



Equality Impact Assessment

This Equality Impact Assessment (EIA) form must be used to inform your decision making when developing new or reviewing existing policies, procedures, projects, practices, organisational change or significant procurement (hereafter referred to as 'proposal').

The EIA will help you to evidence your public sector equality duty (PSED) compliance by outlining the way equality has been considered throughout the life of the proposal. The general PSED is set out in section 149 of the Equality Act 2010, which outlines that public authorities must have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between different groups; and foster good relations between different groups.

Therefore, when completing this EIA, authors and owners have a statutory requirement to have due regard to relevant protected characteristics, both separately and with consideration of possible intersectionality. The nine protected characteristics in the Equality Act 2010 are:

- age
- disability
- gender reassignment
- marriage & civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Authors and owners should also consider any other relevant factors, for example socio economic or shift-work; more guidance/examples will be given in the relevant sections.

The EIA should remain a live document and be reviewed and updated at key milestones and/or in line with Constabulary review schedules.

Please ensure you **complete all relevant sections** of this EIA form.

[Need some help? Click here for guidance and support.](#)

SECTION 1 – OVERVIEW	
Title	Live Facial Recognition
Type of Proposal Being Assessed	Procedure / Practices including Operational and Managerial Decisions
Description of Proposal Being Assessed	The Deployment of Live Facial Recognition(LFR) Technology within Bedfordshire
Force/Collaboration Owning EIA	Bedfordshire

The Author of this document may be any person with sufficient knowledge to assess/review the proposal. The Owner is the Senior Officer/Staff Member who has overall responsibility for the proposal and/or area of business the proposal sits within; it is the Owner who is legally responsible should a challenge or issue arise.

Name, Collar, Role and Rank (if applicable) of Initial Owner	D/Supt Dhaliwal
Name, Collar, Role and Rank (if applicable) of Initial Author	D/Supt Dhaliwal
Date EIA Initially Commenced	Monday, 01 April 2024
Date EIA Initially Completed	Wednesday, 01 May 2024
Date EIA Approved by the Initial Owner	Tuesday, 07 May 2024

This above section should not be altered after initial completion.

Name, Collar, Role and Rank (if applicable of the Owner at the Latest Review	Supt 361 Ian Taylor
Name, Collar, Role and Rank (if applicable) of the Author at the Latest Review	Ch Insp 60 Mark Farrant
Date EIA Review Commenced	Monday, 16 June 2025
Date EIA Review Completed	Friday, 20 June 2025
Date EIA Review Approved by the Current Owner	Monday, 30 June 2025

This above section does not apply to new EIAs but must be updated at every review.

Date of Next Review	Tuesday, 30 June 2026
----------------------------	-----------------------

SECTION 2 – RELEVANCE

Does the proposal have a direct impact on people who:	Yes	No
	<i>Select the option that applies for each statement</i>	
Work for BCH (including volunteers)	☐	☒
Work within policing outside of BCH	☐	☒
Access our estate and services	☐	☒
Reside, work or study within BCH	☒	☐
Reside, work or study outside BCH	☒	☐

If you have answered yes to any statement above, please continue to Section 3.

If you have selected no to all statements in Section 2, please return to the proposal Owner for authorisation after explaining why and providing a rationale below:

N/A

SECTION 3 – RESEARCH AND EVIDENCE

To undertake an effective Equality Impact Assessment that meets PSED compliance standards, you should work from an evidence base, **where applicable**. Use this section to list any research you use to understand the proposal’s potential or actual equality impact (for example, equality workforce data, census data, surveys, academic research).

Research only needs to be listed if relevant and the table below does not indicate a need for a specific amount of research. If no research is relevant move to Section 4.

Research/Evidence Title (add description and/or source, if applicable)	Date Accessed/Used
The use of BEDS’s common law power as a legal basis to support the deployment use of LFR has been considered and recognised by the courts in: a) R (on the application of Edward Bridges) v The Chief Constable of South Wales Police [2019] EWHC 2341 (Admin) (the “High Court Bridges” decision); and b) R (on the application of Edward Bridges) v The Chief Constable of South Wales Police [2020] EWCA Civ 1058 (the “Court of Appeal Bridges” decision). The Court of Appeal further summarised the legal basis in relation to compilation of Watchlists as being “both authorised under the Police and Criminal Evidence Act 1984 and within the powers of police at common law.” The reference to the 1984 Act is a reference to imagery obtained pursuant to Section 64A (Photographing of suspects etc.) of the Act and particularly section 64A(4)(a) which allows a photograph taken under the section to be “used ... for any purpose related to the prevention or detection of crime, the investigation of an offence or the conduct of a prosecution or to the enforcement of a sentence”. The Court of Appeal notes that “this was not an issue which we have to address in	Wednesday, 01 May 2024

this appeal, since it is now common ground that SWP do have the power to deploy [LFR].”	
Click or tap here to enter text.	Click or tap to enter a date.
Click or tap here to enter text.	Click or tap to enter a date.
Click or tap here to enter text.	Click or tap to enter a date.
Click or tap here to enter text.	Click or tap to enter a date.

