



# Equality Impact Assessment Summary

## Summary

Name of Product      Firearms Licensing Policy

Brief Description of Product      New policy is to ensure that all firearms, shotguns, and explosives in the Cleveland area are licensed in accordance with relevant legislation. The safety of our communities is of paramount importance when considering the issue of firearms to members of the public and new policy seeks to provide our communities with the best possible service and to protect them from harm.

Product / Product Summary Attached      No

Department      Force Intelligence Function

Assessment Writer      [Redacted]

Date Started      05/07/22

Head of Dept Sign Off      [Redacted] 20/07/22

EDI Manager Sign Off      [Redacted] 18/07/2022

Review Date      March 2023 (alongside the policy)

## Version Control

This is a living document and should be updated as we update our products and receive new insights and data on how our people or communities engage with our product.

Version	Date	Reason for update	Author
v.1	05.07.22	New Policy	[Redacted] [Redacted]



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**Please ensure you consult the Equality Impact Assessment Guidance while completing this document**

## Stage One – Early Thinking

Use this space to confirm if you are developing a proposal that will impact upon policies and practices that are likely to impact upon our communities or workforce. Consider If you aren't sure how your product may impact people due to their protected characteristics please use our [Equality Consideration Checklist](#).

Is an EIA required at this time?

Yes:

- This is a new policy and having considered the equality consideration checklist, this may affect one group less or more favourably than another based on disability and age.
- The new policy states that all grant applications for a firearms license will include a medical screening report supplied and paid for by the applicant. Information from GPs may be requested, especially where there is an indication of alcohol or drug abuse, or mental health issues. Consideration may also be given to requesting the medical records of spouses, partners, or family members (with their consent) if there is concern over previous domestic abuse.
- The new policy also contains a list of medical conditions that can be considered for a review or assessment but is a reference guide only. It notes that any medical conditions may also mean that the individual is classed as being disabled, but disability in itself is not a bar to having certificate's, it is only where this manifests itself as a danger to public safety that issues arise.
- The policy also references that the Firearms License Unit should also consider and assess the risks posed by a serious or terminal illness to a significant other person in their life (spouse, partner, child etc.). Such illnesses have on occasion manifested themselves in depression or in extreme cases murder and suicide.
- All applicants under the age of eighteen will be subject to additional scrutiny to confirm their maturity and general behaviour. The parent/guardian of the applicant will be required to give authority for the police to approach the

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	head teacher at their child's school. The head teacher will be contacted by the Firearms Enquiry Officer requesting information on any history regarding the applicant's behaviour, maturity, and suitability. The details included in any response from the school will be considered when deciding whether to issue a certificate.
If no, what is your rationale?	N/A

Stage Two – Identify Scope	
Please consult the <a href="#">Equality Impact Assessment Guidance</a> for suggestions as to consider how you might evidence both positive and negative impact. Where possible please provide references or links.	
Sources	<a href="#">Home Office Statutory Guidance for chief officers of police on firearms licensing</a> <a href="#">Home Office guide on firearms licensing law</a> (non-statutory) <a href="#">College of Policing Authorised Professional Practice (APP) on firearms licensing.</a> <a href="http://www.bma.org.uk/advice-and-support/gp-practices/gp-service-provision/the-firearms-licensing-process">www.bma.org.uk/advice-and-support/gp-practices/gp-service-provision/the-firearms-licensing-process</a>
Consultation	N/A

Stage Three - Impact	
What potential positive or negative impacts has your research and consultation revealed? Consult the <a href="#">Equality Considerations Checklist</a> for previously identified impacts that may be relevant.	
Age	
Data & Background Information	
The new policy stipulates that all applicants under the age of eighteen will be subject to additional scrutiny to confirm their maturity and general behaviour.	
The parent/guardian of the applicant will be required to give authority for the police to approach the head teacher at their child's school. The head teacher will be contacted by the Firearms Enquiry Officer requesting information on any history regarding the	



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applicant's behaviour, maturity, and suitability. The details included in any response from the school will be considered when deciding whether to issue a certificate.

