

**Unclassified**

**PROBATION SERVICE**

**Hampshire  
Probation Trust**



*Working together to reduce offending*

## SINGLE EQUALITY SCHEME

**2009 - 2012**

This Scheme is a living document and Hampshire Probation Trust welcomes comments and suggestions from its partners, community groups, stakeholders and other interested parties. The Scheme and action plan will be reviewed annually and further information publicised on our website – [www.hampshire-probation.gov.uk](http://www.hampshire-probation.gov.uk)

If you require this information in any other format, such as braille, large print or another language please contact the Diversity Adviser on 07974 971896 or email [julia.bahaj@hampshire.probation.gsi.gov.uk](mailto:julia.bahaj@hampshire.probation.gsi.gov.uk)

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# Foreword

## Introduction

This is Hampshire Probation Trust's (HPT) first Single Equality Scheme. It aims to describe in a single document how HPT will fulfil its statutory duties to promote equality of opportunity and avoid discrimination, merging its three existing Race, Gender (including gender identity) and Disability Equality Schemes. We will also go beyond these duties to include within the Scheme full consideration of equality in relation to religion or belief, age and sexual orientation.

This Single Equality Scheme contains a commitment to action in all of these equality areas, responding to the commonality of experience across different equality groups, whilst retaining a recognition of specific issues relevant to particular groups. Therefore, in its structure the Scheme will provide information on how to meet legislative requirements that are generic across all strands and also focus on particular areas of equality to give group specific information as appropriate. Our Action Plan will follow this same approach.

Above all, this Single Equality Scheme is a public commitment of how Hampshire Probation Trust plans to continue to meet its duties as an employer and a deliverer of services, through its work with offenders and victims of crime. Having already responded to public duties relevant to race, gender and disability, this Scheme builds on and continues to develop work that has been in progress since 2002. We welcome the opportunity of giving full consideration in a single document to the complete scope of equality groups and to the process of developing a scheme which enables us to continue to think through how we are ensuring inclusion and equality for all groups in employment practice and service delivery. The Scheme gives an account of what has been achieved so far, what the key issues are for each of the equalities strands and the objectives under each strand.

As this Scheme will demonstrate, the work of the Service has as central to its core the need to engage effectively with people – nothing can be more relevant to ensuring that we meet our objectives than being rigorous in identifying and responding appropriately to the needs, backgrounds and experiences of different groups of people. It remains fundamental to all that we do to recognise diversity and ensure equality of opportunity. Our Scheme, therefore, represents the process by which this is mainstreamed and embedded within our systems for the design, delivery and review of all our work.

The Scheme will be reviewed and republished on a three year cycle. The Action Plan will be reviewed annually and the reviews will be available on our website [www.hampshire-probation.gov.uk](http://www.hampshire-probation.gov.uk)

## Section 1 – Who we are and what we do

### Who We are

Hampshire Probation became a Trust in April 2010. It is part of the Probation Service for England and Wales, which was established by the Criminal Justice and Court Services Act and came into effect on 1<sup>st</sup> April 2001. The Probation Service is a law enforcement agency delivering community punishments, supervising and working with offenders according to the terms set by the Court and Parole board. It is part of the National Offender Management Service (NOMS). We work with offenders from pre-sentencing stage in court through to the completion of their community orders or prison licence. We also work with the victims of violent and sexual crimes where the offender has been sentenced to a year or more in prison.

The thirty six Probation Trust Boards deliver the Probation Service business, aims and objectives in the local areas. The Hampshire Probation Trust Board employs 742 staff as of January 2009 (including sessional staff). We serve a population of about 1.7 million across Hampshire and the Isle of Wight and supervise around 6,800 adult offenders a year.

### What we do

The aims of the Probation Service are:

- Protecting the Public
- Reducing Re-Offending
- Proper punishment of offenders in the community
- Ensuring offenders' awareness of the effects of crime on the victims of crime and the public
- Rehabilitation of offenders

Offender managers work to achieve all of the above – supervising offenders, delivering different interventions that address offending behaviour and needs linked to that behaviour, enforcing orders made the by courts and managing risk of those serving their sentence in the community, as well as those released from prison. Our victim contact work ensures that the victims of serious sexual and violent crimes are kept informed about the progress of the sentence and may be consulted about conditions of release.

## **Our Vision**

The vision of Hampshire Probation Trust is to be a clear leader in providing probation services, inspiring public confidence in community sentences through the high professional standards of our staff.

We will strive to achieve excellent results and demonstrate quality and innovation in our work with victims, offenders and partner agencies.

## **Our Mission**

Our mission is to protect the public, reduce re-offending, rehabilitate offenders and enforce the Orders of the Court.

## **Our Values**

- **A Belief that Everyone has the Capacity to Change**

We believe in everyone's capacity to change and in our ability to assist offenders bring about change.

- **A Culture of Learning and Continuous Improvement**

We base our practice on 'what works' and on learning from others. We are committed to innovation and continuous improvement.

- **Valuing People and their Differences**

Respect and fairness for everyone permeates all our activities. We recognise and value diversity, striving to ensure equity and equality in all our approaches.

- **Delivering Standards and Excellence**

We are accountable for meeting standards and when things go wrong for putting this right. We value the professionalism and integrity of our staff at all times, aiming for excellence in all that we do.

- **Open Communication and Collaboration**

Clear and responsive communication is important to HPT as is our commitment to collaboration with our partners and stakeholders to achieve our aims.

## Our Strategic Aims

Hampshire Probation Trust has a 3 year Strategic Plan, alongside an annual Business Plan. Below are show the five Strategic Aims of the organisation:

1. To be a 4\* Trust achieving excellence in Public Protection and Offender Management.
2. We will provide high quality interventions to reduce re-offending, whilst also commissioning a wide range of services relevant to the needs of all offenders.
3. We will contribute to partnerships designed to improve community safety and seek to develop resources for offender services
4. To have a workforce characterised by:
  - Its professionalism and outcome driven focus
  - High skill level in all areas
  - High degree of motivation
  - Shared ownership of the corporate vision and values.
5. To be financially sound with the capacity to invest in innovation and generate income from a range of sources.

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## **Section 2 – Our Duties and the Development and Purpose of the Scheme**

### **Legislation and the General and Specific Duties:**

The legislation relevant to this Single Equality Scheme includes:

Equal Pay Act 1970  
Sex Discrimination Act 1975  
Race Discrimination Act 1976  
Disability Discrimination Act 1995  
Race Relations (Amendment) Act 2000  
Employment Equality (Sexual Orientation) Regulations 2003  
Employment Equality (Religion or Belief) Regulations 2003  
Disability Discrimination Act 2005  
Employment Equality (Age) Regulations 2006  
Equality Act 2006

### **Gender, Race and Disability – General and Specific Duties –**

Under the legislation there are three equality areas, race, gender and disability, where public authorities have a **general duty** to promote equality and a **specific duty** which requires the publication of an equality scheme relevant to that area of equality that lays out how the general duty will be met. The general duties are slightly different between the equality strands.

### **Race Equality Duties:**

For race equality the requirement is that in carrying out their functions public authorities must have due regard for the need to:

- 1. Eliminate unlawful racial discrimination**
- 2. Promote equality of opportunity**
- 3. Promote good relations between people of different groups**

The Specific duties under the Race Equality Duty are to:

- publish a race equality scheme that includes identification of relevant functions and policies

- set out arrangements to assess the likely impact proposed policies will have, monitor those policies, publish the results and make sure the public have access to information and services
- train staff
- report annually on employment and review every three years

### **Disability Equality Duties:**

The disability duty requires Hampshire Probation Trust to:

- 4. Promote equality of opportunity between disabled people and other people**
- 5. Eliminate discrimination that is unlawful under the DDA**
- 6. Eliminate harassment of disabled people that is related to disability**
- 7. Promote positive attitudes towards disabled people**
- 8. Encourage participation by disabled people in public life**
- 9. Take steps to meet disabled people's needs, even if this requires more favourable treatment.**

The definition of disabled people used for the Equality Duty is that which is used in the Disability Discrimination Act 1995, in which a disabled person is described as having:

**“A physical or mental impairment which has a substantial and long term adverse effect on an individual's ability to carry out normal day to day activities”**

The specific duties under the Disability Equality Duty includes:

- publishing a disability Equality Scheme that shows how disabled people have been included in its development
- gathering information and using that information to set objectives
- Impact assessing
- Having an action plan to meet the general duty with arrangements for reviewing its effectiveness and reporting annually and reviewing the Scheme on a three year cycle

### **Gender Equality Duties:**

The gender duty requires Hampshire Probation Trust to:

- 10. Eliminate unlawful discrimination and harassment**
- 11. Promote equality of opportunity between men and women**

These requirements also include discrimination and harassment on the basis of gender reassignment.

The specific duties under the gender equality duty require that we:

- publish a gender equality scheme and action plan
- collect and use information to meet the duties
- Use the information to review the effectiveness of its implementation
- Provide information on the impact assessment process
- Consult relevant employees, service users and others (including trade unions)
- Identify objectives, including objectives on any identified gender pay gap
- Report annually and review every three years

### **Religious Belief, Sexual Orientation and Age – EU Regulations & Equality Act:**

Under the EU regulations legislation is in place to tackle discrimination in relation to religion and belief, sexual orientation and age in employment. This was extended to service delivery in relation to sexual orientation and religion and belief by the Equality Act 2006, but age currently is limited to employment only. There are currently no duties on public authorities in relation to these equality strands (See Appendix 4 for full notes on all Equalities Legislation)

### **The Involvement and participation of different groups and the use of evidence in the development of the Scheme**

The development of this Scheme builds on the previous race, gender and disability Schemes and the different methods of involvement that have been used for that purpose. For example, the disability scheme had engaged with disabled people through a staff questionnaire and workshop; participation in county wide partnership consultative events with local disabilities groups and members of the public; an offender survey and discussions with specialist agencies such as MIND, Hampshire Autistic Society and MENDOS. Our Single Equality Scheme builds on such engagement and has furthered its consultation and involvement of different stakeholders and interest groups. A number of different methods have been used for this:

- Collaboration with Hampshire Probation Trust's Black Staff Support Group
- A Race Equality Seminar open to all minority ethnic staff was held to review progress and set future priorities

- Collaboration with Hampshire Probation Trust's Sexualities Support Network was undertaken to agree priorities
- Collaboration with Hampshire Probation Trust's Equalities Consultation Panel, which includes representation from NAPO and UNISON, was undertaken to develop priorities and agree actions
- A disability equality seminar was held, open to all disabled staff, so that they could participate in the process of reviewing progress and setting future priorities
- A further disabled offender survey was undertaken to ask for feedback on our progress to date and suggestions for improvements
- A disabled staff survey was conducted, sent to all staff who had disclosed a disability, asking for feedback on our progress to date and suggestions for further improvements
- The draft Scheme was made available to all staff in draft format during a consultation phase for their comments and questions
- The draft Scheme was sent to the Association of Black Probation Officers (ABPO), National Association of Asian Probation Staff (NAAPS), Lesbian, Gay Men, Bisexual and Transgendered Individuals in Probation and Family Courts (LAGIP), National Disabled Staff Support Network (NDSN).
- Consultation with other Criminal Justice Agencies and other public sector agencies that form part of a local Equalities Network.
- Continued collaboration with specialist agencies such as the Hampshire Autistic Society, Dyslexia Institute, MIND.

All of these mechanisms have been used to take account of the views of stakeholders and in agreeing and setting priorities, objectives and actions. This has had a wide equalities focus, including recognising the importance of hearing the views of disabled people.

Section 4 and Section 5 of the Scheme outline the methods in place for gathering information and evidence, both qualitative and quantitative. These methods have provided a spectrum of data through which to evaluate our progress and identify further areas for improvement and development, which have been used to develop the Scheme.

## **Aims of the Scheme**

Our Scheme aims to set out what we are currently doing and planning to do over the next three years to meet our general and specific duties and to achieve our commitments to diversity and equality across the six equality strands. We want all of our stakeholders, including our staff and the offenders and victims with whom we work, to see us as effectively promoting diversity and equality, demonstrating good practice that leads to positive, equitable outcomes for all.

## Section 3 – Leadership and Strategic Approach

Our Policy Statement sets the foundation for Hampshire Probation Trust's commitment to Diversity and Equality and this is up in poster format in every office in Hampshire and is given at induction to all offenders.



# DIVERSITY STATEMENT

This Probation Trust is part of the Probation Service and is committed to building a fairer and more inclusive society. In all our work we strive to demonstrate that there is equality of opportunity for staff working within the organisation and for people using its services. We value and will achieve diversity and equality throughout our Trust and will ensure its integration into every aspect of our leadership, structure and practice.

All people coming into contact with this Trust can expect to be treated with equality and fairness. We recognise and value diversity and we will ensure that our workforce is representative and that our services are accessible and suitable for everyone. We will actively promote equality in relation to race, gender, gender reassignment, religion or belief, age, disability and sexual orientation.

If you think you have cause to complain or have suggestions which might help us to be more effective with regard to these principles, please ask for details of the complaints procedures or write to the Senior Probation Officer/Manager at this office.

A handwritten signature in blue ink, appearing to read 'Barrie Crook'.

Barrie Crook, Chief Executive  
Hampshire Probation Trust

A handwritten signature in black ink, appearing to read 'Mike Fisher'.

Mike Fisher, Chair  
Hampshire Probation Trust Board

This commitment is delivered through a comprehensive strategic approach and management structure that supports the Single Equality Scheme and its associated action plan. During the lifetime of the previous equalities schemes the move has been to embed all equalities work within mainstream approaches to practice and management. The key elements of the approach are:

- Diversity Champion at Board level, with Board Stakeholder Engagement Forum and Board HR Forum which oversees HPT's Equalities Work.
- Minority ethnic representation at Board level following a targeted recruitment campaign.
- Leadership at Director Level with regular reporting systems (Diversity Report, monthly performance reporting and progress report on Action Plans) allowing scrutiny by the Chief Officer's Management Team.
- Specialist Diversity Advisor role who regularly attends Chief Officer's Management Team, Area Manager and local manager team meetings to report on performance and key issues and initiatives.
- Diversity Policy, Strategy and Practice Guidance relevant to service delivery and employment practice
- Programme of mandatory Diversity training for all staff, role specific training, including impact assessment training, and a series of practice development workshops
- Active participation in the Local Criminal Justice Board Equalities and Public Confidence Group
- Staff support mechanisms through variety of local support groups and facilitated access to National support groups such as ABPO, NAAPS, LAGIP, NDSN
- Equalities Consultation Panel to support Equality Impact Assessment process
- Equalities objectives and activity integrated into Strategic Plan, Annual Business Plan and Service Level Agreements

**Appendix 5 contains information on HPT's management structure**

## **Section 4 – Our Progress so far in meeting the General & Specific Duties and ensuring accessible services and equality in employment**

### **Impact Assessments and consultation**

The equality impact assessment process, across the seven equality strands, is now embedded into the Hampshire Probation Trust policy, strategy and planning development systems.