*Add rows **if** needed.*

SECTION 4 – CONSULTATION

Stakeholder consultation will give you a better understanding of your proposal’s impact and is crucial to satisfying the PSED requirements. Stakeholders may be internal or external to the Constabulary and are those people with an interest in this particular proposal and/or your work area, and/or represent people who may be impacted by this proposal.

Stakeholders may include former, current and potential service users, staff, staff support groups and staff associations, trade unions, equality organisations, relevant community groups and the wider community. In deciding who to engage with, you should consider the nature of the proposal and the groups who are most likely to be affected by it.

You only need to consult with those stakeholders where you have a specific question and/or are unable to consider the impacts for that protected characteristic.

Use this section to record the engagement you have undertaken and whether the engagement provided feedback that highlighted possible impact that you have noted and assessed in Section 5.

The table below does not indicate the number of groups and/or organisations you should consult, this will be proposal specific.

Name of Group or Organisation	Date of Initial Contact	Date Reply Received	Feedback Received
-------------------------------	-------------------------	---------------------	-------------------

Chief Constable Strategic Advisory Board (Community Leaders / Former IAG Members).	Monday, 01 April 2024	Tuesday, 23 April 2024	No – Fully supportive
Strategic IAG board	Tuesday, 01 July 2025	Click or tap to enter a date.	Choose an item.
Click or tap here to enter text.	Click or tap to enter a date.	Click or tap to enter a date.	Choose an item.
Click or tap here to enter text.	Click or tap to enter a date.	Click or tap to enter a date.	Choose an item.
Click or tap here to enter text.	Click or tap to enter a date.	Click or tap to enter a date.	Choose an item.
Click or tap here to enter text.	Click or tap to enter a date.	Click or tap to enter a date.	Choose an item.
Click or tap here to enter text.	Click or tap to enter a date.	Click or tap to enter a date.	Choose an item.
Click or tap here to enter text.	Click or tap to enter a date.	Click or tap to enter a date.	Choose an item.
Click or tap here to enter text.	Click or tap to enter a date.	Click or tap to enter a date.	Choose an item.
Click or tap here to enter text.	Click or tap to enter a date.	Click or tap to enter a date.	Choose an item.

SECTION 5 – IMPACTS AND ASSESSMENT (PROTECTED CHARACTERISTICS)

Use this section to apply your project knowledge and learning from research and consultation to **assess the actual and potential equality impacts**, which are **relevant to you proposal, for each of the protected characteristics** under the Equality Act 2010.

Equality impacts may be positive (benefits) or negative (risks); if you identify a negative equality impact (a risk), whether actual or potential, you will need to provide a response. The three possible responses to a negative equality impact (risk) are:

- **Remove** = Amend the proposal to eliminate the negative equality impact.
- **Mitigate** = Take/propose action to significantly reduce the negative equality impact.
- **Justify** = Provide rationale explaining why a negative equality impact cannot be removed or mitigated. Certain policies or practices may have a negative impact that can be justified as it is necessary to achieve a legitimate policing aim.

The issues or impacts identified may change, or new factors may emerge, as your project develops. Use the EIA to document these and how your project has evolved to accommodate equality considerations.

<u>AGE</u>
<i>Consider children, young people (17-25), older people, and/or groups i.e. over 55's.</i>
Details of any Positive Equality Impacts (Benefits)
No
Details of any Negative Equality Impacts (Risks)
Facial images uploaded are sourced whether from custody records or from family and friends of persons reported as missing. The reference image database, as a consequence, may have images of subjects that were taken a number of years ago. The age of criminal responsibility in the UK is 10 years old. Image capture via Custody Imaging on which FRT technology is reliant, is dependent on the age, date and time at which the custody image was taken. In addition, the EU's Agency for Fundamental Rights 'Facial Recognition Technology Fundamental Rights Considerations in the Context of Law Enforcement Report 2019' highlights that as a child grows and time passes, the accuracy of a biometric match can diminish. The risk of a failure to match increases when facial images recorded at a young age are compared more than five years after they were collected. The report further indicates that the accuracy of FRT is in general significantly lower for children younger than 13 years old. They associate this to "rapid growth and change in facial appearance".
Response to an Identified Negative Equality Impact (A Risk)

To deploy LFR requires an authority to be put in place by an Authorising officer of rank not below Supt. The application process will include details of any proposals to place children (especially below the age of 13) within the watch list with consideration to confirm that uploaded photo is current.

