSIDERATION OF IMPACTS

This section considers the potential differential impact of the VSS on younger people, considering the policy context and objectives of the criteria for the VSS.

6.1 Policy Context

The Patten report provided the baseline for developing the benefits payable under the VSS and it was envisaged that:

‘the early retirement or severance package offered to regular officers and full time reservists aged 50 or above should include a generous lump sum payment according to the length of service, pension enhancement of up to five years, early pension commutation and payment in lieu of pension until pensionable age is reached’.

The Patten recommendations also allowed for lump sum payments to officers leaving the police service before the age of 50 although pensions would be preserved until normal retirement rate.

The Chief Constable devised the criteria for the VSS after the benefits had been determined and sought to ensure that applications to the scheme could be *‘prioritised in a controlled and efficient manner in terms of providing support and advice, maintaining operational capability and integrity, sustaining appropriate manning at all levels in the organisation and remaining within the resources available’.*

The defined primary policy objectives of the VSS are:

- to achieve a significant and measurable change, in the relatively short term, to the composition of the PSNI;
- to achieve a concomitant change to the culture and ethos of policing; and
- to achieve a smaller overall policing complement in Northern Ireland.

The defined ancillary objectives of the VSS are:

- that the package should meet Governments declared intention of treating RUC officers generously and with sympathy;
- packages should represent the best possible value for money consistent with policy objectives; and
- the scheme should be implemented in a way that achieves value for money.

The objectives of the VSS need to be considered against the backdrop of the wider policy background including the 1998 Belfast Agreement and the other reforms within PSNI as a result of the Patten report.

6.2 Extent to which the Policy Objectives have been met

It was envisaged that there would be 7,116 regular officers in PSNI by the end of year three of the severance scheme. In October 2002 there were 6,905 regular officers. This figure has since risen to 7,065 regular officers with an intake of new recruits. The PSNI Human Resource Planning Strategy notes that while the first officers left under the VSS in January 2001, new police trainees did not arrive in stations until August 2002, resulting in the current shortfall in numbers. Year four of the severance scheme has been deferred to harmonise recruitment intakes and VSS exits. The current size of the regular force is in line with that envisaged by Patten.

A key objective of the VSS and 50:50 recruitment policies was to make the composition of PSNI more reflective of the community which it serves. Since the inception of the VSS, the proportion of Roman Catholic and Female officers has risen. This is detailed in Table 6.1 below.

Table 6.1
Increase in Proportion of Roman Catholic and Female officers from 2000 to present.

Date	1 January 2000	1 September 2003
Proportion of female officers	13.36 %	16.6 %
Proportion of Roman Catholic Officers	7.82 %	11.44%

Source: PSNI

The increase in the proportion of female and Roman Catholic officers in PSNI illustrates that PSNI is becoming more reflective of the Northern Ireland population, the key aim underpinning Patten's recommendations. Continuation of the VSS in its current form, along with 50:50 recruitment will increase the proportion of Roman Catholic Officers and is likely to result in a further increase in the proportion of female officers.

6.3 The need for criteria

The evidence shows that 99 per cent of officers do not avail of the scheme until they have attained a full pension under the scheme benefits. It is argued that if this is the case why is criteria required at all? The answer is that a criteria ensures that applications are prioritised in a controlled and efficient manner in terms of providing support and advice, maintains operational capability and integrity, and sustains appropriate manning at all levels. In the absence of a criteria, the Chief Constable would be unable to ensure that PSNI can maintain operational capability if larger numbers of officers apply than anticipated.

6.4 Criteria Options

The VSS came out of the recommendations of the Independent Commission on Policing in Northern Ireland, established as a result of the Belfast Agreement which made a number of recommendations on the future of policing in Northern Ireland. The VSS is part of an overall package of reforms which aim to achieve a smaller overall policing complement in Northern Ireland which is effective and representative of the community it serves, commanding the widespread confidence and support it needs.

It is clear that in trying to achieve the policy objectives a number of competing issues have to be considered. Ultimately they must all be placed within the context of the overall policy.