The new policy in summary reflects that fact that the Home Office guidance explains how sections 22, 23, 24, 24ZA and 24A of the Firearms 1968 Act place restrictions on the purchase, hire, acquisition, possession and use of firearms by, and the transfer thereof to, young people. The subject of minimum age to carry a firearm or shot gun is complicated (and too lengthy for this EIA) but broadly speaking you must be aged fourteen or over to have a firearm certificate. A person under eighteen is prohibited by section 22 of the 1968 Act from purchasing or hiring any firearm or ammunition (as defined by section 57 of the 1968 Act). Section 24A(1) of the 1968 Act also prohibits the purchase of imitation firearms by those under the age of eighteen.

Positive Impacts	Negative Impacts
<p>Legislation exists to protect holders of firearms licenses and the public. The policy is required to abide by such legislation to ultimately promote positive obligations and responsibilities on license holders of all ages and promote public safety. Firearms in the hands of any young person requires scrutiny and this policy affirms this.</p> <p>Although risk assessments on any person, irrespective of age, are to a degree subjective, this policy does abide by national recommended checks and stipulates the requirement to seek an independent alternative view outside of the police and applicant's family, by seeking the opinion of a Head teacher of anyone 14-18 in education.</p> <p>There is an established appeals process if required where a court judgement can be made.</p> <p>Anyone can contact the Firearms Licensing Unit via phone or email/digital form to support any case-by-case discussions on any applications for a firearm.</p>	<p>All risk assessments have a subjective element but are managed by the positive impacts outlined.</p>

### Disability

#### Data & Background Information

The new policy states that all grant applications for a firearms license will include a medical screening report supplied and paid for by the applicant. Information from GPs



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may be requested, especially where there is an indication of alcohol or drug abuse, or mental health issues. Consideration may also be given to requesting the medical records of spouses, partners, or family members (with their consent) if there is concern over previous domestic abuse.

The new policy also contains a list of medical conditions that can be considered for a review or assessment but is a reference guide only. It notes that any medical conditions may also mean that the individual is classed as being disabled, but disability in itself is not a bar to having certificate's, it is only where this manifests itself as a danger to public safety that issues arise.

The policy also references that the Firearms License Unit should also consider and assess the risks posed by a serious or terminal illness to a significant other person in their life (spouse, partner, child etc.). Such illnesses have on occasion manifested themselves in depression or in extreme cases murder and suicide.

Positive Impacts	Negative Impacts
<p>The new policy reflects the national direction that reinforces the responsibility of any applicant to arrange for information about their medical suitability to be provided by their General Practitioner (GP) or another suitably qualified doctor registered with the General Medical Council (GMC) to the police firearms licensing department dealing with their application. When the medical information is being provided to the police by a doctor from a private company, the doctor must receive the applicant's medical information direct from the GP practice and not via the applicant.</p> <p>The policy reinforces that Chief Officers should consider information provided by a suitably qualified GMC-registered doctor for every person who applies for either the grant or renewal of a firearm or shotgun certificate, or to be registered as a firearms dealer, to assess any issues regarding medical suitability.</p> <p>In July 2019 the Home Office, police and British Medical Association agreed a Memorandum of Understanding (MOU) which sets out the roles and responsibilities of police and doctors regarding the medical assessment of</p>	<p>All risk assessments have a subjective element but are managed by the positive impacts outlined.</p>

firearms applicants and the ongoing monitoring of those in possession of a firearms certificate.

The MOU reinforces that Doctors owe a duty of confidentiality to their patients, but they also have a wider duty to protect and promote the health of patients and the public. Depending on whether a firearms applicant or licence holder has capacity or not, whether they pose a risk to themselves and/or others, GPs may, depending on the individual circumstances, share relevant information with the police on the following grounds:

- with the individual's consent.
- on public interest grounds; or
- in some rare circumstances if it is legally required.

Doctors will not be asked to give general access to an applicant's medical record as this may result in doctors being in breach of the Data Protection Act 2018. Nor will they be asked to either endorse or oppose applications. Responsibility for the decision about whether a person is suitable to be granted a certificate lies with the police, not the doctor.

Any wider considerations given to requesting the medical records of spouses, partners, or family members if there is concern over previous domestic abuse will only be done so with consent of the parties involved.