Hampshire has ensured that impact assessments are carried out on all functions, policies and procedures that have been identified as priority areas of work and on new functions, policies and procedures where relevance is identified. We will continue to do so.

This process utilises the framework shown in **Appendix 1**. All functions that have been assessed will have adopted this framework, and the documentation made available through the Service's intranet system and published on our website. Full published assessments to date include:

#### **Service Delivery**

- OASys and sentence planning
- PPO Policy and strategy
- Presentence Reports
- Delivery of different Programmes
- Essential skills
- Drug Rehabilitation Requirements
- Alcohol Treatment Requirements
- Approved Premises
- Victim Empathy Module
- Mappa Policy and Strategy
- Offender Management Policy & Strategy
- Employment and Training Requirements
- Unpaid Work Protocol
- Recall Arrangements
- Enforcement Action
- Domestic Abuse
- HPA 3 Year Strategy

#### **Employment Practice**

- Grievance Policy
- Discipline Policy
- Domestic Abuse Policy
- Capability Policy
- Planned retirement
- Vacancy management
- Essential Car User
- Sickness Absence
- Workload Priority
- Flexible Working

In addition, many policies and procedures have undergone an initial screening, with possible adjustments made, that has not required full assessment but continue to be monitored. Further information on all

assessments is available from our intranet (Diversity Database) or Hampshire Probation Trust's website: [www.probation.hants.gov.uk](http://www.probation.hants.gov.uk)

Arrangements for Consultation have been developed through an Equalities Consultation Panel that meets bi-monthly and also provides feedback via email if appropriate, alongside other bespoke methodologies. For example Hampshire Probation Trust participated in a qualitative piece of research gathering feedback from minority ethnic offenders on the impact of the approach of Probation, as well as other parts of the Criminal Justice System. Surveys have been undertaken to gather feedback from disabled offenders and disabled staff, and workshops have been run focusing on race, gender and disability, addressing how effective our policies are in meeting our equalities commitments. A new "Service Users Group" has been established providing a further opportunity for direct and regular consultation with offenders. All this information has been used as part of the equality impact assessment process and as feedback for developing our Scheme and action plans.

### **Monitoring, review and outcome measurements**

Hampshire Probation Trust has now developed monitoring systems for race, gender and disability in its service delivery outcomes and employment practice. This monitoring has provided an insight into outcomes relevant to race, gender and disability equality. In addition to routine monitoring, specified audits and surveys have been undertaken as required (for example audits of how gender, disability and race are addressed in assessments and sentence planning).

Reporting of the monitoring is produced in an annual "Diversity Report", which provides a full account of monitoring data, as specified for a period of a year, identifying where there are differentials in outcome between groups. A RAG (red, amber, green) rating is produced for each report highlighting areas of service delivery or employment practice where potential inequalities exist through less successful outcomes for minority groups. This reporting mechanism is scrutinised through the Chief Officer's Management Team, the Area Management Team and out through locally managed teams. The Diversity Report is published on HPT's Website ([www.probation.hants.gov.uk](http://www.probation.hants.gov.uk)). In addition the monthly performance report produces performance results segmented as follows: ethnicity, gender and disability.

If the monitoring systems identify that a policy has, or is likely to have, an adverse impact on those from different communities the Area's senior management will consider how best to react to that differential, or potentially different impact.

The Diversity Report for the period 2007-2008 showed very few differentials in outcome measures between men and women, those from different ethnic groups and those who had disclosed a disability and those who had not. In many instances minority groups were achieving better outcomes. There were a few exceptions to this and these results have been used to feed back into policy development and action plans. Trend data overall since reporting begun has demonstrated continuing positive results.

Particularly positive has been the steadily decreasing custodial proposals for Black and Minority ethnic offenders in Hampshire and a closing of the gap between White and BME offenders in the proportions.

2004-2005 9% BME offenders had a custodial proposal  
3.5% White offenders had a custodial proposal

2005-2006 6% BME offenders had a custodial proposal  
4% White offenders had a custodial proposal

2006-2007 3% BME offenders had a custodial proposal  
2.6% White offenders had a custodial proposal

2007-2008 3% BME offenders had a custodial proposal  
2.6% White offenders had a custodial proposal

## Staff Representation & Employment Management

The Hampshire Probation Trust Board employs approximately 750 staff, as of January 2009 and is subject to the full range of employment duties.

Hampshire Probation Trust monitors its staff representation in terms of gender, disability and ethnicity, with a commitment to having a staff group which is representative of the local population across grades. In terms of ethnicity according to 2001 Census data this is approximately 3.5%. Minority ethnic staff representation in Hampshire has consistently been on or in excess of this figure during the life time of its Race Equality Schemes, and minority ethnic management representation has consistently been above the 3.5% target. We have a gender bias in terms of a higher proportion of female staff to male overall, and a proportionally higher level of male managers although this has shown a move towards proportionality over the course of our Gender Equality Scheme. Our number of staff who are disclosing a disability is currently at 12%.

Hampshire Probation Trust has in operation a Diversity Policy, Strategy and set of Practice Guidance that address all aspects of its activities as an employer. We have a range of approaches and initiatives that have developed during the life of the equalities schemes to address equality in all aspects of the human resource function:

- Review of recruitment process to ensure that equalities issues are embedded and Equality Impact Assessments undertaken on specific policies and procedures. Range of HR policies and procedures that relate to the needs of diverse groups such as flexible working, maternity handbook, special leave
- Operation of the employment Service “two ticks” employment of disabled people programme, including a Guaranteed Interview Scheme.
- Reasonable adjustments for interview, selection procedures and work practice as required; this includes adjustments for learning disabilities such as dyslexia, as well as physical and sensory disabilities. Evaluation of the Trainee Probation Officer recruitment programme gained favourable feedback from applicants on accessibility.
- Established good working relationships with other agencies to support in the recruitment and retention of staff with disabilities, e.g. Employment Service, Disabilities Advisers, Hampshire Dyslexia Institute and MIND which has assisted with reasonable adjustments
- The establishment of a local Black Staff Support Group, a Disability Network and Sexuality Network and support to staff who wish to participate in the national staff associations (Association of Black Probation Officers; National Association of Asian Probation Staff; Lesbian, Gay Men, Bisexual and Transgendered Individuals in Probation and Family Courts; National Disabled Staff Support Network)
- Black Staff Support Group has also worked to try and promote understanding between different ethnic groups through running Seminars open to all staff and participating in training events to talk about the work of the group and the wider context of race equality.
- Attendance at Careers Fairs and Cultural Events for local minority ethnic groups to raise awareness about the Probation Service in Hampshire and to promote career opportunities
- Participation in a Regional Programme working on the development of Minority Ethnic Staff which resulted in a day’s developmental event for

interested staff and a regional event for Black Staff Support Group Chairs.

- Both the Equality Consultation Panel, attended by some staff members, and the Black Staff Support Group have provided a mechanism to ensure that staff are consulted about policies and procedures.
- Establishment of a Mentoring Scheme for minority ethnic staff and disabled staff. The Scheme has not been widely used but experiences have been reported as valuable by those who have done so.
- Well established harassment procedures, both formal and informal, covered in Induction training for all staff.

### **Service Delivery (Court/Parole Reports, Offender assessment and management, delivery of interventions and work with victims)**

A diversity assessment is completed on all offenders at report stage, gathering information both for monitoring purposes and for consideration in the appropriate delivery of services. Consideration is given to ethnicity, religion, cultural requirements, language and communication needs, disability and access requirements, care responsibilities and any other needs. This information is inputted onto the case management system and the Offender Assessment and Sentence Planning system so that it becomes an integral framework through which to design and deliver appropriate offender management and interventions. Diversity information is also gathered on victims through completion of a referral form by the Witness Care Unit so that similarly victim contact work can be monitored and appropriately tailored.

It is recognised that the delivery of services needs to be tailored in a way that makes them meaningful to all groups and that they are delivered by staff who are competent at working across differences to ensure accessibility. The impact assessment process that looks at how we deliver particular functions, and the consultation process that is part of this, helps us to develop services in a way that is inclusive and relevant to all groups. The Diversity Training programme addressed in the next section is a critical part of our approach but in addition other initiatives include:

- Leaflets designed for offender managers on adjustments to consider when working with offenders who have mental health needs, dyslexia or who are on the autistic spectrum. Also a leaflet available for offenders on dyslexia and what help they can get.

- Speakers attending team meetings from different community backgrounds or with expertise in a particular area
- Women Offender Policy and Strategy with implementation plan to ensure suitable services for women offenders. As part of this brief we currently have two Women's Liaison Officers whose role it is to identify appropriate community resources for women and capacity build teams to access women specific services
- Women's programme in Basingstoke and Southampton and working with a local charity on piloting a women's empowerment programme
- Women's Services Directory
- Positive working relationships with different agencies who can assist in the delivery of accessible services e.g. MENDOS, Hampshire Autistic Society, Hampshire Deaf Association, Hampshire Dyslexia Association, Community Mental Health Teams and Learning Disability Teams
- Diversity Database which provides staff with a resource library of practice guidance, contacts and information that will assist them in delivering appropriate services. For example, information is provided on local community groups and forums that meet the needs of minority ethnic communities and religious groups.
- Best practice manuals produced on working with LGBT Offenders (which won a Diversity Award) and Asylum Seekers
- Contract with a local Interpreter and Translation Service who provide interpreting and translated materials whenever required. Also arrangements in place to address other communication needs such as the use of audio tapes, signing interpreters and other alternative formats.
- Access issues considered for all buildings with accessible intercoms and hearing loops available and managed solutions in place where physical access difficulties may still arise.

## Training

HPT has developed a comprehensive training/briefing programme to ensure its staff have opportunities to develop their practice in relation to meeting our commitments around diversity and equality and meeting the general and specific duties. This includes:

- Diversity and Equality Induction Training for all new Staff which covers the requirements of the legislation and draws attention to job specific roles in relation to it (ongoing rolling programme run every 6 weeks).
- Disability Equality Training for all staff run on a rolling programme

- Diversity Induction Training for all managers which covers the requirements of the different legislation and draws attention to their specific responsibilities
- Regular team briefings by the Diversity Advisor to all teams in Hampshire Probation Trust
- Training in undertaking Impact Assessments for all Senior Managers and Resource Managers, although further training in Impact Assessments would now be valuable
- Additional support and guidance provided to Senior Management Team through the Diversity Advisor
- Hampshire Probation Trust led on a Regional Training event for Performance and HR Staff on gathering appropriate data for Impact Assessments and also has provided training for other areas in undertaking impact assessments
- A range of specific training events are run to address particular diversity issues such as dyslexia, mental health, autism, working with Gypsy and Traveller communities, working through interpreters, working with Transsexual offenders.
- Specific training within programmes to look at responsivity and cross cultural communication and a system of diversity assessment and planning prior to commencement of programme

## Community Engagement and Involvement

Hampshire Trust, through its involvement with the Local Criminal Justice Board Public Confidence Group and the “Race for Justice Project” has been able to participate in a range of community engagement activities, including participation in Court Open Days across the county with representatives from all part of the Criminal Justice System and events in a number of local schools with diverse pupil populations. We are currently running in Hampshire a community programme in partnership with magistrates in which Probation staff and a magistrate present a case study to local communities in order to inform them about the sentencing system and to engage in dialogue about working with offenders. The programme of these events has been designed to reach all different communities.

Working relationships have been established with a range of minority ethnic community forums, such as the Muslim Council of Southampton and the Portsmouth Race Equality Network Organisation. Minority ethnic Community Development Workers are part of HPT's Equalities Consultation Panel and they provide links into local communities for Probation participation in local events. Similarly direct work with specialist organisations in relation to different disabilities, such as Hampshire Deaf Association, Hampshire Autistic Society, Hampshire Dyslexia Association, Mentally Disordered Offenders Service, MIND, Access groups, have enabled us to develop services relevant to the needs of different groups. Our current work with women offenders is specifically focusing on developing our engagement with those services that are designed to meet the needs of women, drawing on and understanding those needs and sourcing services that will be relevant to them.

In developing our Disability Equality work HPT was involved in a programme of County-wide partnership consultative events with local disabilities groups and members of the public – presenting information on the work of the Service, what we do to remove barriers for disabled people and asking for feedback and suggestions. These events were well attended and offered the opportunity to hear from people with a range of different impairments who were able to give further direction on how to remove barriers.

Hampshire Probation Trust has a Community Engagement Strategy which integrates diversity issues into its approach. It has seen such initiatives as the Chief Officer and other Senior Managers and staff appearing on a local Asian radio station to talk about the work of the Service.

Unpaid work remains an important strand of service provision through which to be a visible presence in local communities and projects such as working in a local Vedic Hindu Temple, the African Caribbean Centre, Gay Men's Health Project, all provide opportunities to develop relationships with local community groups.

## **Section 5 – Key Issues and Specific Equality Objectives for Accessible Services and Equality in Employment**

This section of the Scheme looks at each of the equalities strands and identifies what the key issues are for our work with offenders and victims (service delivery) and our responsibilities as employers. Service delivery relates to our work in courts, managing offenders on licence and community orders, undertaking supervision and delivering appropriate interventions,

enforcing orders and working with victims of serious crime. It also relates to our work in the three Approved Premises we have in Hampshire which offer residential provision for high risk offenders. At the end of consideration of each equalities strand, key objectives are identified which are then picked up in the action plan.

## 1. Gender Equality

Hampshire Probation Trust recognises the way in which gender roles and relationships structure men's and women's lives and the impact that this will have on the pattern of their working lives and their ability to fully access services

### **Service Delivery:**

Looking specifically at service delivery, approximately 16% of Hampshire Probation Trust's caseload are female. The Probation Service has largely developed its evidenced based practice on the needs of male offenders. However, in recognition of this there has been a growing body of work that focuses on the needs of female offenders, aiming to ensure that all aspects of service delivery are sensitive to the needs of both men and women. The Women's Offending Reduction Programme (WORP) (HO 2004) identifies inequalities between men and women within the CJS, with evidence suggesting that courts are imposing more severe sentences on women for less serious offences and responses to offending generally being developed with male offenders in mind. Although custody rates and sentence lengths have been increasing for men, with the male prison population increasing by 50% over the last ten years, the female prison population has increased by 173%. The WORP aims to ensure the delivery of a co-ordinated multi-agency response to women's offending, tackling the factors which can affect why women offend and developing an approach which meets female offenders' needs.

The Probation Service and NOMS has produced "The Offender Management Guide to Working with Women Offenders" May 2008 that identifies some of the key practices that will ensure accessible services to women. These have been integrated into HPT's Policy and Strategy for working with female offenders and associated action plan. The key objective therefore for ensuring equality in relation to service delivery is the implementation of this strategy and action plan.

## **Transgender Offenders:**

Research shows that transgender people are over-represented in the criminal justice system and that their offending is often related to their transsexual status and the problems and dilemmas that this creates. Work by Poole, Whittle and Stephens<sup>1</sup> show that “offending may be linked to raising the money for the transitional surgery (e.g. acquisitional crimes, handling), other offending behaviours are linked to lifestyle and social exclusion, for example by becoming involved in prostitution or by committing drug offences. Transsexual status will be a relevant issue for probation practitioners devising programmes of work to tackle offending behaviour”.