There are a range of issues that needed to be considered in the context of setting a criteria. These include:

- the impact of losing the most senior, by service, officers year on year;
- the impact on organisational structure;
- complementarity with associated policies (eg the benefits);
- minimising differentials in respect of groups under-represented in PSNI (eg Roman Catholics and women); and
- the needs of **all** key stakeholders the government, the general public, Chief Constable and PSNI officers.

Three possible options for amending the policy are detailed below.

6.4.1 Service Only

The criteria could be based solely on the length of PSNI service.

Based on data provided by PSNI, this course would not change substantially the profile of officers leaving as there is a clear financial deterrent to officers leaving before the date at which they have maximised their pension benefits. If, for example an officer leaves at age 46½ with sufficient pension enhancements to achieve a 30 year pension they will receive immediate payment of pension. Leaving at age 45, the officer would receive three years salary as a lump sum and up to 12 months pension enhancement, giving almost 29 years pensionable service, **payable at age 50**. By working for a further year and a half and accepting severance aged 46½ their pension entitlement with enhancements rises to a full 30 year pension payable **immediately**. In summary, the data suggests that regardless of the criteria, the vast majority of PSNI officers will wait until they maximise their benefits. Therefore it would be reasonable to ensure that the criteria allows those officers that can maximise their benefits to apply for severance.

It is also recognised that the operational capacity of the organisation both in relation to policing and the administration of the voluntary severance scheme was a key consideration. If the criteria were changed from age and service it would increase the pool of officers eligible for severance and is unlikely to have a major impact on the number of officers that will apply for severance. For example, if the criteria were changed to be 27 years service, there would be officers aged 45 that would be eligible. Data shows that they are unlikely to leave because they can maximise their benefits through a further 1½ years service. However, operationally PSNI could not know definitively whether or not these officers would actually apply for severance, increasing the uncertainty.

Changing the criteria to a system based solely on service would also significantly increase the burden of administering the VSS and create greater uncertainty within the organisation, reducing the organisations ability to:

‘prioritise applications in a controlled and efficient manner in terms of providing support and advice’.

Given that an officer could not maximise their benefits before the age of 46½ under the VSS, allowing officers to apply for severance based on service, without taking age into account would reduce the link between the scheme benefits and the scheme criteria and result in increasing the eligible pool of officers, without resulting in greater numbers of younger officers leaving as they would not be able to maximise their benefits.

Summary

Criteria based on service only is not likely to meet the objectives of the policy to *‘prioritise applications in a controlled and efficient manner in terms of providing support and advice’*. The current criteria based on age and service ensures that those officers most likely to leave the service because of their benefit entitlement have the opportunity to do so while allowing the organisation to control to a large extent the numbers of officers leaving the service. It also ensures that resources in relation to administering the scheme are targeted at those officers most likely to accept severance.

6.4.2 Age Only

The criteria could be based solely on the age of an officer

If the criteria were based solely on age differentials between people of different ages would be increased. There would potentially be an increased differential impact on women wanting to exit under severance as there are proportionately fewer older women within PSNI.

Summary

Criteria based on age would increase differentials between people of different ages and potentially increase the differential impact on women.

6.4.3 Rank and Service Bands

Criteria using rank or bands of service could be used as the basis for eligibility

A system based on bands of service or of age profiles potentially increase inequalities between officers of different ages by allowing a younger officer at the top of a service band (eg with 24 years service) to apply for severance while denying the opportunity to an older officer with more service (eg 25 years service) at the bottom of a higher age or service band.

A system using quotas of different ranks would also increase the scope for inequalities between people of different religion, gender and age. For example, the proportion of women in differing ranks ranges from three per cent at Superintendent to 17 per cent at Constable. The proportion of Roman Catholic Officers ranges from eight per cent at Chief Inspector to 13 per cent at Constable level⁴. Targeting a specific rank or ranks through the VSS criteria would impact differentially on people from these groups.

A further impact if these options were used would be reducing possibilities of promotion. Top slicing could cause a bunching of promotions amongst existing officers who are already above junior ranks and stop later recruits from advancing through the ranks.

Summary

Criteria based on rank or bands of service would potentially reduce equality of opportunity between people of different religions, ages and between men and women generally.