Although Chief officers should reach their own conclusions where possible as to the significance of any medical information supplied based on their own knowledge and experience, they can seek advice from the force medical officer or an independent approved medical practitioner in cases where the medical information supplied is difficult to understand.



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The fact that a person has received treatment for certain illnesses or conditions does not make them automatically unsuitable to possess a firearm. It is **one** of the factors to be considered with all other evidence relating to the applicant's character and history. In such cases, account should be taken of the most recent medical opinion, and particular attention should be paid to whether this suggests that the condition is liable to recur or fluctuate or is unstable.

Some medical conditions may lead to the applicant (or certificate holder) being classed as being disabled. Disability is not a bar to having certificates; it is only where this manifests itself as a danger to public safety that issues arise. Disability is defined as such as per the Equality Act 2010 where any physical or mental impairment that has a "substantial" and "long-term" negative effect on your ability to do normal daily activities.

A distinction will be made where the information regarding a medical condition or illness is reported by a non-medical professional. At the initial notification of any condition, it would be appropriate to err on the side of caution regarding the reported severity and therefore the risk, to prevent avoidable harm.

A greater weight will be given to factual medical information particularly at final assessment. It should be noted that medical conditions can change over time. Some will improve or be cured, and others will at best remain controlled and stable, or will show a gradual decline in health with associated increase in risk factors changing some to high risk.

Particular attention will be given to anyone who has previously been subject to a hospital order, guardianship order or



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<p>restriction order under the provisions of Part 3 of the Mental Health Act 1983 following the commission of offences. It is important for officers to examine the nature of the offences and the length of the order in these situations.</p> <p>The FLU will also consider any situations where applicants have been detained under the civil powers in Part 2 of the Mental Health Act 1983 where it is necessary for the health and safety of the person or for the protection of other people.</p> <p>In assessing risk, consideration should be given to the risk of reoccurrence of the medical condition/illness and the practicality of ad hoc or scheduled reviews. The potential for reoccurrence will not be a reason for refusal (or revocation).</p> <p>Legislation exists to protect holders of firearms licenses and the public. The policy is required to abide by such legislation to ultimately promote positive obligations and responsibilities on license holders of all ages and promote public safety. Firearms in the hands of any young person requires scrutiny and this policy affirms this.</p> <p>There is an established appeals process if required where a court judgement can be made.</p> <p>Anyone can contact the Firearms Licensing Unit via phone or email/digital form to support any case-by-case discussions on any applications for a firearm.</p>	
Gender Reassignment	
Data & Background Information	
N/A	
	Negative Impacts





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<b>Marriage and civil partnership</b>	
Data & Background Information	
N/A	
Positive Impacts	Negative Impacts
<b>Pregnancy and Maternity</b>	
Data & Background Information	
N/A	
Positive Impacts	Negative Impacts
<b>Race</b>	
Data & Background Information	
N/A	
Positive Impacts	Negative Impacts
<b>Religion or Belief</b>	
Data & Background Information	
N/A	
Positive Impacts	Negative Impacts
<b>Sex</b>	
Data & Background Information	
N/A	
Positive Impacts	Negative Impacts
<b>Sexual Orientation</b>	
Data & Background Information	
N/A	
Positive Impacts	Negative Impacts
<b>Other – Please clarify</b>	



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Data & Background Information	
N/A	
Positive Impacts	Negative Impacts

Stage Four – Mitigation – Actions		
What can be done to mitigate/minimise negative impacts?		
Action	Action Owner	Action Status

To be filled in by Head of Department	
Stage Four – Mitigation – Risk Tolerance	
Have we exhausted options to mitigate/minimise any negative impacts? List negative impacts we have not been able to mitigate here – these should be added to the relevant departmental risk register.	
Impacts we cannot mitigate	
Which Risk Register have these impacts been added to?	

Stage 5 – Sign Off
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Once complete, you must send your completed EIA and the product or product summary to the EDI team at [edi@cleveland.pnn.police.uk](mailto:edi@cleveland.pnn.police.uk)

The team will review your EIA and will either: provide final sign off, OR, return your document with further considerations and recommendations for you to implement.