

# NATIONAL PROBATION SERVICE HAMPSHIRE PROBATION TRUST

## EQUALITY IMPACT ASSESSMENT

### Section Two: Full Impact Assessment

This “Equality Impact Assessment” documents the outcome of a full impact assessment on the specified function, policy or procedure, addressing the equalities strands of: Race, Gender, Disability, Sexuality, Faith and Age. It is to be completed, published as specified, and appended to policy and/or strategy documents.

#### 1. Function Name, Policy or Procedure:

Community Payback Rules and Regulations

#### 2. Aims and Approach of Function/Policy/Procedure

This document outlines the Rules and Regulations that provide the framework for offender engagement with Community Payback. These rules relate the expectations upon offenders in the hours that they work, the arrangements for their undertaking their work, expectations in relation to their behaviour and conduct, health and safety, absences, breach, complaints. The document is discussed by the OM with the offender in a face to face interview and are agreed and signed.

#### 3. What data/information is available & does it suggest differential impact for any of the groups identified as part of the impact assessment process?

*(A range of different data may be used for this section – e.g. internal monitoring data, national reports/research, locally commissioned reports/audits/research, results of previous consultations/workshops, statistical data such as census data, Home Office Statistics)*

Hampshire’s Annual Diversity Report has produced outcome data for Community Payback for a number of years and this information, available in relation to race, gender and disability, has shown largely positive trends.

The report for April 2008 to March 2009 showed that minority ethnic offenders continue to do better in terms of successfully completing than White Offenders. Women offenders are more likely to successfully complete than male offenders, also a continuing positive trend. Offenders with a disability do not show differences in outcome from those offenders who have not disclosed a disability, although there is a slight under-representation of disabled offenders on Community Payback.

These results are positive indicators of successful equalities work within Community Payback.

**If there are gaps in data provision how are these to be addressed in order to inform a full EIA?**

#### **4. What consultation has been undertaken, with whom?**

*(include here information on who has been consulted, the purpose of the consultation and how it was carried out)*

The revised rules and regulations were taken to HPT's Equalities Consultation Panel for consideration. The Panel is made up of staff from a diversity of backgrounds, community members, Unison and NAPO and representatives from the Black Staff Support Group.

#### **5. What are the main findings of the consultation undertaken (what positive or negative impacts were identified for any of the different groups)?**

The Panel raised the following concerns:

1. Concern was raised about the sending of women and other vulnerable people off site in remote areas. This was seen as an action that put women and other groups at greater risk and was therefore discriminatory. Panel considered the points raised by the CPB management team as to why it was not manageable to take everybody back to pick up point if an "off site" decision had been made, but it was felt that in the circumstances of women and other vulnerable adults these difficulties were not enough to justify discriminatory actions. Clearly a decision had been made that we would not do this for 16/17 year olds as this had been written into the rules. Panel recommends that this should be extended to women and other vulnerable adults such as those with a type of disability. We would imagine that the numbers that this involved would be fairly small.

2. The issue has already been raised of carers needing to be able to provide a telephone number to the person who is looking after any child/adult for whom they have care responsibility, in case there is an emergency. This because mobile phones

are not allowed on site and the suggestion was either the office number be given out or the supervisors mobile. However, the question remains as to what action we would take if somebody gets an emergency situation and needs to get back to their child when out on site. Will the supervisor take them back?

3. List of diversity issues are provided at the end of the rules from which gender has been left off. Also concern was raised as to why these issues are said to be addressed through the complaints procedure when everything else says to speak with your offender manager. Suggestion that the OM or Manager should be the first point of call, but that there is also a complaints procedure.

4. Need to check that these rules are gone through verbally during induction and that they are translated into different languages as required.

**6. Does this policy have the potential to cause unlawful discrimination, exclusion of some groups of people from its benefits or lead to negative relations?**

Concerns raised as above.

**7. What measures have been identified in order for the policy/procedures to achieve its aims without risking any adverse impact?**

Concerns as identified by the Panel were taken to the Community Payback manager group and supervisors for consideration. Decisions were as follows:

- Item 3 has been addressed with changes made.
- Item 4 confirmed that rules are made available in different languages as required and that the OM talks through the rules with the offender as well as giving them a written copy. The rules are delivered in the pre-placement work session in the majority of cases. Here the rules are thoroughly discussed and the offender signs and keeps a copy for their reference. 10% of cases have a one-to-one induction (include youths, non- English speakers needing an interpreter and anyone else with diverse needs which impacts attendance at a grp induction). On a 1:1 basis the rules will be explored and signed for in the same fashion
- Item 2 has been resolved through a system to be set up whereby at weekends the Grange Out of Office hours number can be the emergency number provided. In turn staff could contact the Duty Manager who could then alert Supervisor and offender. During the week the OM can assist through the office numbers.
- Item 1 regarding sending offenders off site for poor attitude and/or abusive behaviour was considered in depth. It has been decided that this approach, when it is a last resort following due warning when working in remote sites, will continue as an option. However, a full assessment of offender vulnerability will be made beforehand and youths and others deemed vulnerable will be returned or alternative arrangements

made. Legislation for 16/17 year old offenders defines them as children and therefore the decision about returning them is built around duty of care for children. It is stated that not all females would be deemed vulnerable. Decisions will be made on a case by case basis. The approach will be, however, that the supervisor will try and help find a way back for vulnerable cases and if there are no other options will return.

#### **8. What action is now to be undertaken?**

The agreed amendments as identified by the Panel and decided by the CP management team to be implemented as part of the roll out of the new rules and regulations.

#### **9. Monitoring arrangements and review process**

Community Payback results and complaints will continue to be monitored and reported on through the Diversity Reporting system.

#### **10. How results will be published**

This Equality Impact Assessment will be published on the intranet and on Hampshire's website.

**Signature of Policy Lead Kelly Taggart**

**Position Community Payback Manager**

**Date 15<sup>th</sup> March 2010**