

Customer Access Review – Full Assessment

Before completing this Full Assessment, please read the Guidance Note on Customer Access Reviews
Initial Screening is required before completion of a Full Assessment

Assessment details	
Assessment area	Policy for Interrogating Social Media for Investigative Purposes
Date of assessment	18 November 2019: Reviewed 13.12.2022
Directorate and Service	Corporate Services – Legal Services
Manager	Head of Legal Services
Officer conducting assessment	Head of Legal Services
Step 1: Scoping the assessment	
1	<p>What are the aims and objectives of the activity or proposal?</p> <p>To ensure a fair and consistent approach to dealing with the interrogation of social media for investigative purposes.</p> <p>The policy establishes corporate minimum standards for interrogating social media for investigative purposes.</p>
2	<p>Who will be affected?</p> <p>Victims of crime and the public</p>
3	<p>How does the activity or proposal contribute to:</p> <p>a) any key performance indicators? b) policies, values or objectives of Dartford Borough Council?</p> <p>Contributes to the Corporate Plan objectives:</p> <ul style="list-style-type: none"> To Create A Safer Borough In Which To Live, Work And Socialise' The Council is subject to numerous legal duties relating to equalities e.g. race, disability, gender etc. The Council recognises and welcomes those duties, which are embraced in its Equality and Diversity Document Framework.
4	<p>Which aspects of the activity or proposal are dictated by legislation/regulation and where do we have discretion in how they are delivered?</p> <p>Whilst the use of social media to investigate is not automatically considered covert surveillance under RIPA, its misuse when conducting investigations can mean that it crosses over into the realms of covert and/or targeted surveillance, even when that misuse is inadvertent, therefore becoming unauthorised surveillance and breaching a person's right to privacy under Article 8 of the European Convention on Human Rights. The Policy provides guidance on</p>

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		<p>overt investigative techniques in order to avoid the possibility of breaching human rights.</p> <p>The Council's Policy Statement Regulation of Investigatory Powers Act 2000 (RIPA) (as amended) deals with the process of obtaining relevant authorisations for covert surveillance.</p>
<p>Step 2: Information collection</p> <p>Note: Equality and Diversity information for Dartford can be found at https://www.kent.gov.uk/about-the-council/information-and-data/facts-and-figures-about-Kent</p>		
5	<p>What do you know about the groups of people who will be affected? i.e. demographic information in relation to the protected characteristic groups (age, disability, pregnancy and maternity, religion or belief, race, sex, sexual orientation, gender reassignment)</p>	<p>The Policy has no potential or actual differential impact on grounds of race, ethnicity, nationality, gender, transgender, disability, age, religion or belief or sexual orientation.</p>
6	<p>What consultation has taken place with affected groups? Please describe who was consulted and the key findings</p>	<p>None</p>
7	<p>Are there any gaps in information? If so, what additional research and/or consultation is needed to ensure that affected groups needs and views are taken into account?</p>	<p>No</p>
<p>Step 3: Assessing the equality impact</p>		
8	<p>Consider whether the activity or proposal has or will have any positive or negative equality impacts on the protected characteristic groups in relation to the following aims of the General Equality Duty:</p> <p>a) tackling unlawful discrimination b) promoting equality of opportunity c) promoting good relations</p> <p><u>NOTES:</u></p> <ul style="list-style-type: none"> • The Initial Screening will have identified which aims of the Public Sector Equality Duty are relevant to the activity or proposal for consideration • For existing activities, consider how they are working in practice for each relevant protected group • For new proposals, consider whether there is anything that could give rise to positive and negative equality impacts for each relevant protected group • If there is no identified equality impact, please tick the 'No Impact' box and explain why in question 9 	

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<ul style="list-style-type: none"> If the equality impact is unclear, please tick the 'Unknown' box and explain why in question 9 					
		POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
a	Age	There is no evidence to suggest that the Policy will have a negative disproportionate impact on people because of their age. The Policy gives clear guidelines on avoiding 'collateral intrusion'.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b	Disability	There is no evidence to suggest that the Policy will have a negative disproportionate impact on people because of their disability. The Policy gives clear guidelines on avoiding 'collateral intrusion'. The Policy gives clear guidelines on avoiding 'collateral intrusion'.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
c	Gender (including reassignment)	There is no evidence to suggest that the Policy will have a negative disproportionate impact on people because of their gender. The Policy gives clear guidelines on avoiding 'collateral intrusion'.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
d	Race	There is no evidence to suggest that the Policy will have a negative disproportionate impact on people because of their race. The Policy gives clear guidelines on avoiding 'collateral intrusion'.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e	Religion/Belief	There is no evidence to suggest that the Policy will have a negative disproportionate impact on people because of their religion/belief. The Policy gives clear guidelines on avoiding 'collateral intrusion'.		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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f	Sexual Orientation	There is no evidence to suggest that the Policy will have a negative disproportionate impact on people because of their sexual orientation. The Policy gives clear guidelines on avoiding 'collateral intrusion'.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g	Pregnancy/Maternity	There is no evidence to suggest that the Policy will have a negative disproportionate impact on people because of their pregnancy or maternity. The Policy gives clear guidelines on avoiding 'collateral intrusion'.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	If 'no impact' or 'unknown' was selected, please explain			
10	If Dartford Borough Council works with partners to deliver the activity or proposal, please describe any circumstances that could give rise to positive or negative equality impacts between different groups	Not applicable		
11	Any other comments	Non-discrimination provisions are referred to in the Equality & Diversity Document Framework.		

Step 4: Action plan					
11. Based on the information in Steps 1 to 3, please list the actions that will be taken to address:					
a) any gaps in information and consultation					
b) how any negative impacts on equality will be mitigated or eradicated					
a) If additional information and/or consultation is required or the impact is still unclear, what actions will you put in place to gather the information you need?					
Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer

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b) If any negative impacts on equality were found, what actions will you put in place to mitigate or eradicate these impacts?

Identified impacts (and who is affected)	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer

Step 5: Decision making and future monitoring

13	Which decision making process does this Customer Access Review need to go through? i.e. who does this need to be approved by?	Chief Officer & Director of Corporate Services
14	How will you continue to monitor the impact of the activity or proposal on the equality groups?	Monitoring of equality information received through the complaints process.
15	When will you review this Customer Access Review?	Every three years

Step 6: Final steps

16	Once this Customer Access Review has been approved, send this assessment to the Community Development Manager
17	If the subject of the Customer Access Review is going to committee, summarise your findings in the committee report
18	Implement the actions identified from this Customer Access Review and ensure progress is monitored and recorded