Hampshire Probation Trust has produced a practice manual and associated training workshop for working with transgender and transsexual offenders, identifying the key factors for consideration in assessment, report writing and offender management as well as targeting effective interventions. Ensuring that staff have access to all relevant information, community support services and that systems allow for effective offender management remain key service delivery objectives in relation to working with transgender and transsexual offenders.

## **Victims and Domestic Abuse**

A key issue for our work with victims is around the area of domestic abuse. Research shows that one in four women is likely to have been the victim of domestic abuse. Crime statistics and research both show that domestic abuse is gender related (i.e. most commonly experienced by women and perpetrated by men) and that any woman can experience domestic abuse regardless of race, ethnic or religious group, class, sexuality, disability or lifestyle. The British Crime Survey (BCS) (2002) estimates that 81 per cent of recorded domestic abuse crimes were committed against women by men. It also found that it is women who suffer the most serious harm, intimidation, threats, rape, strangulation and post-separation violence, and are most likely to be killed by current or former male partners.

HPT runs a programme for perpetrators of domestic abuse that has involved a criminal offence – The Integrated Domestic Abuse Programme (IDAP) – and as part of this programme provides Women’s Safety Workers (WSW). It is these workers’ role to provide information and signposting to victims who agree to be contacted. WSWs also contribute to the management of risk and promote the safety of women and children. The programme is however only for male perpetrators of domestic abuse.

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<sup>1</sup> “Working with Transgendered and Transsexual People in the Probation Service”, Poole et al 2003, pp 229)

HPT also recognises that some offenders may be victims of domestic abuse and that their offending may be linked to their experience of abuse. As such the Trust is committed to enabling access to appropriate/specialist support and services, where available, for offenders who are victims or survivors of domestic abuse.

Probation staff also work with the victims of violent or sexual crime where the offender has been sentenced to a year or more in prison. Through the work of the Victim Contact Unit, victims are kept informed about the progress of the sentence and may be consulted about conditions of release. The Unit's work aims to address the diverse needs of all victims and ensure that they are as flexible as possible in scheduling meetings in order to maximise the uptake of their services. Monitoring shows that in 2006 there were 404 victims in Hampshire who fit the criteria for contact by our Victim Contact Unit. 58% of these victims were male and 42% female. 27% of victims who are offered contact with the Probation Service actually take up this offer, with female victims more likely to respond than male victims (34% of women respond compared to 22% of men). These results require further investigation to identify whether there is any aspect of the way in which the service is delivered that contributes to this differential.

### **Employment:**

Hampshire Probation Trust also produces workforce data broken down by gender and Table Two gives this information for January 2009. Although there remains an over-representation of women in the staff group generally, there has been a reduction in the level of over-representation of men in management grades since the introduction of our Gender Equality Scheme in 2006. It remains an objective of this scheme to achieve a proportional representation of men and women in management roles.

**Table Two**

	<b>Female%</b>	<b>Male%</b>
<b>All HPA Staff</b>	72%	28%
<b>All Managers</b>	71%	29%
<b>Senior Managers</b>	43%	57%
<b>Senior Probation Officers</b>	62%	38%
<b>Probation Officers</b>	75%	25%
<b>Probation Service Officers</b>	65%	35%
<b>Administrative staff</b>	98%	2%

## **Part-Time Work & Workers with Care Responsibilities**

Research shows that women are significantly more likely than men to work part-time, often because of childcare and other caring responsibilities. Part-time work in Britain is generally characterised by particularly low rates of hourly pay and reduced access to promotion and development opportunities. It is recognised that support to female and male employees with childcare responsibilities, through providing more flexible working and training opportunities and childcare provision, or subsidy contributes to the promotion of equality of opportunity between women and men. Hampshire Probation Trust has just reviewed and developed its flexible working policy, covering flexi-time, job-share and part-time working and is open to considering a range of different working patterns for staff with care responsibilities. There is also a system of Child Care Vouchers available to staff with child care responsibilities and a Special Leave Policy which addresses managing leave for parents and carers. A new Handbook on Maternity and associated Maternity Policy has recently been approved. The outcomes of these policies in terms of the impact it has on different staff groups will be monitored.

## **The Gender Pay Gap**

The general duty includes a requirement to have due regard to the need to eliminate discrimination that is unlawful under the Equal Pay Act 1970. National Statistics show that women working full-time earn on average 81% of the hourly earnings of male full-time employees. Part-time working further accentuates the gender pay gap with women working part-time earning on average only 41% of the hourly earnings of male full-time employees.

Hampshire Probation Trust is committed to the principle of equal pay for all its employees. A calculation of the gender pay gap, determined by calculating women's overall average pay as a percentage of men's, has shown that women's average annual salary is 90% of men's – a gender pay gap of 10%. An Equality Pay review was undertaken in the first year of HPA's Gender Equality Scheme, the results of which are published through the first year action plan review. In this review there was no evidence found of any pay discrimination on the grounds of gender. This review was undertaken shortly after completion of a national job evaluation scheme and the creation of 6 pay bands for all Probation Employees. A further review will be undertaken during the life of this scheme to continue to monitor for any pay discrimination and action taken as appropriate

## Transgender Staff

Hampshire's diversity policy and strategy fully recognises the importance of addressing the needs of transgender and transsexual staff, ensuring equality of opportunity in all areas of employment practice and protection from harassment. To assist with this the Area has been developing its knowledge and understanding of the key issues. Central to this has been involvement with representatives from the Staff Association LAGIP (Lesbian, Gay Men, Bi-Sexual and Transgendered Individuals in Probation & Family Courts). The Home Office Transsexual Support Network, A:Gender has also provided valuable information and advice.

## Gender Equality Objectives:

As part of this scheme therefore there are key objectives in relation to gender equality:

- ❖ Provide services that are accessible to both men and women (including transgender/sexual men and women), reflected in improving service outcomes in terms of gender.
- ❖ Ensure that care-responsibilities are not a barrier to full access of services, for either men or women
- ❖ Ensure we are meeting the needs of women and men as victims of domestic abuse and of those crimes covered by our victim contact work.
- ❖ Involve women and men from all groups in policy making and decisions around issues that have a direct effect on them
- ❖ Ensure women and men are represented at all levels of the workforce and in all areas of work, with particular reference to proportionality at management level
- ❖ Have in place effective procedures to deal with harassment and sexual harassment of staff, service users and others in order to minimise occurrence
- ❖ Remove any discrimination experienced by pregnant staff and staff returning from maternity leave
- ❖ Keep under further review and address any gap between women and men's pay that is not related to duties

- ❖ Support employees with caring responsibilities, including offering flexible and part-time working opportunities at all levels of work
- ❖ Ensure that transsexual people feel supported and valued as staff and potential staff, with barriers to recruitment and retention identified and removed
- ❖ Ensure that employees are aware of the gender equality duty, understanding how it will affect their work and have the skills to implement the duty in their work
- ❖ Consider gender equality issues and their budgetary implications at the beginning of policy-making
- ❖ Provide a wide variety of data and information to assess effectively how certain actions will affect women and men

## 2. Race Equality

Hampshire Probation Trust's commitment to race equality has been evidenced through its Race Equality Schemes and Action Plans that have undergone annual review and development since first publication in 2002.

### **Employment:**

As of January 2009, 3.2% of HPT staff have identified themselves as belonging to a minority ethnic group. This compares to the figure of 10.5% nationally. The South East NPS region has a target of 3.6% minority ethnic staff, to reflect regional populations. Although Hampshire falls just below this target, current representation is line with local populations (Census 2001 indicates a minority ethnic population for Hampshire and the Isle of Wight of 3.1%). Currently 10% of Senior Probation Officers (3 out of 30) are from Black and minority ethnic backgrounds.

The focus of race equality issues around employment management has been the recruitment, retention and development of minority ethnic staff, including representation at Board level and within management grades. In addition, appropriate support mechanisms for those staff need to be in place to avoid the difficulties of feeling isolated in the workplace and robust systems to deal with any racism experienced from offenders, colleagues, staff from other organisations or the public.

## Service Delivery:

Data analysis on offenders receiving a community sentence at the end of 2008 showed that around 6% of offenders with whom we work are from black and minority ethnic communities. The largest group represented in this figure are those of Black Caribbean origin at 0.9%.

Concerns about racial inequalities within the Criminal Justice System have been well documented. The publication of the McPherson report and the recognition of institutional racism highlighted the need for services that recognise and respond to the needs of all communities, without prejudice, stereotyping or discriminatory practices. Recommendations made by McPherson, largely to the Police Service, extended to other agencies to consider measures that ensure the provision of an appropriate and non-discriminatory service. For Probation practice the focus has been on ensuring race equality is central in the production of Pre-sentence reports, and in the management of orders and the delivery of interventions. Work needs to be tailored in a way that makes it meaningful to all groups and be delivered by staff who are competent at working across ethnic and cultural boundaries. As the previous section has highlighted, much progress has been made in this area and results on outcomes are good, but objectives remain to keep this momentum, monitoring and reviewing and continuing to develop good practice.

Although there is now no national target on clear proposals, it remains a local objective and data from the 2007-2008 analysis has shown that 9% of minority ethnic offenders had no clear proposal compared to 6% of White British offenders. This is actually a growing proportion which has been creeping up since the figure of 5.4% in 2004. Reducing this figure is an objective for this scheme.

## Race Equality of Objectives

- ❖ Continuous improvement of ethnic monitoring systems for staff, offenders and victims using the 16+1 Census categories and the further development of other methodologies for gathering evaluative information
- ❖ Develop the capacity to gather monitoring information on White minority ethnic groups and gypsies and travellers
- ❖ 95% of reports on Black and minority ethnic offenders to contain a clear proposal.

- ❖ Continue to use monitoring data through which to evaluate the Human Resource function and take remedial action if disproportionality is identified.
- ❖ Continue to support positive action measures which aim towards greater representation of black and minority ethnic staff at senior levels within the organisation
- ❖ Implementation of strategies to achieve comparability and improvement of service delivery to black and minority ethnic offenders where needed
- ❖ Ensure our procurement methods are robust in integrating equality assessments and measures which lead to equitable outcomes for all groups
- ❖ Undertake initiatives that will assist in promoting good relations between ethnic groups

### 3. Disability Equality

#### The Social Model of Disability

The Medical Model of disability attributes the cause of a disability to medical conditions and other kinds of impairment. The National Probation Service has adopted the social model of disability, which takes the wider view that the ability to undertake day to day activities is dependent upon social intervention. The social model says:

**“Disabled people are those people who have (or have acquired) impairments, (whether visible or non-evident) and who are disabled by the physical, environmental and/or organisational barriers society creates, which prevent disabled people from taking part in aspects of everyday life on equal terms with non disabled people”**

Through adopting the Social Model Hampshire Probation Trust focuses on a “barriers” approach – aiming to identify and ameliorate those barriers that cause inequalities for disabled people, in terms of employment and service delivery.

## **Removing the Physical Barriers to Access – The DDA Compliance Plan**

In October 2004 the third stage of the Disability Discrimination Act 1995 was introduced, requiring service providers to make “reasonable adjustments” to the physical features of their buildings in order to overcome barriers to access for people with a disability.

The approach of all Areas of the National Probation Service was to undertake an audit of all of the properties within the local estate to assess their accessibility. This led to the development of our DDA Compliance Plan, published in August 2005, which shows which buildings are accessible and what is in place for those which have barriers – a “managed approach”. A number of our buildings were considered to be for the most part accessible, particularly those at key sites in the urban areas. However, a large number were identified as requiring adjustments for consideration within a long term strategy. Local “managed solutions” therefore are crucial.

HPT has a “managed approach” in which those responsible for the day to day management of the building are made aware of any barriers to access and the solutions that should be put in place. We make sure that service users and members of the public have the opportunity to make clear their requirements prior to trying to access a building. A leaflet has been designed outlining HPT’s commitment to ensuring equitable access and asking that people make clear their requirement. This is sent with every appointment letter and invitation to attend one of our buildings. We need to remain vigilant in ensuring physical access needs are assessed and responded to before anybody with a disability tries to access any of those buildings that still have some access difficulties and this will remain a key objective of this Equality Scheme.

## **Removing Barriers to Accessible Communication**

Hampshire Probation Trust’s Diversity Policy, Strategy and Practice Guidance has a section outlining its commitment to and delivery of accessible communication. This includes:

- Verbal communication
- Printed information
- Letters & emails
- Website and intranet

As part of the assessment process in working with offenders and victims, assessment is made of any communication requirements that an individual has and steps taken to ensure these needs are addressed. Continuation and development of this approach, particularly in relation to meeting the

communication needs of those with dyslexia and ASD is a key objective of this scheme.

### **Removing Barriers in the Delivery of Services to Offenders and Victims**

HPT is committed to ensuring that as far as is reasonable, no individual is disadvantaged in fully accessing effective case management or an appropriate intervention because of any form of disability. To this end there has been a range of activity to date, covered in Section 3 and this remains ongoing and developmental.

Monitoring for the period April 2007-March 2008 provided HPT with information on the level of disability amongst offenders and the different types (it is recognised that these figures are probably an under-representation as disclosure may not always be secured – improvement on this remains an objective of this scheme)

#### **18.5% OF OFFENDERS COMMENCING A COMMUNITY ORDER HAD DISCLOSED A DISABILITY**

**Dyslexia = 2.8% (n = 160)**  
**Hearing difficulties = 0.8% (n = 54)**  
**Learning difficulties = 1.3% (n = 83)**  
**Mental illness = 3.7% (n = 235)**  
**Progressive Condition = 0.3% (n = 20)**  
**Reduced mobility = 1.8% (n = 118)**  
**Reduced physical capacity = 1.3% (n = 83)**  
**Severe disfigurement = 0.06% (n = 4)**  
**Speech impairment = 0.1% (n = 8)**  
**Visual Impairment = 0.4% (n = 29)**  
**Other = 5% (n = 322)**  
**Refused = 3**  
**No disability disclosed = 75% (n = 4756)**

Disability monitoring data to date has not shown any marked differentials in terms of successful completion of orders overall, but some specific requirements are less likely to be completed by offenders with some disabilities. Where there are differences it is often connected to those offenders with dyslexia, mental health and other learning difficulties. Working to meet the needs of offenders with these needs remains a key objective for this Scheme.

## Removing Barriers in Employment

As of January 2009, 12% of Hampshire staff have disclosed that they have a disability. In recognising the disadvantages faced by disabled people in employment HPT is committed to ensuring that throughout the recruitment, support and development of staff, equality of opportunity for those who are disabled is a central focus. The sorts of approaches that have been put in place to address this have already been covered in the previous section, but a key measure is the speedy identification and implementation of “reasonable adjustments” for those staff who need them.

Hampshire Probation Trust has been active in its commitment to ensuring “reasonable adjustments” are put in place for any staff member requiring them. This includes adjustments through the use of assistive technology, as well as other equipment, changes to the physical environment and working patterns. It is important that the nature of adjustments are quickly identified and then agreed and implemented. A co-ordinated approach across departments is needed for this to be speedy and effective and work has been done to improve on this. This will remain a priority area of the Scheme.