6.5 Summary of Criteria Options

The existence of a potential differential impact on people of different ages and genders clearly flows from the use of age and service as the key determinant of eligibility. It would be impossible to remove any potential differential impact without changing the eligibility criteria for the scheme from age and service (as service is generally linked to age).

It is clear that controlling the numbers of officers leaving through severance is key to maintaining the operational capacity of PSNI and that a system is required to effect such control.

Systems based on banded service or age potentially increase inequalities among groups while a system based on rank would clearly have a differential impact on women and people of different religions.

⁴ Figures based on the current Composition of PSNI

6.6 Promotion of Equality of Opportunity

The Patten recommendations aimed to both reduce the size of the force overall and to change the composition of PSNI to reflect the community in which it serves. The VSS is key to both of these aims by initially reducing the size of the force and making room for 50:50 recruitment until 2010. The policy therefore promotes by equality of opportunity and good relations among people of different religious belief and political opinion. It was suggested during the consultation that the VSS has also had a positive impact on equality of opportunity for people of different genders through providing greater opportunities to redress the gender balance in the force through recruitment and also through promotion opportunities for all PSNI officers.

6.7 Maintaining the Operational Capacity of the Force

PSNI documents reviewed show that the criteria for the Voluntary Severance Scheme the criteria aimed to ensure that the operational capability was maintained and to sustain appropriate manning at all levels in the organisation.

Other options were considered by PSNI to limit the numbers of officers applying for severance in any one year and it was felt that age and service offered a system that would allow officers to know in advance if they were eligible and to plan accordingly, as well as allowing PSNI to identify, to a large extent, which officers would be likely to leave.

6.8 Early Retirement/Severance Schemes

The rationale behind encouraging older officers to retire early (instead of younger officers) is usually based on a combination of operational and cost reasons. Operationally it is recognised that an older employee will reach normal retirement age in a shorter period of time than a younger colleague and that facilitating early retirement accelerates the normal retirement process. Encouraging younger officers to leave/retire increases the potential number of years lost to the organisation as they would have had longer to work before normal retirement age.

It is suggested that the VSS, while applying to a younger age group of officers (over 45) than is typical of other early retirement schemes, has been developed in line with the general principle of early retirement schemes of encouraging older employees to leave.

6.9 Summary

In considering the impact of the EQIA on people of different ages and between men and women generally it is important to note:

- 98 per cent of officers exiting through VSS had maximised their benefits under the scheme;

- the policy background which aims to ensure that PSNI is more reflective of the community that it serves;
- the current VSS policy has met its objectives in relation to reducing the size of PSNI and has increased the proportion of female and Roman Catholic Officers;
- alternative systems suggested by consultees would increase differentials and reduce equality of opportunity; and
- general practice in relation to severance schemes considers age to be a legitimate criteria

As detailed above this EQIA has found that the differential impact in relation to people of different age is therefore necessary as the current criteria policy provides the best way of promoting equality of opportunity between the nine section 75 Categories. It is recognised that some internal stakeholders within PSNI feel that the criteria should be changed. However, it is noted that the wider context of this policy and the impact on policing in Northern Ireland are key considerations. It is not felt to be possible to eradicate the differential impact on people of different ages and to amend the policy would reduce equality of opportunity among other Section 75 categories.

7. FORMAL CONSULTATION

7.1 Introduction

The purpose of this chapter is to detail the process and outcome of the Formal Consultation phase.

7.2 Consultation Process

As detailed in the PSNI Equality Scheme, PSNI held a twelve-week Formal Consultation period on the EQIA for the Voluntary Severance Criteria. A consultation document was prepared based on Stages 1-6 of this report namely:

- consideration of available data and research;
- assessment of impacts; and
- consideration of measures

This consultation document was available in Braille, disc, audiocassette, large print and alternative language formats on request. A copy of this document was also available on the PSNI website at www.psnipolice.uk.

The consultation document was issued to the groups involved in the pre-consultation process and a range of groups covering all nine Section 75 categories. All PSNI officers were advised of the formal consultation period and invited to participate in the consultation period.