DISABILITY

Consider cognitive difficulties, hearing / visual impairment, learning difficulties, mental health, neurodiversity, physical disability, and/or sensory difficulties.

Details of any Positive Equality Impacts (Benefits)

No

Details of any Negative Equality Impacts (Risks)

People can undergo facial change for a number of reasons. They may suffer facial disfigurements through trauma or a medical intervention or their face may have reconstructive surgery which would result in a significant change to their facial features. Genetic conditions such as neurofibromatosis also cause progressive facial change. As a consequence, the images that BEDS hold may not accurately reflect their present facial appearance

Response to an Identified Negative Equality Impact (A Risk)

To deploy LFR requires an authority to be put in place by an Authorising officer of rank not below Supt. The application process will include the generation of a bespoke watchlist. However it is not always practical/achievable to be aware as to whether a person has undergone a facial change through trauma or medical intervention.

GENDER REASSIGNMENT

Consider individuals, both staff and public, who are transitioning or have transitioned from their biological sex at birth; including those who identify as gender fluid, non-binary, transgender etc

Details of any Positive Equality Impacts (Benefits)

No

Details of any Negative Equality Impacts (Risks)

The Facial Recognition Technology (FRT) probe image is based on the mapping of key facial indicators when comparing a reference image database image for an individual. Therefore, the functionality, accuracy, and performance of FRT may be

less effective if changes to facial appearance have occurred between the time the reference image database image was taken, and the time a comparison is made. This may impact persons who are transitioning from one gender to another if gender presentation differs from the time the comparator image was taken. It may also affect trans, non-binary and gender- fluid people who adopt to flex between gender presentations. Reports suggest that facial contouring using cosmetic make-up application may impact on FRT system's performance

Response to an Identified Negative Equality Impact (A Risk)

Under such circumstances there is a higher probability that the technology will not identify the wanted subject and thus avoid detection/arrest. Where it is known that a subject has or is undergoing gender reassignment and imagery may not be current, this will have to be considered by the authorising officer (AO) who is a rank of Superintendent or above.

MARRIAGE and CIVIL PARTNERSHIPS

Consider in relation to employment discrimination, note being single is not a protected characteristic but if applicable can be considered under other considerations (Section 6).

Details of any Positive Equality Impacts (Benefits)

N/A

Details of any Negative Equality Impacts (Risks)

N/A

Response to an Identified Negative Equality Impact (A Risk)

N/A

PREGNANCY and MATERNITY

Consider the pregnancy period and the time absent from work before and after the birth.

Details of any Positive Equality Impacts (Benefits)

N/A

Details of any Negative Equality Impacts (Risks)

N/A

Response to an Identified Negative Equality Impact (A Risk)

N/A

RACE

Consider cultural and language factors for people as defined by their ethnicity, nationality (including citizenship), national origins or skin colour. Including people from the Gypsy, Roma and Traveller (GRT) Community.

Details of any Positive Equality Impacts (Benefits)

Bedfordshire Police is a diverse multi-cultural area which incorporates both rural and metropolitan areas. It is therefore important to ensure that the technology is not seen to cause division between persons of different race/ethnicity. An independent study by the National Physical Laboratory (NPL), commissioned by the MPS and SWP found there to be no biases of gender or ethnicity within the technology.

Details of any Negative Equality Impacts (Risks)

FRT is based on the mapping of key facial indicators. They are also dependant on the ability of the algorithm to determine the key facial indicators within an image. This can be impacted by environmental factors such as ambient light and shadows factors. This may also be impacted by the depth of skin pigmentation and the use of contouring make up. The generation of watch lists which is the creation of imagery specific to persons wanted as suspects for criminal, wanted for outstanding fail to appear or non-payment of fine warrants, or missing persons. The creation of watch lists is based on crime type considered alongside the wider deployment, for example at a large public event that is likely to attract large numbers of children it may be prudent to consider including persons who are listed as registered child sex offenders, or those who are wanted for such offences. Although watch lists are not created with any protected characteristics as a contributing factor, it will be important to consider the composition of watch lists with monitoring of those engaged to ensure that this does not produce a negative impact.

Response to an Identified Negative Equality Impact (A Risk)

NPL Testing has confirmed and certificated that the software does not display any bias. Created watch lists and the factors in terms of their composition are subject of a review by AO, whilst post deployment returns will be reviewed and monitored to ensure there are no negative impacts.

RELIGION or BELIEF

Consider any religion (including practices of worship and/or cultural observations), any belief (including religious and/or philosophical beliefs. This also includes no religion and/or no belief.

Details of any Positive Equality Impacts (Benefits)

N/A

Details of any Negative Equality Impacts (Risks)

The wearing of religious headwear or coverings and the growing of facial hair may have an impact on the effectiveness of FRT. In addition, certain cultures or sexes within a religion i.e. Amish, refuse to allow themselves to be photographed.