## Disability Equality Objectives

- ❖ Ensure accessible buildings, implementing HPT’s “managed approach” for those buildings where they are some access difficulties
- ❖ Continue to ensure consideration is given to meeting diverse communication needs, further developing our work around dyslexia and ASD
- ❖ Increase disclosure of disability information by offenders so that effective monitoring can take place and adjustments made to remove any barriers to access
- ❖ Further develop our ability to provide an accessible and effective service to disabled offenders, particularly those with mental health needs, dyslexia and other learning difficulties.
- ❖ Continuation of the co-ordinated approach to identification and implementation of reasonable adjustments in order to improve timeliness and effectiveness.
- ❖ Ensure involvement of disabled people in equalities work and promote positive attitudes towards disabled people

❖ Measure Performance on disability through the Employer's Forum Disability Standard

## 4. Age Equality

Protection against age discrimination has been the last addition to the equalities strands. Ageism within British society is argued, by Age Concern, to be the most common form of discrimination and is certainly something that can affect every member of society at some point in their lives. Age discrimination is founded on a set of stereotypes about the behaviour and capacities of different age groups, with older people often characterised as more conformist, friendly and law abiding whilst being less intelligent and capable, and young people can be seen as aggressive, out of control, uncaring and threatening and also less capable.

### Employment:

**Table Four: Staff Age Profile as of January 2009**

	Numbers	Percentage
18 – 21	3	0.4%
22 – 25	45	6%
26 – 35	202	27%
36 – 45	195	26%
46 – 55	194	26%
56 – 65	124	16.5%
66+	4	0.4%
<b>Total</b>	<b>767</b>	

Table four shows that current staff profile in terms of age for Hampshire Probation Trust. Our commitment is to ensure that nobody is disadvantaged in the process of recruitment or training and development opportunities on the basis of age. Information about age has been removed from the application form and is now contained within the monitoring form. No position in HPT has currently got an age restriction, and will not do so unless objectively justifiable. Careful consideration is given to any requirements over length of experience when putting together specifications for posts or other development opportunities to ensure that indirect discrimination on the grounds of age is not experienced, and opportunities for development are open to all staff up to the point where retirement will be occurring within the relevant time frame.

A national default retirement age of 65 has been set by the government that HPT is following. The regulations mean that employees may request to continue working after the age of 65 and this will be considered against a clearly defined set of criteria laid out in our Planned Retirement Policy. It is important that the implementation of this policy is undertaken in a sensitive and supportive way and this will be a key objective of this scheme.

Our commitment is to continue to be vigilant in all our employment practice to ensure we are guarding against age discrimination. A priority objective of this scheme is to extend our employment monitoring to include age, so that we can evaluate the effectiveness of our approach.

### Service Delivery:

Hampshire Probation Trust works with adult offenders from 18 upwards, although offenders of 16 and 17 can be given unpaid work. As Table Three shows, the age profile of offenders we work with is skewed towards the younger age range, with over a third falling into the 25 and under group. In the major cities, where numbers permit, we have specialist young adult offender teams who work specifically with those under 25, who often have very specific needs.

**Table Three: Offender Age Profile of Caseload – Jan 2009**

	Numbers	Percentage
17	26	0.5%
18 – 21	952	17%
22 – 25	932	16.5%
26 – 35	1584	28%
36 – 45	1169	20.7%
46 – 55	508	9%
56+	192	3.4%
<b>Total</b>	<b>5636</b>	

### Age Equality Objectives

- ❖ Extend monitoring and evaluation to include age in relation to both service delivery and employment.
- ❖ Raise awareness of age discrimination through more reference in training programme
- ❖ Review procedures for planned retirements so that staff can be supported through process

## 5. Sexuality Equality

Discrimination and harassment on the grounds of a person's sexual orientation continues to exist in Britain. People are excluded from services on the grounds of their sexuality, can experience discrimination and harassment in the workplace and more widely be subject to homophobic attitudes and related harassment and abuse. Research commissioned by Stonewall ("Serves You Right") shows that the lesbian, gay and bisexual community are mistrustful of the Criminal Justice System Hampshire Probation Trust recognises the disadvantages that the estimated 8% of British society who are not heterosexual may face, and is committed to ensuring within the delivery of its services and its employment practice that these are tackled.

### **Employment:**

We do not currently monitor our staff in terms of sexual orientation, but further consultation will be undertaken as part of the work of this scheme to consider whether to introduce this. The purpose of this needs to be made clear to staff and be linked to other activities that aim to address the possibility of discrimination and harassment within the workplace. We need to build on current practice, ensuring access to appropriate support mechanisms through both local and national support networks, have rigorous methods in place to address harassment and bullying at every level, and provide an environment in which gay and lesbian staff feel do not feel uncomfortable about disclosing their sexuality should they choose to do so.

### **Service Delivery:**

Gay, lesbian and bi-sexual offenders experience the same sorts of difficulties and criminogenic factors as other offenders – poverty, lack of financial alternatives to crime, poor housing and education, unemployment and restricted welfare provision, drug and alcohol abuse, mental health issues. However, it is important to recognise that their experiences of the above may have a particular dimension because of their sexuality, in terms of the discrimination and marginalisation that they will have experienced that may have impacted on other dimensions of their lives. Mental health difficulties are reported as more prevalent amongst lesbian and gay people and the potential for discrimination within employment compounds other disadvantaging factors that offenders may also experience. Within the criminal justice system, additionally, there is a danger that their sexuality will itself become

pathologised and seen as a reason to commit crime, leading to the potential for harsher dealings in courts.

In order to provide an equitable service to Lesbian, gay and bi-sexual offenders, recognition has to be made of the real difficulties that people face and also the particular experiences related to the social identity of belonging to a minority group. Recognition and validation of diverse sexualities are crucial in delivering appropriate and meaningful services.

## **DISCLOSURE**

Growing up with the knowledge that you are gay or lesbian in this society can mean learning not to disclose information about yourself in order to avoid distress and harassment, or alternatively learning to display it in a confronting manner which anticipates rejection. For many people there is no natural way of confiding and having accepted their sexual orientation. This will affect their attitude towards Probation Staff. For many clients the Probation Service is closely associated with the law and therefore to be treated with caution. Lesbian and Gay Probation staff can quote numerous examples of heterosexual colleagues who have worked long and hard with lesbian and gay clients without becoming aware of their sexual orientation. Most Probation staff assume heterosexuality in their clients unless directly told otherwise.

It is a key objective of this Scheme, therefore, to create an environment where gay, lesbian and bisexual offenders feel comfortable to disclose their sexuality, through ensuring heterosexist assumptions are avoided and service delivery is tailored to working with sexual diversity. It is also important to provide a safe environment for offenders, free from the potential of homophobic harassment and abuse and to provide them with the means by which to report and expect redress should any such behaviour arise.

## **Sexuality Equality Objectives**

- ❖ Incorporate the gathering of monitoring data on sexuality into our current methods for both service delivery and employment
- ❖ Integrate monitoring relevant to sexuality into current service delivery and employment monitoring systems
- ❖ Provide the means by which lesbian, gay and bi-sexual staff can feel confident about their professional development and support within HPA

- ❖ Ensure work with offenders and victims is not undertaken in an environment of heterosexist assumptions, with offender management and interventions being sensitive to sexual diversity and delivering work that is relevant and appropriate.
- ❖ Participate in the Stonewall Workplace Equality Index

## 6. Equality in Religion and Belief

Britain is very much a multi-faith society, with many communities choosing to define their identities through religious belief. However, religious discrimination is evident, with a rise in Islamophobia, and more generally a lack of understanding and appreciation of different religious beliefs and how these impact upon people's daily lives. Ignorance, indifference or antipathy, can lead to an environment in which discrimination of all kinds can occur. Accordingly, Hampshire Probation Trust is committed to recognising the needs of staff, offenders and victims from diverse religious groups, as well as those people with no religious belief, and to responding sensitively and appropriately to those needs.

### **Employment:**

Hampshire Probation Trust does not currently gather information from its staff on religious belief but further consultation will be undertaken as part of the work of this scheme to consider whether to introduce this. The approach is, however, to assume a multi-faith staff group, with mechanisms in place to ensure that this fact does not lead to any form of disadvantage or exclusion. This begins from the recruitment process, ensuring that job criteria are clear and free from requirements that may bias against any particular religious belief (such as socialising with alcohol, having to work inflexible hours which prevent praying). When food is provided by the Service care should be taken to ensure all dietary needs are met and flexibility and special leave available to facilitate prayers, festivals and other religious events. Should prayer facilities be required then appropriate quiet space will be made available. Hampshire Probation Trust has a dress code, which specifically makes reference to the needs not to compromise dress that is governed by religious requirements. Participation in support networks aimed at staff from different religious communities is supported. The approach we are currently working with, including ensuring that religious belief is embedded within the equality impact assessment process, needs to continue to be developed, with opportunities provided for feedback and comment from staff on its success. This will be the main priority of this Scheme.

## **Service Delivery:**

Information on religion and belief is currently gathered for offenders and victims as part of the initial diversity assessment. This information is not currently used for monitoring purposes, but rather in order to facilitate staff in delivering appropriate services that are sensitive to religious needs.

Information is inputted onto assessment systems and addressed in sentence planning as appropriate. Information on different religious beliefs and religious festivals is available on the intranet system, and opportunities to learn about different religions made available through attendance at multi-faith events and invitations for speakers to talk to staff teams.

Having good sources of information is important in order to give staff the opportunity to think through the implications of the way in which they are working with different faith communities. To continue to provide opportunity for learning about religious difference is a key objective of this Scheme, although it is recognised that people we are working with are often the best source of information about personal beliefs and how these impact on their lives.

## **Equality in Religion and Belief Objectives**

- ❖ Provide staff with a range of training and other awareness raising opportunities on different religions.
- ❖ Undertake some evaluative work through bespoke audits relevant to religious diversity
- ❖ Promote positive attitudes between different religious groups

## **Section 6: Assessment of functions, policies and proposed policies for relevance and setting priorities**

The current list of National Probation Service (Hampshire Trust) functions falling within the scheme is shown in **Appendix 1**. A review of the list has been undertaken by Hampshire Probation Trust's Senior Management Team, in collaboration with the Diversity Adviser, and considered by the Equalities Consultation Panel.

The list of functions provides the central framework through which impact assessments have been, and will continue to be carried out, with more detailed policies and procedures (both written and unwritten) contained under these functions.

The prioritisation of functions, policies and procedures requiring assessment has been carried out through a screening process. This process, carried out by the Diversity Adviser in collaboration with the Equalities Panel and Chief Officer's Team, drew on our monitoring data and research and audits through which to identify where adverse impact was most prevalent and consideration of where the duties were most relevant. All Functions have been assessed in relation to their relevance to equality across the strands on a spectrum of High, Medium or Low relevance. The work of the Probation Service is all about having an impact on people and therefore the greater part of its work is going to have relevance to the scheme. However, some distinction has also been made between high and medium impact on the basis of critical junctures of contact and areas that are particularly relevant to the aims of the different duties.

Many of the policies and functions have had at least one Equalities Impact Assessment and this has been identified on the current list. Those high impact areas which have not yet had an equalities impact assessment will be a priority for the first year's action plan. The list will be reviewed on an annual cycle as part of the review process for the action plan.

## **Section 7 – Undertaking equality impact assessments**

Hampshire Probation Trust has an Equality Impact Assessment template, which contains both an initial screening process and one for a full assessment across the six equalities strands (see Appendix 2). Guidance on completion is contained within the document and subsidiary guidance notes are available (see Appendix 3). Many policies and strategies will be produced and assessed nationally, but even where this is the case, HPT will assess the implementation of such procedures alongside assessments of those policies and procedures that are developed locally.

The embedding of equality impact assessments within strategic decision making is achieved through integration of the process into the policy and strategy template and through a structured programme led by the Diversity Adviser.

Consultation will form part of the process and will be, as a minimum, an evaluation by Hampshire Probation Trust's Equalities Consultation Panel. The Panel includes both staff and community representation, including representatives from Staff Associations and Unions. The Panel meets on a bi-monthly basis for the purpose of assessment of policies and procedures.

Depending upon the nature of the policy or procedure other consultation methods may be deployed, such as broader staff consultation through open meetings or group discussions. We may also do focused offender feedback interviews. There has been recently established an offender user group, designed for the purpose of giving offenders the opportunity to feed back on their experiences of our policies and procedures and this method will provide an opportunity for views from offenders from diverse backgrounds. We have also instituted surveys to be undertaken on a regular basis – e.g. offenders, victims, sentencers - as a further means of gathering relevant information. Bespoke surveys, e.g. for disabled offenders and women offenders, are also used. Consultation with specific groups, associations and forums will be undertaken where the nature of the material makes this appropriate. For example, we have recently consulted the Hampshire Autistic Society on our procedures for working with offenders whose offence is domestic abuse, but who do not fit the criteria for the existing programme, to establish whether we could work effectively through this with offenders with ASD. This approach will continue to be used as a valued consultative method.

Assessments are completed on a timetable which relates to priority established.

Further training for managers on the undertaking of Equality Impact Assessments is planned for the first year of this Scheme.

Upon completion of the assessment, a report is provided and if evidence of any adverse impact is found during the process a set of actions will be decided upon and recorded. These will be either:

- making changes to the policy or procedure
- giving consideration to the way in which the policy or procedure is implemented that will remove or reduce its potential for adversely affecting some groups
- finding alternative means for achieving the aims of the policy which do not cause the same level of adverse impact
- justifying the policy as originally proposed.

Wherever possible, the policy will be piloted and its operation monitored before it is put fully and formally into effect. Data will be gathered and reviewed in order to fully inform final decisions.

All Equality Impact Assessments are published on Hampshire Probation Trust's Intranet and Website [www.probation.hants.gov.uk](http://www.probation.hants.gov.uk)

## **Section 8 - Procedures for monitoring, data and information gathering and analysis for adverse impact**

### **Race, Gender and Disability**

As outlined in Section 4, a full monitoring programme for all aspects of service delivery and the statutory requirements for employment functions is now in place from which to monitor for adverse impact in relation to race, gender and disability. This monitoring, therefore, provides an insight into outcomes relevant to all functions and policies in relation to race, gender and disability equality in terms of service delivery and employment. This process is led through the Performance Management team and our HR department. Extensions to employment monitoring data will be made to capture information on key HR policies such as flexible working and sickness absence management.

Data in relation to all aspects of Service Delivery is collated on an annual basis into HPT's Diversity Report which is published on our website ([www.probation.hants.gov.uk](http://www.probation.hants.gov.uk)). This provides a larger scale set of data with larger sample sizes, to complement the monthly performance report which provides segmented data on some key performance indicators. Employment data is produced through Hampshire Probation Trust's personnel database and is also integrated into the annual Diversity Reporting procedures.