Responses to the consultation document were invited within the 12 week period. In addition representatives of the PSNI VSSU were available to meet for face to face consultation during the period. Three consultation meetings were held.

It was requested that the PEQIA referenced in Section 2 be made available to consultees. Copies of the PEQIA were issued to consultees and the consultation period extended by four weeks to allow consultees to respond.

7.3 Consultation Responses

Responses were received to the formal consultation from the following:

- Age Discrimination Group;
- Age Sector Reference Group;
- Disability Action;
- Equality Commission;
- Police Federation of Northern Ireland;
- Superintendents Association;

- Northern Ireland Office;
- Policing Board for Northern Ireland;
- Traveller Movement NI; and
- three individual responses.

All responses received have been fully considered and changes made to this EQIA report where it was deemed necessary and appropriate. A detailed summary of responses received during the formal consultation is attached at Appendix I. Action and decisions taken as a result of the formal consultation process is also detailed in this section.

8. SUMMARY OF FINDINGS

This equality assessment suggests that no evidence exists to demonstrate a differential impact arising from the benefits of the VSS between:

- persons of different religious belief or political opinion, racial group, marital status or sexual orientation;
- persons with a disability and persons without; or
- between persons with dependants and persons without.

This assessment has found that there is evidence to support the existence of a differential impact in respect of officers of different ages as older officers receive more eligibility points than younger officers. It is suggested that this differential is necessary as:

- other options for determining the criteria were considered at the VSS inception and it was felt that age and service best met the needs of the organisation and officers, by allowing officers to plan for severance by releasing the eligibility criteria in advance and thus allowing the organisation, to a large extent to determine those likely to apply for severance;
- the criteria was determined in line with the VSS benefits which give pension enhancements based on age;
- data from PSNI shows that more than 98 per cent of severance leavers wait until they can achieve the maximum benefits before they leave, suggesting that the benefits and not the criteria have the greatest influence on when an officer leaves;
- leaving without maximising benefits is less attractive to a PSNI officer as they would forfeit pension enhancements and pension payment for up to three and a half years ;
- it is standard industry and public sector practice to base voluntary severance/early retirement schemes on age and service; and
- the Patten reforms, including VSS and 50:50 recruitment aim to promote equality of opportunity and good relations between people of different religions and political opinions.

This assessment has also found that there is a potential indirect differential impact between men and women, as women within PSNI are generally younger and have less service on average than men within the force. This is balanced however by the wider context in which the proportion of women officers in PSNI has increased since the inception of the VSS.

This assessment has also considered the existence of a potential differential impact on people of different racial backgrounds in so far as non PSNI/RUC police service is excluded from the criteria. It is suggested that while this applies to officers transferring from careers elsewhere in the UK, it also applies equally to Northern Ireland Officers with previous careers and therefore is not a differential impact on people of different racial backgrounds.

The views of key stakeholders sought in relation to this policy would suggest that the main stakeholders are PSNI officers. This EQIA has found that the wider background of the policy, the Belfast Agreement and the Patten report required the implementation of a unique VSS scheme for PSNI officers to allow room for recruitment on a 50:50 basis between Roman Catholics and others.

Issues in relation to severance are usually raised in relation to individuals not wanting to leave, rather than those wishing to leave (as in this case). However, the wider objectives of the Belfast Agreement and the Patten report need to be considered above the wishes of individual officers.

It is evident that the combination of the VSS and 50:50 are meeting their objectives in relation to reducing the size of the force and in making PSNI more reflective of the community it serves. It is also clear that changing the basis on which officers are eligible for severance (the criteria) would cause a number of difficulties including:

- many officers have forward planned their leaving dates based on the current criteria; and
- changing the criteria to a system based on service, age or rank would impact negatively on other groups of officers and create differential impacts on people of different religions and women; and
- the differential impact on the grounds of age would not be eradicated, merely moved to a different group of officers.

It is therefore suggested that the current policy, in so far as it continues to achieve sufficient numbers of officers leaving under the VSS, does not need to be amended and complies with Section 75.

9. DECISION BY PUBLIC AUTHORITY

9.1 Introduction

The purpose of this section is to detail the Decision made by PSNI on the future criteria for eligibility for the VSSU.

