

## Equality Impact Assessment

### What is an Equality Impact Assessment (EIA) and why does the County Council do them?

The [Public Sector Equality Duty](#) (PSED) is an obligation within the [Equality Act 2010](#) (“the Act”), which asks public authorities, like Hampshire County Council, to give ‘due regard’ to equality considerations, in particular to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

This includes assessing the impact of policies and practices on individuals and communities with a protected characteristic, as defined in the Act and some other specific groups. The County Council uses EIAs to ensure it has paid ‘due regard’ to equalities considerations when there are changes to a service or policy, a new project or certain decisions.

EIA author	Position & Department	Contact
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Title:	Annual Review of the Policy for the Regulation of Investigatory Powers Act 2000
Related EIAs:	None
EIA for Savings Programme:	No
Service affected	The undertaking of any covert surveillance activity focused on individuals believed to be involved in serious criminal activity.
Description of the service/policy/project/project phase	Predominantly the Trading Standards Service undertakes any covert surveillance activity on behalf of Hampshire County Council as part of its criminal enforcement activities, connected to investigating individuals or businesses believed to be involved in serious crime. The policy outlines the approach and governance in undertaking this activity.
New/changed service/policy/project	Under the relevant Code of Practice, there is a requirement to maintain a policy governing the use of covert surveillance which is reviewed by the appropriate Executive Member on an annual basis.

Engagement
None

## Equalities considerations - Impact Assessment

### Age

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The decision relates to minor administrative updates to an existing policy, and has therefore been assessed as having a neutral impact on all characteristics. The Covert Surveillance Policy requires that Hampshire County Council follows the application and evaluation process to ensure that any activity is clearly defined and judged to be proportionate and necessary for the furtherance of any investigation, balanced against any potential negative impact on individual's human rights. Applications for covert surveillance require the authorisation of a Service Manager and approval by a Magistrate. Equally, applications for access to communications data are conducted via the National Anti-Fraud Network (NAFN) as a single point of contact into the Office for Communications Data Authorisations. Any targeting of covert surveillance is done on the basis of rigorously scrutinised evidence of alleged criminality. In addition, the County Council's application of this policy is independently reviewed by the Office of Surveillance Commissioners on a regular basis.
Mitigation	

### Disability

Impact on public	Neutral
Impact on staff	Neutral
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## Gender Reassignment

Impact on public	Neutral
Impact on staff	Neutral
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## Pregnancy and Maternity

Impact on public	Neutral
Impact on staff	Neutral
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## Race

Impact on public	Neutral

Impact on staff	Neutral
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## Religion or Belief

Impact on public	Neutral
Impact on staff	Neutral
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## Sex

Impact on public	Neutral
Impact on staff	Neutral
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Mitigation	

## Sexual Orientation

Impact on public	Neutral
Impact on staff	Neutral
Rationale	<p>The decision relates to minor administrative updates to an existing policy, and has therefore been assessed as having a neutral impact on all characteristics. The Covert Surveillance Policy requires that Hampshire County Council follows the application and evaluation process to ensure that any activity is clearly defined and judged to be proportionate and necessary for the furtherance of any investigation, balanced against any potential negative impact on individual's human rights. Applications for covert surveillance require the authorisation of a Service Manager and approval by a Magistrate. Equally, applications for access to communications data are conducted via the National Anti-Fraud Network (NAFN) as a single point of contact into the Office for Communications Data Authorisations. Any targeting of covert surveillance is done on the basis of rigorously scrutinised evidence of alleged criminality. In addition, the County Council's application of this policy is independently reviewed by the Office of Surveillance Commissioners on a regular basis.</p>
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## Marriage and Civil Partnership

Impact on public	Neutral
Impact on staff	Neutral
Rationale	<p>The decision relates to minor administrative updates to an existing policy, and has therefore been assessed as having a neutral impact on all characteristics. The Covert Surveillance Policy requires that Hampshire County Council follows the application and evaluation process to ensure that any activity is clearly defined and judged to be proportionate and necessary for the furtherance of any investigation, balanced against any potential negative impact on individual's human rights. Applications for covert surveillance require the authorisation of a Service Manager and approval by a Magistrate. Equally, applications for access to communications data are conducted via the National Anti-Fraud Network (NAFN) as a single point of contact</p>

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## Poverty

Impact on public	Neutral
Impact on staff	Neutral
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## Rurality

Impact on public	Neutral
Impact on staff	Neutral
Rationale	The decision relates to minor administrative updates to an existing policy, and has therefore been assessed as having a neutral impact on all characteristics. The Covert Surveillance Policy requires that Hampshire County Council follows the application and evaluation process to ensure that any activity is clearly defined and judged to be proportionate and necessary for the furtherance of any investigation, balanced against any potential negative impact on individual's human rights. Applications for covert surveillance require the authorisation of a Service Manager and approval by a Magistrate. Equally, applications for access to communications data are conducted via the National Anti-Fraud Network (NAFN) as a single point of contact into the Office for Communications Data Authorisations. Any targeting of covert surveillance is done on the basis of rigorously scrutinised evidence of alleged criminality. In addition, the County Council's application of this policy is independently reviewed by the Office of Surveillance Commissioners on a regular basis.
Mitigation	

Geographical Impact:All Hampshire

## Equality Statement

### Additional information:

The policy and regulatory framework requires the careful consideration of necessity and proportionality in the submission of any Covert Surveillance activity, with appropriate judicial safeguards in place.

### Overview Statement:

A summary assessment to show that due regard to the Public Sector Equality Duty has been paid, which is undertaken when a full EIA is not needed:

The decision relates a renewal of an existing policy and has therefore been assessed as having a neutral impact on all characteristics. The Covert Surveillance Policy requires that Hampshire County Council follows the application and evaluation process to ensure that any activity is clearly defined and judged to be proportionate and necessary for the furtherance of any investigation, balanced against any potential negative impact on individuals' human rights. Applications for covert surveillance require the authorisation of a Service Manager and approval by a Magistrate. Equally, applications for access to communications data are conducted via the National Anti-Fraud Network (NAFN) as a single point of contact into the Office for Communications Data Authorisations. Any targeting of covert surveillance is done based on rigorously scrutinised evidence of alleged criminality. In addition, the County Council's application of this policy is independently reviewed by the Office of Surveillance Commissioners on a regular basis.

EIA reference number: 01095

Date of production of EIA for publication: 18/02/2026