Bespoke audits and surveys are added to this complement of data gathering, for example, surveys of disabled offenders or staff, audits of our offender system for coverage of diversity and equalities issues. In addition service users groups and focus groups will be utilised. A full staff survey was undertaken in 2008, with plans for this on a regular cycle, which will further provide data relevant to diversity and equality. Externally produced data is also used where appropriate, e.g. national surveys, reports and inspections.

All reporting data is scrutinised through the Chief Officer's Management Team and action identified where adverse impact is revealed.

### **Age, Sexual Orientation and Religion and Belief**

Data is already gathered on age but has not to date been incorporated into analysis and reporting processes. This will be an additional equality consideration for future diversity reports. Further consideration and consultation will be undertaken during the first year of this Scheme on adding monitoring in relation to sexuality and religion and belief.

## Section 9: Publishing the Results of Assessments, Consultations and Monitoring

Hampshire Probation Trust has used, and will continue to use, a range of mechanisms through which to publish the results of monitoring and assessments. Results will be published as they are produced.

Wherever practicable existing mechanisms have been used to publish results;

- Hampshire Probation Trust Website ([www.probation.hants.gov.uk](http://www.probation.hants.gov.uk))
- Hampshire Probation Trust Intranet
- Hampshire Probation Trust Newsletter
- Hampshire Probation Trust “Annual Report”
- Hampshire Probation Trust “Probation Report”

These mechanisms will continue to be used, and where such mechanisms are not appropriate, consideration will be given to whether new publications would be appropriate or proportionate. It is recognised that also relevant here are the Board’s obligations under the Freedom of Information Act 2000. Its systems have been designed to ensure that both sets of obligations work in a complementary manner.

The following information is available on request:

- ❖ Outcomes of Impact Assessments, including results of consultation
- ❖ Diversity Report including all gender disability and ethnic monitoring data relevant to employment and service delivery

To request a copy of either of the above, please contact the Diversity Adviser:

Julia Bahaj,  
Friary House,  
Middle Brook Street,  
Winchester,  
SO23 8DQ.  
Tel: 07974 971896

Our Scheme, action plans, reviews, diversity reports and all Equality Impact Assessments are on our website: [www.probation.hants.gov.uk](http://www.probation.hants.gov.uk)

All publications are available in different languages and formats upon request.

## **Section 10: Ensuring Public Access to Information and Services**

Hampshire Probation Trust's Scheme is published on its fully accessible Website, alongside other key information about its work and the services it provides. Information is available in alternative formats and in other languages upon request. Further regular information on HPT's work is provided through its reports, "Probation Report" and "Annual Report" which are published and disseminated.

The Trust has a contract with a local Translation and Interpretation service which ensures any language needs are fully addressed and we are able to quickly engage interpreting and translating services as required. Arrangements are also in place to engage interpreters for signing and to put material onto audio tapes. Further, all information is provided in language that ensures accessibility and is available in alternative formats upon request. Auditing of offenders' experiences of accessibility of the information we provide was undertaken in 2006, with very positive results in terms of accessibility and no barriers identified that had not already been addressed. This will remain a live issue for the Service with consideration of accessible communication methods being an integral part of the development of work with offenders and communication to staff and members of the public. A particular area of focus currently is how to communicate effectively with those who are on the Autistic Spectrum.

The Trust does not provide a service directly to the public, but to offenders for whom the courts have made an order and to victims of serious crimes (where an offender is sentenced to 12 months or more of a crime of a sexual or violent nature). The work undertaken is apparent in the list of functions and policies identified in Appendix 1. Section 4 of the Scheme has shown what we have achieved to date to ensure accessible services and section 5 outlines further areas for development. The Diversity Reporting mechanism, which provides information on who is accessing which services with what outcomes in relation to race, gender and disability, has enabled us to identify and react to any areas of service delivery where there appears to be lower representation or successful outcomes for particular groups. This has led to different initiatives being put in place as necessary (please refer back to Section 4 for further information). This process will continue to be used to ensure services meet the needs of different groups.

## Internal Communication and Information

Hampshire Probation Trust's staff are kept informed about the impact assessment process and outcomes of equalities through a range of mechanisms:

- Staff Briefings (face-to-face and written) and Away Days provide regular opportunities for the Chief Officer and Senior Management team to provide feedback on work being undertaken and progress made
- Regular reports given to Area Managers through which information can be disseminated to local managers and teams
- The Staff Newsletter regularly reports on all relevant diversity matters, providing updates and feedback on work being carried out
- All impact assessments are made available through the Intranet system
- Staff Diversity Induction and Management Diversity Induction Training Programme, alongside a range of workshops, ensures that all staff have the opportunity to be made aware of local priorities, work undertaken and outcomes and effective practice

Hampshire has instituted a "Diversity Learning Log" through which staff can feedback any particular experiences, perspectives or ideas in relation to the diversity agenda.

For further information about any of the above initiatives please contact the Diversity Adviser.

## Section 11: Training Staff

Hampshire Probation Trust will continue to monitor and respond to training needs in relation to equality. This is addressed through a training needs analysis linked to the appraisal system. There is also a further opportunity to identify training needs through an audit linked to the Induction training programme for managers. The Diversity Adviser writes and delivers the induction training programmes which are regularly updated according to

legislative developments, changes within the Probation Service and changing social and political environments.

A day's Diversity and Equality Induction Training is given to all new Staff, covering the requirements of the public and specific duties, and drawing attention to job specific roles in relation to them (ongoing rolling programme run every 6 weeks).

In addition there is a Diversity Induction Training for all managers, which covers the requirements of the Acts and draws attention to their specific responsibilities. Equality Impact Assessment Training is also available for those managers who have this responsibility.

Bespoke training is delivered as required, for example focusing on specific issues such as Gypsy and Traveller Communities, Dyslexia, Mental Health, Autism, Transgender issues.

Specific training is delivery on Disability Equality, again mandatory training run on a rolling programme for all staff, addressing our duties in relation to employment and service delivery.

Team based training and briefings are delivered on an annual basis to update and refresh staff teams according to their function.

All Diversity training is evaluated and reviewed by the Diversity Adviser.

## **Section 12: Employment Duties**

### **Monitoring**

In order to meet the employment duties, systems have been established and continue to be developed to monitor by gender, disability and ethnicity:

- a) The numbers of staff in post and their grades
- b) Applicants for jobs, and the outcome of such recruitment exercises.
- c) The results of promotion exercises, and, where applicable, assessment centres.
- d) The numbers making use of grievance procedures and the outcome of those procedures
- e) The numbers facing disciplinary action, and the outcomes of that action
- f) The outcomes of performance appraisal procedures
- g) Access to and take-up of training courses
- h) Dismissals and other reasons for leaving

Extensions to employment monitoring data will be made to capture information on key HR policies such as flexible working and sickness absence management

Staff returns on the collection of monitoring data (using Census 2001 categories and a system of NOMS Disability categories) exceed the 95% target and so the Trust is able to review, as part of the annual Diversity Reporting process carried out by the Senior Management Team, staff representation and other criteria as above. These reviews enable the Senior Management Team to identify any areas of concern and to do further work to identify possible barriers. This process links into the impact assessment process whereby employment policies will also be scrutinised by the SMT for this purpose.

Other mechanisms in place to gather information from staff include the staff survey, which has a whole section relevant to diversity, specific focus groups and seminars and bespoke surveys such as the disabled staff survey.

Performance appraisals are carried out with all members of staff, using a system of agreed written objectives against which managers carry out the appraisal.

## **Section 13 – Procurement of services and Partnerships**

Hampshire Probation Trust will continue to ensure that the general duties and other aspects of equalities legislation will be met when the Area delivers its functions, policies and activities through other agencies or providers. Contract specifications require bidders to make clear their credentials in terms of meeting equality requirements and this will form part of the assessment of those bids.

A specific equalities in procurement questionnaire and evaluation template has been developed, relevant to all equalities strands. This makes clear the need for parties to have a shared understanding of equalities policies and the specific requirements of equalities duties and legislative responsibilities, with appropriate monitoring arrangements put in place to assess outcomes in terms of equality across all strands.

We aim to work with our partnership agencies, both in the Criminal Justice System and other bodies, including the third sector, in an environment that actively promotes and supports our commitments to equality and diversity. In this regard we will continue to participate in joint initiatives and to influence as

well as learn from those we work with in partnership. Important initiatives such as established through the Local Criminal Justice Board and the local authorities Equalities Network, that expressly aim to meet diversity and equality objectives relevant to all partners, will be fully supported. We also aim to identify agencies who can provide specific services for different groups, e.g. women offenders or offenders with learning disabilities, and work with these agencies to develop appropriate services.

## **Section 13: Complaints**

Should you wish to make a complaint or if there are any concerns about the scheme, please write to the Director with lead responsibility,

**Christine Straw,  
HR Director,  
Hampshire Probation Trust,  
Friary House,  
Middle Brook Street,  
Winchester, SO23 8DQ  
Tel: 01962 842202**

Your complaint will be acknowledged in writing within 5 working days and with information to inform you how it will be handled. The complaint will be investigated and the outcome, with reasons, sent to you in writing within 20 working days of acknowledgement of the complaint.

## **Section 14: Action Plan**

This is the 2009 – 2012 Single Equality Scheme Action Plan. This plan addresses the arrangements for the delivery of the aims of this Scheme over the next three years in order to meet our general and specific duties.

The action plan identifies desired outcomes under broad headings of HPT functions; the actions needed to achieve those outcomes; lead responsibility, deadline for completion, which part of the general duty they relate to (reference the numbered duties 1 – 11 below) and which equalities strands are covered by the action. The initials of the person with lead responsibility can be checked against the directors listed in Appendix 5. Here you will find the initials and the responsibilities of that individual and their contact details.

The action plan is reviewed through the Chief Officer's Management Team on an annual basis, and its day to day management is undertaken by the

Diversity Adviser. Action plans are made available on the Hampshire Probation Trust website and on the intranet system, as are the annual reviews and progress reports. Full reports of the objectives and reviews of the actions plans of the Disability, Gender and Race Equality Schemes to date are available upon request.

#### Key to Each of the General Duties

1. **Eliminate unlawful racial discrimination**
2. **Promote equality of opportunity on the grounds of race**
3. **Promote good relations between people of different ethnic groups**
4. **Promote equality of opportunity between disabled people and other people**
5. **Eliminate discrimination that is unlawful under the DDA**
6. **Eliminate harassment of disabled people that is related to disability**
7. **Promote positive attitudes towards disabled people**
8. **Encourage participation by disabled people in public life**
9. **Take steps to meet disabled people's needs, even if this requires more favourable treatment.**
10. **Eliminate unlawful gender discrimination and harassment**
11. **Promote equality of opportunity between men and women**

**Hampshire Probation Trust  
Single Equality Scheme Action Plan  
April 2009- March 2012**

**(Updated March 2010 following first annual review. New actions identified in blue. Progress report for first year in next section)**

Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender or gender identity	Disability	Sexuality	Age	Religion and belief
<b>1. Governance and Management</b>										
The Single Equality Scheme, its duties and progress review is supported by clear leadership and strategic approach	<ul style="list-style-type: none"> <li>▪ Day to day operational management of the Scheme and AP will be undertaken by the Diversity Adviser who reports to the Director with lead responsibility for Diversity and Equality</li> </ul>	CS	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>▪ Risk Management procedures are in place and reviewed quarterly by Director with lead responsibility</li> </ul>	CS	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>▪ Board HR Group will review progress on Action Plan on a Quarterly basis</li> </ul>	CS	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>▪ Chief Officer's Management Team will review results and AP progress on an annual basis</li> </ul>	CS	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>▪ List of functions and policies will be reviewed and updated</li> </ul>	CS	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓

Unclassified

	<p>as part of the annual progress report</p> <ul style="list-style-type: none"> <li>■ Scheme will be reviewed and updated when the public sector equality duties are harmonised into one new duty covering all 7 equality strands.</li> </ul>	CS	Nov 2010	1 - 11	✓	✓	✓	✓	✓	✓
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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Race	Gender or gender identity	Disability	Sexuality	Age	Religion and belief
<b>2. Employment</b>										
The full range of employment monitoring required by the duties is in place and additional monitoring undertaken to cover other equality strands as appropriate	<ul style="list-style-type: none"> <li>▪ Production of Diversity Report in July 2010 will cover all employment monitoring requirements, with additional consideration of age. This to be continued on an annual cycle.</li> <li>▪ Monitoring to continue in relation to data segmented by race, gender and disability in monthly performance reports.</li> <li>▪ Particular attention will be paid to increasing capacity to produce monitoring data in relation to training and appraisals</li> <li>▪ <a href="#">Introduce reporting on the sexual orientation to staff monitoring information</a></li> </ul>	CF	July 10 And ongoing	1 – 11	✓	✓	✓		✓	
		CF	ongoing	1 – 11	✓	✓	✓			
		CS	Oct 10	1, 2, 3, 4, 5, 9, 10 & 11	✓	✓	✓			
		CS	Oct 10	Not applicable				✓		

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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Race	Gender Or gender identity	Disability	Sexuality	Age	Religion and belief
Monitoring is in place for additional key HR policies such as sickness absence management & flexible working	<ul style="list-style-type: none"> <li>Ensure monitoring arrangements are in place for sickness absence management, flexible working and any other key HR policies that have undergone an EIA that is not covered by statutory monitoring requirements</li> </ul>	CS	Sept 10	1 – 11	✓	✓	✓		✓	
Minority ethnic staff are represented at all levels of the workforce and proportionally at management level.	<ul style="list-style-type: none"> <li>Continue to support positive action measures for minority ethnic staff support and development (Black Staff Support Group, Mentoring if requested and the national accelerate programme)</li> </ul>	CS	Ongoing	1 & 2	✓					
Disabled people are represented at all levels of the workforce and proportionally at management level.	<ul style="list-style-type: none"> <li>Encourage disclosure of disability through staff training and supervision and appraisal process</li> </ul>	CS	Ongoing	4, 5, 6, 7 & 8			✓			
	<ul style="list-style-type: none"> <li>Continue to support positive action measures for disabled staff support and development (Support networks, guaranteed interview scheme, mentoring if requested)</li> </ul>	CS	ongoing	4, 5, 6, 7 & 8			✓			

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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Race	Gender or gender identity	Disability	Sexuality	Age	Religion and belief
Men and Women are represented at all levels of the workforce and in all areas of work, with particular reference to proportionality at management level	<ul style="list-style-type: none"> <li>Implementation and monitoring of flexible working policy</li> </ul>	CS	July 09	10 & 11		✓				
	<ul style="list-style-type: none"> <li>Increase information available on SPO role and job sharers offer development opportunities into such roles that are sensitive to gender issues</li> </ul>	CS	Dec 09	10 & 11		✓				
Support mechanisms are in place locally and nationally for staff from minority groups	<ul style="list-style-type: none"> <li>Continue to promote and support staff's involvement with and attendance of conferences and other events of the staff associations (LAGIP, NDSN, ABPO, NAAPS, Faith Forum). Similarly support local networks.</li> </ul>	CS	Ongoing	1, 2, 3, 4, 6, 8,9 10 & 11	✓		✓	✓		✓
	<ul style="list-style-type: none"> <li>Black staff support group to run further seminars to discuss identified probation practice issues that are relevant to ethnicity and open these up to any staff member.</li> </ul>	CS	Dec 10	1, 2, 3	✓					
	<ul style="list-style-type: none"> <li>Members of Black staff support group to participate in training events to raise awareness of the group and some of the key issues</li> </ul>	CS	Aug 10	1,2,3	✓					