9.2 Decision by Public Authority

On the 22 September 2003, the Chief Constable and members of his Senior Command Team considered what criteria should apply in future years for officers who wished to apply and be considered for the Voluntary Early Retirement and Severance Scheme. This PSNI Equality Impact Assessment was reviewed as part of the process. Having considered the findings within this Assessment and following further consideration of matters relating to organisational need and the stated objectives of the Scheme the Chief Constable directed that the criteria would continue to be a combination of a members age and service as defined, set at a level commensurate with the needs of PSNI from year to year.

10. ARRANGEMENTS FOR FUTURE MONITORING OF THE POLICY

10.1 Introduction

The purpose of this section is to detail the arrangements for monitoring for future impacts arising from the VSS criteria.

10.2 Monitoring Arrangements

PSNI will consider the requirements for data monitoring as a result of this EQIA. Data is now collected at recruitment level on the age, gender, ethnic background, community background, marital status. It is recognised that it will take time for this data to build to a full picture of the force.

In relation to voluntary severance consideration will be given to collecting data on the ethnic background and marital status of applicants and whether or not they have dependants.

11. PUBLICATION OF RESULTS

11.1 Publication Arrangements

This EQIA will be made available in hard copy and through the PSNI website. Copies of the EQIA will be made available in braille, audiocassette, large print and alternative language formats on request. Copies of the completed Equality Impact Assessment will also be issued to all consultees.

11.2 Contact Details

Comments and queries about the Equality Impact Assessment, including requests for copies, should be addressed to:

Constable Richard Walker
Voluntary Severance Support Unit
PSNI Training College
Garnerville
Belfast BT4 2NX

Or telephone Richard Walker, Voluntary Severance Support Unit 028 9092 2057. A copy of this document will also be available on our website at www.psni.police.uk

APPENDIX I
LIST OF CONSULTEES FOR FORMAL CONSULTATION

Northern Ireland Policing Board
Northern Ireland Office, Police Division
Bogue & McNulty, Solicitors, Age Discrimination Group
Chief Police Officers Staff Association
Superintendents' Association
Police Federation for NI
Age Concern for NI
Bryson House
Carers National Association for NI
Chinese Welfare Association
Coalition on Sexual Orientation
Community Relations Council
Disability Action
Northern Ireland Equality Commission
Health Promotion Agency for NI
Help the Aged
Men's Movement
NI Association for Mental Health
NI Council for Ethnic Minorities
NI Gay Rights Association
NI Human Rights Commission
NI Pensioners Convention
NICVA
Save the Children
Travellers Movement for NI
Women's Forum
Women's Support Network
Youth Council for NI
MENCAP
Gingerbread
Inter- Faith Forum
Equality Coalition
Employers Forum on Disability
North West Forum of People with Disabilities
Rural Community Network

APPENDIX II
SUMMARY OF RESPONSES TO THE FORMAL CONSULTATION

	Issue Raised in relation to EQIA	PSNI Decision
EQIA Process	Comments were made in relation to the data made available to consultees eg incomplete data and non-disclosure of financial data.	Consideration was given to the data provided. Additional information was provided to consultees and the Consultation period extended for a period of one month. It is considered that all relevant data has been made available, except where this would breach confidentiality assurances given to interviewees.
	One submission noted that the Consultative Group have not met with consultees and requested clarification on who is taking forward the EQIA process.	This EQIA is being taken forward by the VSSU on behalf of the Chief Constable. VSSU representatives have met with consultees throughout the formal consultation period, where requested.
	One submission queried whether the PSNI Code of Ethics has been considered in this process.	The EQIA has been conducted in line with Equality Commission guidance and the PSNI Equality Scheme.
	One submission welcomed the opportunity provided by ' <i>this well constructed consultation process</i> ' and feels that the excellent way in which the VSS has been implemented and the work of the Criteria Working Party has addressed the issues, which would concern them.	None required
	Additional comments were received in relation to queries received during the EQIA Consultation process which were not formal submissions	PSNI has responded individually to these comments as raised.