Response to an Identified Negative Equality Impact (A Risk)

Sensitivity therefore needs to be taken with cross-community dialogue to ensure the deployment is both necessary and proportionate. Respect for Diversity Awareness training is embedded into Bedfordshire Police's culture and practices. Bedfordshire Police has commissioned and delivered cultural intelligence training to staff during the past 18 months supported by above difference.

SEX

Consider male and female. This sections refers to biological sex assigned at birth.

Details of any Positive Equality Impacts (Benefits)

N/A

Details of any Negative Equality Impacts (Risks)

Social observation indicates women change their appearance more frequently and significantly than men which may impact the performance of LFR. Reports suggest that facial contouring using cosmetic make-up application may impact on the LFR system's performance.

Response to an Identified Negative Equality Impact (A Risk)

N/A

SEXUAL ORIENTATION

Consider known or perceived orientation including heterosexual, lesbian, gay and/or bisexual. This section relates to a person's sexual or romantic attraction to other people, or lack thereof.

Details of any Positive Equality Impacts (Benefits)

N/A
Details of any Negative Equality Impacts (Risks)
N/A
Response to an Identified Negative Equality Impact (A Risk)
N/A

SECTION 6 – IMPACTS AND ASSESSMENT (OTHER CONSIDERATIONS)

Use this section to apply your project knowledge and learning from research and consultation to **assess the actual and potential equality impacts**, which are **relevant to you proposal, for characteristics that are not protected** under the Equality Act 2010 **but are still significant to equality and inclusion**.

Equality impacts may be positive (benefits) or negative (risks); if you identify a negative equality impact (a risk), whether actual or potential, you will need to provide a response. The three possible responses to a negative equality impact (risk) are:

- **Remove** = Amend the proposal to eliminate the negative equality impact.
- **Mitigate** = Take/propose action to significantly reduce the negative equality impact.
- **Justify** = Provide rationale explaining why a negative equality impact cannot be removed or mitigated. Certain policies or practices may have a negative impact that can be justified as it is necessary to achieve a legitimate policing aim.

The issues or impacts identified may change, or new factors may emerge, as your project develops. Use the EIA to document these and how your project has evolved to accommodate equality considerations.

SOCIO-ECONOMIC BACKGROUND

Socio-economic background is combination of different factors, such as our income, occupation and social background. A person's socio-economic background may expose them to inequalities

Details of any Positive Equality Impacts (Benefits)
None identified
Details of any Negative Equality Impacts (Risks)
None identified

Response to an Identified Negative Equality Impact (A Risk)
N/A

OTHER CONSIDERATIONS

For example, consider (where applicable) children in care, environmental issues, people with caring responsibilities, people with English as an added language, risk of sexual harassment, safeguarding concerns, shift workers, transport links work-life balance etc.

Details of any Positive Equality Impacts (Benefits)
None identified
Details of any Negative Equality Impacts (Risks)
None identified
Response to an Identified Negative Equality Impact (A Risk)
N/A

SECTION 7 – APPROVAL

Once the EIA is completed it should be approved by the Initial Proposal Owner, this is to be recorded on the first page of this EIA in the second box (this box should not be amended after initial approval).

All subsequent reviews, including any amendments, should be signed off by the Proposal Owner at the time of the review. This person may be different to the Initial Proposal Owner (for example, the Proposal Owner may move to whoever is currently head of the relevant business area), however, the responsibilities of the Proposal Owner remain the same. The approval of the review should be recorded on the version control in Section 8, and for the latest review also update the third and fourth tables/boxes of Section 1 of this EIA.

The approval (either initial or for each review) is confirmation that the EIA has considered all the potential or actual impacts of this proposal on equality and inclusion and a response has been recorded for every negative equality impact identified. The approval is also confirmation that this EIA is accurate, proportionate and relevant and that the Proposal Owner is legally responsible to ensure that actions/mitigations will be delivered as required to ensure no potential for unlawful discrimination.

SECTION 8 – VERSION CONTROL

Complete this section each time a review is undertaken of the EIA. The EIA should be reviewed at key stages of the proposal and/or each time the proposal is reviewed, for example, in line with Constabulary policy review schedules. Regular review of the EIA is vital to evidence PSED compliance.

Version Number	Date of Review	Author (Name, Collar, Role & Rank <i>(if applicable)</i>)	Owner (Name, Collar, Role & Rank <i>(if applicable)</i>)	Comments / Significant Changes
Version 1.0	Friday, 20 June 2025	Ch Insp 60 Mark Farrant	Supt 361 Ian Taylor	Only minor changes mainly relating to removal of references to South Wales Operatives
Click or tap here to enter text.	Click or tap to enter a date.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap to enter a date.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.