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Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender or gender identity	Disability	Sexuality	Age	Religion and belief
An effective system in place to deal with harassment of staff, service users and others	<ul style="list-style-type: none"> <li>Raise awareness of harassment procedures, both formal and informal, through diversity induction training</li> </ul>	CS	ongoing	1, 5, 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Monitor use of procedures for effectiveness</li> </ul>	CS	July 10	1, 5, 11	✓	✓	✓	✓	✓	✓
An effective & timely system is in place to identify, implement and review reasonable adjustments as appropriate for disabled staff	<ul style="list-style-type: none"> <li>Co-ordinating role to provide oversight for the process of identifying and implementing adjustments</li> <li>Target of 12 weeks to be monitored</li> <li>New appraisal system to be used as part of adjustment review process</li> </ul>	CS	Ongoing	4, 6, 7, & 8			✓			
			April 10							
			Ongoing							
No disadvantage is experienced by pregnant staff and staff returning from maternity leave	<ul style="list-style-type: none"> <li>Implementation of maternity policy</li> </ul>	CS	Ongoing	10 & 12		✓				
There is no gender pay gap that is related to pay discrimination	<ul style="list-style-type: none"> <li>Further pay review to be undertaken and action identified if appropriate</li> </ul>	CS	Sept 10	10 & 12		✓				

Unclassified

Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender or gender identity	Disability	Sexuality	Age	Religion and belief
Full support for employees with care responsibilities with flexible working available at all levels of work	<ul style="list-style-type: none"> <li>▪ Continued system of care vouchers</li> <li>▪ Implementation and monitoring of flexible working policy</li> <li>▪ Implementation of special leave policy</li> </ul>	CS	Ongoing  March 11  Ongoing	10 & 12		✓				
Transsexual people feel supported and valued as staff and potential staff with barriers to recruitment and retention identified and removed	<ul style="list-style-type: none"> <li>▪ Continue to promote the work of LAGIP in application packs</li> <li>▪ Continue to populate the diversity database with information from A:Gender, including information for managers</li> <li>▪ Integrate into Management Diversity induction training</li> </ul>	CS  CS  CS	Ongoing  Ongoing  Ongoing	10 & 12		✓  ✓  ✓				

Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender	Disability	Sexuality	Age	Religion and belief
Employment practice does not discriminate illegally on the grounds of age and action is taken to promote positive attitudes towards all age groups	<ul style="list-style-type: none"> <li>▪ Continue to screen for age discrimination and maintain an approach which ensures opportunities are not negatively impacted by age</li> </ul>	CS	Ongoing	Not applicable					✓	
	<ul style="list-style-type: none"> <li>▪ Raise awareness through diversity induction training of age discrimination and the negative stereotypes and practices that can be attached to it</li> </ul>	CS	Ongoing	Not applicable					✓	
	<ul style="list-style-type: none"> <li>▪ Review procedures for helping staff plan for retirement and alerting staff to retirement dates so that this is a positive and well supported process</li> </ul>	CS	Sept 09	Not applicable					✓	
<b>3.Offender management, interventions and victims</b>										
95% of reports on Black and minority ethnic offenders contain a clear proposal	<ul style="list-style-type: none"> <li>▪ Monitor as part of the Diversity Reporting System and feedback through performance management systems</li> </ul>	CF	July 10	1& 2	✓					

Unclassified

Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender or gender identity	Disability	Sexuality	Age	Religion and belief
Offender assessment, reports and sentence planning systems appropriately and effectively address diversity and equalities issues	<ul style="list-style-type: none"> <li>Further audit OASys and sentence plans to assess quality in terms of diversity</li> </ul>	CF	March 11	1 – 11	✓	✓	✓		✓	✓
	<ul style="list-style-type: none"> <li>Continue to provide offender managers with practice guidance and develop and update the diversity database as a practice resource</li> </ul>	CM	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Continue to provide an effective interpreting and translation service</li> </ul>	CM	Ongoing	1 – 11	✓					
	<ul style="list-style-type: none"> <li>Review and develop the approach to ETE work to ensure equity of outcome for all groups</li> </ul>	DR	March 2010	1 - 11	✓	✓	✓	✓	✓	✓
Achieve parity of outcome between different ethnic groups in terms of all service delivery outcomes	<ul style="list-style-type: none"> <li>Continue to use performance monitoring data to evaluate outcomes across ethnic groups and take remedial action if negative differentials are identified</li> </ul>	CF	July 10	1 & 2	✓					
	<ul style="list-style-type: none"> <li>Implement Approved Premises Diversity Strategy</li> </ul>	DR	April 11							
Provision of services that are accessible to both men and women (including transsexual men and women) reflected in improving service outcomes in terms of	<ul style="list-style-type: none"> <li>Implementation Of the women offender strategy action plan, including Women &amp; Equality Liaison Officers role in the development of community resources</li> </ul>	DR	April 11	10 & 11		✓				

Unclassified

gender	<ul style="list-style-type: none"> <li>Continue to support and develop further women only provision, including delivery of DRR's, and women's programmes.</li> </ul>									
No offender is prohibited from accessing services through child care responsibilities	<ul style="list-style-type: none"> <li>Implementation of the Women Offender's Strategy which has clear procedures for addressing childcare needs</li> </ul>	DR	Ongoing	10 & 11		✓				

Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender or gender identity	Disability	Sexuality	Age	Religion and belief
<p>We are meeting the needs of women and men as victims of domestic abuse and of those crimes covered by our victim contact work</p>	<ul style="list-style-type: none"> <li>As part of the Women Offenders Strategy, continue to develop effective working with external providers of domestic abuse services and maintaining the new directory of Hampshire services</li> </ul>	DR	April 11	10 & 11		✓				
	<ul style="list-style-type: none"> <li>Provide information on services for male victims within the directory</li> </ul>	DR	July 10			✓				
	<ul style="list-style-type: none"> <li>Report on the feedback questionnaire for victim satisfaction of WSW work</li> </ul>	DR	April 11			✓				
	<ul style="list-style-type: none"> <li>Implementation of the recommendations from the EIA on Victim Contact work in relation to ensuring access to male and female victims.</li> </ul>	MG	April 11			✓				
<p>We are identifying and responding to the diverse needs of those victims contacted by the Service and monitoring our victim contact work across equalities strands</p>	<ul style="list-style-type: none"> <li>Continue to gather data from the Witness Contact Unit on all diversity needs and improve on the amount of ethnicity data available</li> </ul>	CF	July 10	1, 2, 4, 5, 6, 7, 10 & 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Use information from Victims survey to evaluate services to all groups and identify any areas for improvement in relation to diversity</li> </ul>	CF	July 10	1, 2, 4, 5, 6, 7, 10 & 11	✓	✓	✓	✓	✓	✓

Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender or gender identity	Disability	Sexuality	Age	Religion and belief
We are working effectively with all offenders with different disabilities, including those with learning difficulties such as ASD and dyslexia and mental health needs, identifying and implementing appropriate adjustments	<ul style="list-style-type: none"> <li>▪ Undertake a further audit of assessments and sentence plans to ensure that disability is appropriately addressed where identified</li> <li>▪ Deliver further sentence planning training that addresses the integration of diversity issues, including disability</li> <li>▪ Continue with specific initiatives to improve services to offenders with ASD, ADHD, Mental Health needs and Dyslexia</li> <li>▪ Continue to work with those agencies specialising in services for specific disabilities to enhance our provision, e.g. learning disability teams, MENDOS, HAS</li> </ul>	CM	Sept 10	4, 6, 7 & 8			✓			
		CS	Sept 10	4, 6, 7 & 8			✓			
		SB	Dec 10	4, 6, 7 & 8			✓			
		CM	ongoing	4, 6, 7 & 8			✓			
Our work with offenders and victims is sensitive to sexual diversity and ensures that the way our work is delivered is relevant and appropriate	<ul style="list-style-type: none"> <li>▪ <b>Commence reporting on offender outcomes by sexual orientation.</b></li> </ul>	CM	Dec 10	Not applicable				✓		

Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender	Disability	Sexuality	Age	Religion and belief
We are working effectively with perpetrators and victims of hate crime, managing risk and offering relevant interventions	<ul style="list-style-type: none"> <li>Continued roll out of hate crime strategy and training in programme, relevant to all forms of hate crime.</li> <li>As part of above, emphasise the need to relate to offenders as potential victims of hate crime and the process that are in place for offering advice on support and action. Particular attention to be paid to disability related hate crime as this is recognised as the least reported form of this type of crime.</li> <li>Provide OM's with information on support services for Hate Crime.</li> </ul>	CM	March 11	1,3,5,6,7,10	✓	✓	✓	✓	✓	✓
We are sensitive to diversity of religion and belief and offer appropriate services that do not disadvantage or exclude any group on the basis of their beliefs	<ul style="list-style-type: none"> <li>Continue to include religious belief as part of the offender diversity assessment and commence reporting by religion in Diversity Report 2010.</li> </ul>	CM	July 10	Not applicable						✓
<b>5. Procurement, partnerships and stakeholders</b>										
Through robust	<ul style="list-style-type: none"> <li>Continue to implement the</li> </ul>	SB	March	1, 2, 4, 6,	✓	✓	✓	✓	✓	✓

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<p>procurement methods equality is integrated into the assessments of all potential commissioned services and in their evaluation and review.</p>	<p>equality and diversity assessment tool for commissioned services and audit for effectiveness</p>		<p>11</p>	<p>7, 10 &amp; 11`</p>						
<p>Our work with partnership agencies from all sectors is founded on shared commitments to equality &amp; diversity, with HPA seeking to influence and where possible participate in shared initiatives.</p>	<ul style="list-style-type: none"> <li>▪ <a href="#">Implement new stakeholder engagement strategy and its LDU action plans</a></li> <li>▪ Continue to identify appropriate agencies to enhance our provision for women</li> <li>▪ Continue to identify providers who may enhance our provision for other minority groups</li> <li>▪ Ensure that a robust and transparent internal process is in place to handle and manage any discriminatory actions experienced by our staff when working with partner agencies</li> </ul>	<p>CM</p>	<p>July 11</p>	<p>1 – 11</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>
		<p>DR</p>	<p>Ongoing</p>	<p>1 – 11</p>	<p>✓</p>					
		<p>DR</p>	<p>Ongoing</p>	<p>10 &amp; 11</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>
		<p>DR</p>	<p>Ongoing</p>	<p>1, 2, 3, 4, 5, 7, 9</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>

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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Race	Gender	Disability	Sexuality	Age	Religion and belief
<b>6. Involving and Consulting People</b>										
Decisions around policy, procedures and equalities work draw on the involvement and consultation of minority groups, with a particular focus on ensuring women and disabled people are involved.	<ul style="list-style-type: none"> <li>Continue to maintain and develop the Equalities Consultation panel, ensuring representation from as wide a number of groups as possible</li> </ul>	JB	Ongoing	1, 2, 3, 4, 6, 8, 9, 10, 11,	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Run at least annually, a staff focus group on race, disability and gender equality to allow staff to input into the review of the scheme and other key policies</li> </ul>	JB	July 11	1, 2, 3, 4, 6, 8, 9, 10, 11,	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Run at least annually a disabled offender survey and a disabled staff survey to provide a continual flow of consultative information</li> </ul>	JB	July 10	1, 2, 3, 4, 6, 8, 9, 10, 11,	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Use other audits, surveys and inspection material that has equalities information to further inform (e.g. offender survey, victims survey, programmes feedback)</li> </ul>	JB	July 10	1, 2, 3, 4, 6, 8, 9, 10, 11,	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Work with external specialist agencies to develop policy relevant to specific groups, with particular reference to our current relationships with</li> </ul>	JB	Ongoing	1, 2, 3, 4, 6, 8, 9, 10, 11,	✓	✓	✓	✓	✓	✓

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	<p>agencies working with women, those from minority ethnic offenders and different disabilities.</p> <ul style="list-style-type: none"> <li>▪ Consult with minority staff associations, including our Black Staff Support Group, and unions on the development and review of this Scheme</li> </ul>	JB	ongoing	1, 2, 3, 4, 6, 8, 9, 10, 11,	✓	✓	✓	✓	✓	✓
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Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender	Disability	Sexuality	Age	Religion and belief
<b>7. Screening and Impact Assessing our Work</b>										
All new and existing policies and procedures have undergone an Equality Impact Assessment, covering all six equality strands, in a prioritised system of relevance	<ul style="list-style-type: none"> <li>Managers with responsibility for developing and/or implementing new policies, strategies and procedures work with the Diversity Adviser to undertake initial screening and full EIA impact assessment where appropriate. These will be prioritised against system of identification of relevance and proportionality. Programme of work should ensure that no assessments take longer than 3 months to implement once identified as relevant</li> </ul>	CS	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓
All existing policies and procedures have a reviewed EIA if the policy or procedure is amended or reviewed	<ul style="list-style-type: none"> <li>The same process, as above, is applied to reviewed policies, strategies and procedures</li> </ul>	CS	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓

Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender	Disability	Sexuality	Age	Religion and belief
<p><b>8. Gathering information, data collection and analysis and performance management</b></p>										
<p>The full range of employment &amp; service delivery monitoring required by the duties is in place and additional monitoring undertaken to cover other equality strands as appropriate</p>	<ul style="list-style-type: none"> <li>▪ Continue to produce the annual diversity report, covering equality strands of race, gender disability and age. Address those gaps that were identified in Reporting capacity of 2009 Diversity Report around disability.</li> <li>▪ Diversity Report 2010 to begin to cover some measures on religion, age and sexual orientation. Report to address all employment and service delivery monitoring.</li> <li>▪ Extend employment monitoring to include key HR policies such as sickness absence, flexible working, vacancy management</li> </ul>	CF	August 10	1 - 11	✓	✓	✓	✓	✓	✓
<p>Ethnic monitoring systems for employment and service delivery capture white minority ethnic</p>	<ul style="list-style-type: none"> <li>▪ Adjustments to be made to ethnic monitoring systems following revision of census categories or changes in</li> </ul>	CF	March 11	1 – 3	✓					