	<p>It is recognised in the EQIA that this policy is an integral part of the affirmative action measures arising from the Independent Commission on Policing (the Patten Report), and it is therefore important that this is adequately reflected in the aims of the policy, so that the determination of impact is considered in this context. Equality Commission guidance sets out some useful questions to comprehensively define the aims of the policy</p>	<p>The aims and objectives of the policy and the assessment of whether or not the policy has met these objectives has been revisited and additional analysis undertaken to take account of these comments (Section 2 and Section 6 of the EQIA report)</p>
	<p>The EQIA would benefit from an assessment of whether the aims of <i>‘prioritising applications in a controlled and efficient manner in terms of providing support and advice, maintaining operational capacity and integrity, sustaining appropriate manning at all levels of the organisation and remaining within the resources available’</i> have been achieved.</p>	<p>This has now been included in Section 6 of the report.</p>
	<p>The assessment of potential negative impacts on women, minority ethnic groups and age should be considered within the context of the core aim of the policy-to create a police service that is more representative of the community of Northern Ireland.</p>	<p>This has now been considered in Section 6 of the report.</p>
	<p>The EQIA should contain a list of the consultees included in the formal consultation period.</p>	<p>A list of consultees is now included as an appendix to the document.</p>
	<p>It was suggested that the EQIA process should be recommenced as a result of the PEQIA not being circulated to consultees</p>	<p>It is felt that extension of the Formal Consultation period to allow for consideration of the PEQIA has ensured that comments on the PEQIA could be received. It is not proposed to re-commence the EQIA process.</p>

Age	It was submitted that the criteria should have been based on service only, as this would be efficient, clearer and more easily managed.	These comments were considered and Sections 6 of the report revisited in relation to the possibilities of a service based criteria. It is felt however that a service based criteria would increase potential inequalities across PSNI.
	It was submitted that it would be mathematically more easy to control the number of leavers or proposed leavers by the use of service criteria only.	These comments were considered and Sections 6 of the report revisited in relation to the possibilities of a service based criteria. It is felt however that a service based criteria would increase potential inequalities across PSNI as well as giving PSNI less control over the numbers of officers leaving each year.
	One response requested clarification on whether, excluding reserves, the Patten objectives (regarding numbers) been achieved?	It is noted that the delay in recruitment of PSNI Trainees resulted in a mismatch between trainee intake and officers leaving under VSS. It is anticipated that the slippage of year four of the VSS will redress this balance. An assessment of whether the objectives have been met is now detailed in Section 6 of the report.
	It was submitted that the proportion of officers with 25 years service and under leaving under VSS, increased as the scheme progressed.	The criteria was constructed in a way which gives equal weight to age and service, recognising that the benefits under the VSS were based on a combination of age and service.
	It was submitted that based on current arrangements, the points required will increase in future years.	The points required in any given year, are determined in advance of the severance scheme being announced and are based on projections of officers that would be likely to exit at each points threshold based on the level of points required and the benefits that would be received.

	<p>Clarification was requested on whether the EQIA took account of the European Employment Directive on Age and implications of NI Single Equality Bill.</p>	<p>These areas were considered as part of the EQIA process. It is noted in particular that it is likely that there will be special rules for payment of pensions and determining retirement ages within these new legislative developments.</p>
	<p>One submission suggested that the current criteria is discriminatory on age grounds and felt that the points criteria should be reduced to 68 with a minimum requirement of 25 years PSNI service.</p>	<p>These comments were considered and Sections 6 of the report revisited in relation to the possibilities of a service based criteria. It is felt however that a service based criteria would increase potential inequalities across PSNI.</p> <p>It is noted that reducing the number of points required does not of itself change the basis of determining eligibility based on age and service ie while this change would benefit some individuals, it would not prevent some officers with less service leaving before officers with longer periods of service. In addition the points required in a given year is based on projections by PSNI aimed to match recruitment intakes to maintain the operational capacity of the force.</p>
	<p>A number of submissions commented on how the benefits could be changed.</p>	<p>It is noted that the benefits of the VSS are outside the scope of the EQIA.</p>
	<p>It was submitted that length of service may not be a fair criteria as it does not take account of the difficult posts in the RUC which some officers may have held.</p>	<p>It is appreciated that there are a number of complexities in designing a criteria for the VSS scheme and that there are a wide range of views on the best approach. The EQIA reflects the variety of views and makes an assessment on the criteria as currently constructed.</p>
	<p>One submission suggested that older officers should be given priority for severance regardless of length of service.</p>	<p>By using age and service as the criteria PSNI has attempted to balance the issues of age against length of service as determinants for severance eligibility. Further analysis on this point is detailed in Section 6 of the report.</p>

	One submission indicated that the requirement to promote equality of opportunity among people of different ages through Section 75 is not being adhered to.	The requirements to promote equality of opportunity between the nine Section 75 categories have to be balanced against the need to meet the policy objectives. Section 75 does not require all policies that impact differentially on any of the nine categories to be changed but where a differential impact is found it must be justified through the policy objectives. This assessment has been made in Section 6 of the report.
	It was noted that the report does not provide a direct comparison of the position of officers who joined at different ages in respect of eligibility for severance.	Section 2 of the report now includes a comparison of the position of different officers in relation to severance..
	It was suggested that the report bears out the claim that the VSS criteria is discriminatory as age is explicitly part of the criteria and service is based indirectly on age as the longest-serving officers tend to be older.	The report recognises that the criteria of both age and service impact differentially on people of different ages. Changing the criteria to include only service, as is suggested, would not remove this differential impact. The report findings go on to suggest that the differential impact on people of different ages is justified in policy terms.
Gender	It was noted that within PSNI there are female officers who are ineligible for the VSS scheme as they do not have sufficient points, despite having longer service than other eligible officers.	This comment is welcomed and it is noted that the criteria applies equally to male and female officers.
	It was suggested that the development of a Gender Action Plan should be given priority in light of the historically lower levels of retention of women officers.	
Sexual Orientation, marital status, dependants and disability	PSNI are urged to consider methods of collecting data in relation to these groups to ensure that there is no detrimental impact	Consideration will be given to whether it is possible to collect data in relation to these groups as part of the 'Future Monitoring for Impacts' at Section 10 of the report.

Racial Group	<p>One submission noted that the criteria prevents a number of officers that have transferred from the GB Police, British Army and other prior occupations applying for severance as only RUC/PSNI service is counted for the purposes of determining an officers points. While this criteria applies to all officers it was suggested that this has had a disproportionate impact on people from one racial group (English).</p>	<p>Data is not available to determine the extent of the impact on people of different nationalities within the UK as the national background of officers who have transferred pension to PSNI following careers elsewhere is not recorded.</p> <p>It is recognised that the VSS aims to treat RUC officers generously and sympathetically.</p> <p>If the criteria were changed, officers who could have but did not transfer pension on taking up employment with PSNI may feel aggrieved through missing out on a benefit that could not have been foreseen when they were deciding on pension arrangements.</p> <p>Equality Commission guidance defines racial group as: Chinese; Irish Traveller; Indian; Pakistani; Bangladeshi; Black, African; Black Caribbean; White; mixed ethnic group; any other ethnic group; nationality.</p>
	<p>One submission felt that the Traveller Movement is unaffected by this policy.</p>	<p>The comments are welcomed.</p>
	<p>Concern was expressed that the definition of racial background is limited in the document to geographical locations within the UK.</p>	<p>It is recognised that the definition of racial group is not restricted to local nationalities within the UK and the draft document will be changed to reflect this.</p>

Other	One submission queried whether the inclusion of rank based criteria would only increase the inequalities between people of different gender, religion and age would happen only where greater numbers of officers left at higher ranks.	The example given of rank based criteria potentially increasing inequalities between different genders was that there are fewer women in higher ranks. The broader issue for consideration is that each rank band does not uniformly reflect the composition of PSNI. Selecting by rank therefore increases the potential inequalities, as ranks could be selected for severance with higher or lower proportions of women, Roman catholic or older/younger officers.
	One submission urged consideration of other methods of collecting data pertaining to marital status, sexual orientation, dependants and disability.	Consideration to methods of data collection will be considered as part of the EQIA process.
Future Options	Rank should be considered as a criteria in addition to age and service.	