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groups and gypsies and travellers	NOMS directive									
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Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender	Disability	Sexuality	Age	Religion and belief
Our diversity assessment systems for offenders captures all relevant information, including disability information, so that appropriate ways of working can be identified and put in place	<ul style="list-style-type: none"> <li>Continue to use our diversity and equality monitoring assessment for offenders and review effectiveness of capturing information annually</li> </ul>	CF	March 11	1, 2, 3, 4, 6, 7, 8, 10 & 11	✓	✓	✓	✓	✓	✓
A wide variety of data and information is produced in order to assess effectively how certain actions will and do affect certain groups	<ul style="list-style-type: none"> <li>Extend data gathering beyond monitoring to include carrying out bespoke equalities audits and surveys relevant to disability, women and ethnicity</li> </ul>	CF	March 11	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Continue to develop the Service users group</li> </ul>	CF	March 11	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Run a series of staff equalities seminars</li> </ul>	CF	March 11	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Use other surveys that provide segmented data for evaluative purposes</li> </ul>	CF	March 11	1 - 11	✓	✓	✓	✓	✓	✓
Performance measurement on the effectiveness of our approach to disability equality is also achieved through the Employer's Forum Disability Standard	<ul style="list-style-type: none"> <li>Await NOMS guidance in relation to a single standard</li> </ul>	CF	September 10	4, 6, 7, 8 & 9			✓			

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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Race	Gender	Disability	Sexuality	Age	Religion and belief
Performance measurement on the effectiveness of our approach to sexual diversity is achieved through participation in the Stonewall Workplace Equality Index	<ul style="list-style-type: none"> <li>Await NOMS guidance in relation to a single standard</li> </ul>	CF	September 10	Not applicable				✓		
Monitoring in terms of age is introduced into current equalities monitoring and reporting in order to provide evidence of outcomes in relation to this equalities strand	<ul style="list-style-type: none"> <li>Integrate into 2009-2010 Diversity Report</li> </ul>	CF	July 10	Not applicable					✓	
Systems are in place to scrutinise the results of monitoring and other evaluative exercises in order to use information to improve performance	<ul style="list-style-type: none"> <li>Continue to use equality information in the monthly performance report which is scrutinised by the senior management team</li> <li>Continue to produce the Diversity Report annually which is scrutinised by the management team and used to review progress</li> </ul>	CF	Ongoing	1, 3, 4, 5, 6, 10 & 11	✓	✓	✓		✓	
			Ongoing		✓	✓	✓		✓	

Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Race	Gender	Disability	Sexuality	Age	Religion and belief
<b>9. Premises</b>										
Nobody has difficulties accessing or using any of our services through buildings that are not accessible to all. This includes our approved premises	<ul style="list-style-type: none"> <li>Continue with managed approach to those buildings not deemed as fully accessible ensuring all relevant managers are aware of plan through induction training</li> </ul>	SB	Ongoing	4, 5, 6 & 7			✓			
	<ul style="list-style-type: none"> <li>Implementation of the Approved Premises diversity strategy, including reviewing accessibility for disabled offenders</li> </ul>	DR	March 11	4, 5, 6 & 7			✓			
<b>10. Training</b>										
Board members are trained in Equality Impact Assessments and duties	<ul style="list-style-type: none"> <li>Run training event for any new Board members</li> </ul>	CS	As reqd	1 – 11	✓	✓	✓	✓	✓	✓
All staff are trained in the general and specific duties, and other equalities legislation, and what this means in relation to their particular work roles	<ul style="list-style-type: none"> <li>All new staff to receive diversity and equality induction training and disability equality training within 6 months of joining HPT.</li> </ul>	CS	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓

Outcome to be achieved	Actions		Dead-Line	General Duty Covered	Race	Gender	Disability	Sexuality	Age	Religion and belief
All managers have appropriate management training on diversity and equality, including undertaking equality impact assessments	<ul style="list-style-type: none"> <li>All new managers to receive management equalities induction training within 6 months in role.</li> </ul>	CS	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Training to be delivered to those managers with responsibility for developing policy and strategy on undertaking EIA's</li> </ul>	CS	As reqd							
Training and awareness raising events provide staff with the opportunity to develop their knowledge of different religions	<ul style="list-style-type: none"> <li>Continue to provide information through the diversity database</li> </ul>	CS	Ongoing	Not applicable						✓
	<ul style="list-style-type: none"> <li>Continue to run training on religion and culture for programmes teams as needed</li> </ul>	CS	Ongoing							
	<ul style="list-style-type: none"> <li>Provide information on access to community based training opportunities in relation to religion</li> </ul>	CS	Ongoing							
	<ul style="list-style-type: none"> <li>Use community speakers for teams where felt valuable.</li> </ul>		Ongoing							

Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Race	Gender	Disability	Sexuality	Age	Religion and belief
Staff's knowledge and practice is further developed by focused training in key diversity areas	<ul style="list-style-type: none"> <li>Annual programme of training that looks at specific diversity issues to be delivered according to need (dyslexia, ASD, mental health, gypsy and traveller communities, transgender issues and any other issues that are identified as valuable to look at in more depth)</li> </ul>	CS	Ongoing	1 – 11	✓	✓	✓	✓		✓
Staff's knowledge is reinforced and updated through regular briefings and team based events	<ul style="list-style-type: none"> <li>All teams to have at least one visit per year from the Diversity adviser to provide refresher and update session</li> </ul>	CS	March 10	1 – 11	✓	✓	✓	✓	✓	✓
<b>11. Publishing, communicating and reviewing our Scheme</b>										
All staff are aware of the Single Equality Scheme, the equality duties and their relationship to their roles	<ul style="list-style-type: none"> <li>Addressed in Diversity Induction Training &amp; summary information given to all staff.</li> </ul>	JB	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓

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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Race	Gender	Disability	Sexuality	Age	Religion and belief
The Single Equality Scheme, monitoring results and the results of EIA are published	<ul style="list-style-type: none"> <li>Publication of the reviewed Scheme AP by April 2010</li> </ul>	CS	April 10	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Information made available on EIA assessments and monitoring results on website and intranet system as produced.</li> </ul>	CF	Ongoing							
	<ul style="list-style-type: none"> <li>Other methods to be used as appropriate – e.g. Probation Report and staff newsletter</li> </ul>	CF	Ongoing							
The Single Equality Scheme is reviewed and republished on a 3 year cycle and the action plan is reviewed annually.	<ul style="list-style-type: none"> <li>Diversity Adviser to lead on annual review of action plan and HPT functions</li> </ul>	CS	March 11	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Diversity Adviser to lead on 3 year review of scheme</li> </ul>	CS	March 12	1 – 11						
A range of different communication methods ensure access to information for all stakeholders	<ul style="list-style-type: none"> <li>Promote availability of all publications in different languages and formats upon request</li> </ul>	DR	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓
	<ul style="list-style-type: none"> <li>Ensure HPT's Internet Website continue to provide effective access to information about services</li> </ul>	CF	Ongoing	1 – 11	✓	✓	✓	✓	✓	✓

**Hampshire Probation Trust  
Single Equality Scheme Action Plan  
Year One Progress Report: March 2010**

Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Progress and Outcomes
<b>1. Governance and Management</b>					
The Single Equality Scheme, its duties and progress review is supported by clear leadership and strategic approach	<ul style="list-style-type: none"> <li>▪ Day to day operational management of the Scheme and AP will be undertaken by the Diversity Adviser who reports to the Director with lead responsibility for Diversity and Equality</li> <li>▪ Risk Management procedures are in place and reviewed quarterly by Director with lead responsibility</li> <li>▪ Board HR Group will review progress on Action Plan on a Quarterly basis</li> <li>▪ Chief Officer's Management Team will review results and AP progress on an annual basis</li> <li>▪ List of functions and policies will be reviewed and updated as part of the annual progress report</li> </ul>	<p>CS</p> <p>CS</p> <p>CS</p> <p>CS</p> <p>CS</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>1 – 11</p> <p>1 – 11</p> <p>1 – 11</p> <p>1 – 11</p> <p>1 - 11</p>	<p>In place and operating</p> <p>In place and operating</p> <p>In place and operating</p> <p>Review being undertaken to be considered by COMT</p> <p>Undertaken March 2010</p>

Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
<b>2. Employment</b>					
The full range of employment monitoring required by the duties is in place and additional monitoring undertaken to cover other equality strands as appropriate	<ul style="list-style-type: none"> <li>▪ Production of Diversity Report in July 2009 will cover all employment monitoring requirements, with additional consideration of age. This to be continued on an annual cycle.</li> <li>▪ Monitoring to continue in relation to data segmented by race, gender and disability in monthly performance reports.</li> <li>▪ Particular attention will be paid to increasing capacity to produce monitoring data in relation to training and appraisals</li> <li>▪ Further consultation will be undertaken prior to a decision to add sexual orientation to staff monitoring information</li> </ul>	<p>DK</p> <p>DK</p> <p>CS</p> <p>JB</p>	<p>July 09 And ongoing</p> <p>ongoing</p> <p>Oct 09</p> <p>Oct 09</p>	<p>1 – 11</p> <p>1 – 11</p> <p>1, 2, 3, 4, 5, 9, 10 &amp; 11</p> <p>Not applicable</p>	<p>Report produced for April 2008-March 2009 covering employment monitoring requirements</p> <p>In place</p> <p>Some data produced but still need further appraisal monitoring information and widen scope of training monitoring.</p> <p>In place – sexual orientation now included an information being inputted onto personnel system.</p>

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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
Monitoring is in place for additional key HR policies such as sickness absence management & flexible working	<ul style="list-style-type: none"> <li>Ensure monitoring arrangements are in place for sickness absence management, flexible working and any other key HR policies that have undergone an EIA that is not covered by statutory monitoring requirements</li> </ul>	CS	Sept 09	1 – 11	Not yet been put in place
Minority ethnic staff are represented at all levels of the workforce and proportionally at management level.	<ul style="list-style-type: none"> <li>Continue to support positive action measures for minority ethnic staff support and development (Black Staff Support Group, Mentoring if requested and the national accelerate programme)</li> </ul>	CS	ongoing	1 & 2	<p>Black staff support group in place. Regular review meetings with Chief Office and supported by Diversity Adviser.</p> <p>Diversity Report 2008-2009 showed that HPT has 4% staff from a minority ethnic background (Hampshire and Isle of Wight BME population was 3% in 2001 Census). 14% of Senior Probation Officers are from minority ethnic groups and 9% of the management group overall, an over-representation in both cases.</p>
Disabled people are represented at all levels of the workforce and proportionally at management level.	<ul style="list-style-type: none"> <li>Encourage disclosure of disability through staff training and supervision and appraisal process</li> <li>Continue to support positive action measures for disabled staff support and development (Support networks, guaranteed</li> </ul>	CS	Ongoing	4, 5, 6, 7 & 8	In place. Diversity Report 2008-2009 showed 14% disclosed a disability, a 2% increase on previous year.
		CS	ongoing	4, 5, 6, 7 & 8	All support mechanisms in place. 5.6% of applicants in the last reporting period disclosed a disability but 15% of those interviewed had done so showing that disabled applicants are

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	interview scheme, mentoring if requested)				more likely to get an interview. Under-representation of disabled staff in promotions and SPO positions.
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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
Men and Women are represented at all levels of the workforce and in all areas of work, with particular reference to proportionality at management level	<ul style="list-style-type: none"> <li>▪ Launching of new flexible working policy</li> <li>▪ Increase information available on SPO role and offer development opportunities into such roles that are sensitive to gender issues</li> </ul>	CS	July 09	10 & 11	Launched July 2009, but no monitoring yet in place. Women into Management workshop was run in October 2009 with 12 women attending. Further workshops planned for 2010
Support mechanisms are in place locally and nationally for staff from minority groups	<ul style="list-style-type: none"> <li>▪ Continue to promote and support staff's involvement with and attendance of conferences and other events of the staff associations (LAGIP, NDSN, ABPO, NAAPS, Faith Forum). Similarly support local networks.</li> <li>▪ Black staff support group to run further seminars to discuss identified probation practice issues that are relevant to ethnicity and open these up to any staff member.</li> <li>▪ Members of Black staff support group to participate in training events to raise awareness of the group and some of the key issues</li> </ul>	CS	Ongoing	1, 2, 3, 4, 6, 8,9 10 & 11	<p>Conferences and membership advertised through HPT intranet. Those staff who wished to attend conferences were supported in doing so.</p> <p>Continued support of the Black Staff Support Group</p> <p>Assistance with developing support group for Christians in Probation.</p> <p>Black Staff Support Group hosted a Seminar on Hate Crime in September 2009, attended by 20 Probation staff</p> <p>Still under discussion</p>

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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
An effective system in place to deal with harassment of staff, service users and others	<ul style="list-style-type: none"> <li>▪ Raise awareness of harassment procedures, both formal and informal, through diversity induction training</li> <li>▪ Monitor use of procedures for effectiveness</li> </ul>	CS	April 10	1, 5, 11	In place. Diversity Induction training run on a 12 week cycle, training up to 16 staff at each session. Training programme and manual updated July 2009
An effective & timely system is in place to identify, implement and review reasonable adjustments as appropriate for disabled staff	<ul style="list-style-type: none"> <li>▪ Embed the co-ordinating role to provide oversight for the process of identifying and implementing adjustments</li> <li>▪ Target of 12 weeks to be monitored</li> <li>▪ New appraisal system to be used as part of adjustment review process</li> </ul>	CS	Sept 09  April 10  Ongoing	4, 6, 7, & 8	Diversity Adviser now co-ordinating. Process map produced for all stakeholders in the process of getting adjustments in place.  Monitoring now in place. Not all staff achieved adjustments within the 12 week period.  Appraisal system in place. Not yet able to monitor quality of these reviews
No disadvantage is experienced by pregnant staff and staff returning from maternity leave	<ul style="list-style-type: none"> <li>▪ Implementation of maternity policy</li> </ul>	CS	Ongoing	10 & 12	In place and operating
There is no gender pay gap that is related to pay discrimination	<ul style="list-style-type: none"> <li>▪ Further pay review to be undertaken and action identified if appropriate</li> </ul>	CS	Sept 10	10 & 12	Not yet undertaken

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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
Full support for employees with care responsibilities with flexible working available at all levels of work	<ul style="list-style-type: none"> <li>▪ Continued system of care vouchers</li> <li>▪ Launch and implementation of flexible working policy</li> <li>▪ Implementation of special leave policy</li> </ul>	CS	Ongoing	10 & 12	<p>In place and operating</p> <p>In place and operating although monitoring processes not yet established.</p> <p>As above</p>
Transsexual people feel supported and valued as staff and potential staff with barriers to recruitment and retention identified and removed	<ul style="list-style-type: none"> <li>▪ Continue to promote the work of LAGIP in application packs</li> <li>▪ Continue to populate the diversity database with information from A:Gender, including information for managers</li> <li>▪ Integrate into Management Diversity induction training</li> </ul>	CS  CS  CS	Ongoing  Ongoing  July 09	10 & 12	<p>In place and operating</p> <p>Information provided on database</p> <p>Management training run on a quarterly basis</p>

Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
<p>Employment practice does not discriminate illegally on the grounds of age and action is taken to promote positive attitudes towards all age groups</p>	<ul style="list-style-type: none"> <li>▪ Continue to screen for age discrimination and maintain an approach which ensures opportunities are not negatively impacted by age</li> <li>▪ Raise awareness through diversity induction training of age discrimination and the negative stereotypes and practices that can be attached to it</li> <li>▪ Review procedures for helping staff plan for retirement and alerting staff to retirement dates so that this is a positive and well supported process</li> </ul>	CS	Ongoing	Not applicable	<p>Integrated into the Equalities Impact Assessment Process. 6 HR policies had an EIA in this first year of action plan.</p>
		CS	Ongoing	Not applicable	<p>Integrated into training. Rolling programme every quarter with up to 15 staff trained at each session. Programme and manual updated July 2009</p>
		CS	Sept 09	Not applicable	<p>Course on retirement planning available to staff approaching retirement age.</p> <p>Not yet reviewed approach to alerting staff of retirement dates.</p>
<p><b>3.Offender management, interventions and victims</b></p>					
<p>95% of reports on Black and minority ethnic offenders contain a clear proposal</p>	<ul style="list-style-type: none"> <li>▪ Monitor as part of the Diversity Reporting System and feedback through performance management systems</li> </ul>	DK	July 09	1& 2	<p>Diversity Report 2008-2009 95% of reports on minority ethnic offenders had a clear proposal.</p>

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Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	
Offender assessment, reports and sentence planning systems appropriately and effectively address diversity and equalities issues	<ul style="list-style-type: none"> <li>▪ Further audit OASys and sentence plans to assess quality in terms of diversity</li> <li>▪ Continue to provide offender managers with practice guidance and develop and update the diversity database as a practice resource.</li> <li>▪ Continue to provide an effective interpreting and translation service</li> </ul>	DK	March 10	1 – 11	<p>Audit of OASys and Sentence plans undertaken in October 2009. Concerns still remain about the recording of diversity actions. To be addressed through working group.</p> <p>Additional practice guidance provided to OM's on working with women offenders, perpetrators of hate crime, different types of learning difficulty, mental health needs.. These also supported through training.</p> <p>Contract provision through Lingland – providing interpreting, translations and cultural advisory service.</p>
Achieve parity of outcome between different ethnic groups in terms of all service delivery outcomes	<ul style="list-style-type: none"> <li>▪ Continue to use performance monitoring data to evaluate outcomes across ethnic groups and take remedial action if negative differentials are identified</li> <li>▪ Review Approved Premises Diversity Strategy</li> </ul>	DK	July 09	1 & 2	<p>Diversity Report 2008-2009 showed that minority ethnic offenders achieved better results than white offenders on all outcome measures except for completions of ART and IDAP programmes, successful completions within AP's and take up of offer of contact of victims. This will be addressed in the forthcoming year.</p> <p>Approved Premises have reviewed their Diversity Strategy and implementation should impact upon results as above.</p>
Provision of services that are accessible to both men and women (including transsexual men and women) reflected in	<ul style="list-style-type: none"> <li>▪ Implementation Of the women offender strategy action plan, including Women Liaison Officers role in the development of</li> </ul>	DK	April 10	10 & 11	<p>Women Offender Action Plan implementation has progressed. New initiatives include 4 in-house Women Programmes across all LDU's, roll out of Women's Wisdom partnership programme across all LDU's, training on</p>

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<p>improving service outcomes in terms of gender</p>	<p>community resources</p> <ul style="list-style-type: none"> <li>▪ Continue to support and develop further women only provision such as the Women's Programmes in Basingstoke and Southampton, Alcohol programme for women, women's empowerment programme</li> </ul>				<p>working with women offenders, developing practice event for OM's working on women's programmes, women's service directory, "meet and greet provider" events. Workshops and guidance on working with women on Community Payback, development of a resource package on self-esteem and confidence (training provided). Women Liaison Officer post retained for a further year and further areas of developmental work identified and planned for.</p>
<p>No offender is prohibited from accessing services through child care responsibilities</p>	<ul style="list-style-type: none"> <li>▪ Implementation of the Women Offender's Strategy which has clear procedures for addressing childcare needs</li> </ul>	<p>DK</p>	<p>Ongoing</p>	<p>10 &amp; 11</p>	<p>Implementation of strategy and integration into training and briefings. The links established with Children's Centres have improved ability to assist with childcare arrangements.</p>

Outcome to be achieved	Actions	Lead	Dead-Line	General Duty Covered	Progress and Outcomes
<p>We are meeting the needs of women and men as victims of domestic abuse and of those crimes covered by our victim contact work</p>	<ul style="list-style-type: none"> <li>▪ As part of the Women Offenders Strategy, increase effective working with external providers of domestic abuse services and provide staff with a comprehensive directory of Hampshire services</li> <li>▪ Provide information on services for male victims within the directory</li> <li>▪ Develop feedback questionnaire for victim satisfaction of WSW work</li> <li>▪ Use monitoring and feedback evaluation from Victims Contact Unit to evaluate take up of offer of contact by gender and satisfaction on service, to ensure we are delivering a service accessible to both men and women.</li> </ul>	<p>DK  DK SB SB</p>	<p>April 10  July 09 April 10 April 10</p>	<p>10 &amp; 11</p>	<p>Electronic Women's Services Directory completed and teams briefed on its use. Domestic abuse services contacted and listed for across all LDU's.</p> <p>Information on services for male victims identified and added to diversity database.</p> <p>Questionnaire in place and data being compiled. Awaiting first report.</p> <p>Monitoring data from Victim Contact Unit shows that the offer of contact is more likely to be taken up by women than men (22% of women take up contact compared to 15% of men). Service user feedback is being gathered to inform of service satisfaction. Monitoring systems do not include all forms of take up e.g. telephone contact, and so this will be added to check that men are not more likely to phone.</p>
<p>We are identifying and responding to the diverse needs of those victims contacted by the Service and monitoring our victim contact work across</p>	<ul style="list-style-type: none"> <li>▪ Continue to gather data from the Witness Contact Unit on all diversity needs and improve on the amount of ethnicity data available</li> <li>▪ Use information from Victims</li> </ul>	<p>SB</p>	<p>July 09</p>	<p>1, 2, 4, 5, 6, 7, 10 &amp; 11</p>	<p>Diversity Report 2009 showed improvements in the recording of ethnicity data from 31% in the previous report to 63% in the current reporting period.</p> <p>No disability data was available.</p>

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equalities strands	survey to evaluate services to all groups and identify any areas for improvement in relation to diversity	SB	July 09	1, 2, 4, 5, 6, 7, 10 & 11	<p>Number of referrals is low for minority ethnic victims and none of them accepted the offer of face to face contact.</p> <p>Women/men results as above.</p> <p>A further EIA has been undertaken on the service to address these issues. Further work to be undertaken by the team as a result of the recommendations of the EIA.</p>
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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
<p>We are working effectively with all offenders with different disabilities, including those with learning difficulties such as ASD and dyslexia and mental health needs, identifying and implementing appropriate adjustments</p>	<ul style="list-style-type: none"> <li>Undertake a further audit of assessments and sentence plans to ensure that disability is appropriately addressed where identified</li> </ul>	CM	Sept 09	4, 6, 7 & 8	<p>Audit of OASys and Sentence plans undertaken in October 2009. Concerns still remain about the recording of disability actions. To be addressed through working group.</p>
	<ul style="list-style-type: none"> <li>Deliver further sentence planning training that addresses the integration of diversity issues, including disability.</li> </ul>	CS	Sept 09	4, 6, 7 & 8	<p>Sentence planning training continues to be rolled out and diversity issues are integrated.</p>
	<ul style="list-style-type: none"> <li>Continue with specific initiatives to improve services to offenders with ASD, ADHD, Mental Health needs and Dyslexia.</li> </ul>	DK	Dec 09	4, 6, 7 & 8	<p>Diversity Report 2009 showed that there continues to be some lower levels of successful completion for those with learning difficulties. Strategy for working with offenders with learning difficulties and disabilities produced. Some initiatives already underway e.g. training on dyslexia, autism, leaflets and other guidance made available for OM's, participation with other CJS agencies in designing an autism passport;</p>
	<ul style="list-style-type: none"> <li>Continue to work with those agencies specialising in services for specific disabilities to enhance our provision, e.g. learning disability teams, MENDOS, HAS</li> </ul>	CM	ongoing	4, 6, 7 & 8	<p>New initiative engaging with Improving Access to Psychological Therapy project. 2 IAPT staff providing a drop in clinic at Southampton offices for offenders with mental health needs. This fits well with the already establish Health Trainer role and is another example of good partnership working to meet needs of offenders.</p> <p>Meet and greet events planned for summer</p>

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					2010 which will allow further develop working relationships between local OM teams and specialist agencies.
Our work with offenders and victims is sensitive to sexual diversity and ensures that the way our work is delivered is relevant and appropriate	<ul style="list-style-type: none"> <li>Review and relaunch practice manual on working with LGBT offenders</li> </ul>	CM	Dec 09	Not applicable	<p>Manual reviewed and launched in October 2009.</p> <p>Diversity induction training covers issues of sexual diversity. Programme and manual updated July 2009.</p> <p>Sexual orientation now added to the Offender Diversity and Equality Assessment.</p>

Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
We are working effectively with perpetrators of hate crime, managing risk and offering relevant interventions	<ul style="list-style-type: none"> <li>Review and relaunch hate crime strategy, including offering further training</li> </ul>	CM	March 10	1,3,5,6,7,10	<p>Hate Crime Strategy reviewed and relaunched October 2010</p> <p>Training delivered on the use of the Diversity and Prejudice Awareness Programme produced by London Probation Trust and licence purchased to use pack, Feb 2010</p> <p>Further cascade training planned for 2010/2011</p>
We are sensitive to diversity of religion and belief and offer appropriate services that do not disadvantage or exclude any group on the basis of their beliefs	<ul style="list-style-type: none"> <li>Continue to include religious belief as part of the offender diversity assessment and undertake a sample case audit for completion and appropriate planning</li> </ul>	CM	March 10	Not applicable	<p>Religious belief added to the offender diversity and equality assessment.</p> <p>No audits yet undertaken.</p>
<b>5. Procurement, partnerships and stakeholders</b>					
Through robust procurement methods equality is integrated into the assessments of all potential commissioned services and in their evaluation and review.	<ul style="list-style-type: none"> <li>Continue to implement the equality and diversity assessment tool for commissioned services and audit for effectiveness</li> </ul>	SB	March 0	1, 2, 4, 6, 7, 10 & 11`	Tool in place. Audit not yet undertaken.
Our work with partnership agencies from all sectors is founded on shared	<ul style="list-style-type: none"> <li>Implement stakeholder engagement strategy and action plan</li> </ul>	DR	July 10	1 – 11	Strategy reviewed, updated and EIA'd December 2009 with action plans for each LDU integrated into 2010/11 business plans.

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<p>commitments to equality &amp; diversity, with HPA seeking to influence and where possible participate in shared initiatives.</p>	<ul style="list-style-type: none"> <li>▪ Continue work with LCJB public confidence group on joint equalities initiatives</li> </ul>	DR	Ongoing	1 – 11	<p>Work undertaken with the Hampshire Equality Network (network of Strategic Partners) to develop good practice in undertaking EIA's. No current LCJB equalities initiatives that HPT involved with.</p> <p>As above, WLO role continues to identify and develop working relationships with providers for female offenders. This particular piece of work is now to be extended to other groups of offenders, particularly those with learning difficulties. Information provided on BME support workers available for BME offenders with mental health needs.</p> <p>Process reviewed as part of HPT Diversity Policy and Strategy June 2009</p>
	<ul style="list-style-type: none"> <li>▪ Continue to identify appropriate agencies to enhance our provision for women</li> </ul>	DK	Ongoing	10 & 11	
	<ul style="list-style-type: none"> <li>▪ Continue to identify providers who may enhance our provision for other minority groups</li> <li>▪ Ensure that a robust and transparent internal process is in place to handle and manage any discriminatory actions experienced by our staff when working with partner agencies</li> </ul>	SB	Ongoing	1, 2, 3, 4, 5, 7, 9	

Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
<p><b>6. Involving and Consulting People</b></p>					
<p>Decisions around policy, procedures and equalities work draw on the involvement and consultation of minority groups, with a particular focus on ensuring women and disabled people are involved.</p>	<ul style="list-style-type: none"> <li>▪ Continue to maintain and develop the Equalities Consultation panel, ensuring representation from as wide a number of groups as possible</li> <li>▪ Run at least annually, a staff focus group on race, disability and gender equality to allow staff to input into the review of the scheme and other key policies</li> <li>▪ Run at least annually a disabled offender survey and a disabled staff survey to provide a continual flow of consultative information</li> <li>▪ Use other audits, surveys and inspection material that has equalities information to further inform (e.g. offender survey, victims survey, programmes feedback)</li> <li>▪ Work with external specialist agencies to develop policy relevant to specific groups, with particular reference to</li> </ul>	<p>JB</p> <p>JB</p> <p>JB</p> <p>JB</p> <p>JB</p>	<p>Ongoing</p> <p>March 10</p> <p>March 10</p> <p>March 10</p> <p>Ongoing</p>	<p>1, 2, 3, 4, 6, 8, 9, 10, 11,</p> <p>1, 2, 3, 4, 6, 8, 9, 10, 11,</p> <p>1, 2, 3, 4, 6, 8, 9, 10, 11,</p> <p>1, 2, 3, 4, 6, 8, 9, 10, 11,</p> <p>1, 2, 3, 4, 6, 8, 9, 10, 11,</p>	<p>Equalities Panel meets on a bi-monthly basis (more frequently if necessary) and currently has 24 members drawn from staff and local community</p> <p>Not yet undertaken</p> <p>Not yet undertaken</p> <p>Offender Survey 2009 (including diversity analysis) Women Offender Survey 2009 Offender Focus Group 2010 (disability) Women's Programme Evaluation Women's Wisdom Evaluation</p> <p>Working relationships with range of external specialist providers e.g.: MIND Raise!</p>

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	<p>our current relationships with agencies working with women, those from minority ethnic offenders and different disabilities.</p> <ul style="list-style-type: none"> <li>▪ Consult with minority staff associations, including our Black Staff Support Group, and unions on the development and review of this Scheme</li> </ul>	<p>JB</p>	<p>ongoing</p>	<p>1, 2, 3, 4, 6, 8, 9, 10, 11,</p>	<p>Hampshire Autistic Society  Dyslexia Action/Hampshire Dyslexia Assoc.  Women's Wisdom  Muslim Council  Lingland  Third Sector "meet greet events" in Southampton, Basingstoke and Winchester  Further work being undertaken to scope and work alongside third sector providers</p> <p>Both bodies participate in the Equalities Consultation Panel on a bi-monthly basis</p>
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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
<b>7. Screening and Impact Assessing our Work</b>					
All new and existing policies and procedures have undergone an Equality Impact Assessment, covering all six equality strands, in a prioritised system of relevance	<ul style="list-style-type: none"> <li>▪ Managers with responsibility for developing and/or implementing new policies, strategies and procedures work with the Diversity Adviser to undertake initial screening and full EIA impact assessment where appropriate. These will be prioritised against system of identification of relevance and proportionality. Programme of work should ensure that no assessments take longer than 3 months to implement once identified as relevant</li> </ul>	CS	Ongoing	1 – 11	During the first year of this action plan 17 Equality Impact Assessments have been completed and published. All have been undertaken within the specified time frame.
All existing policies and procedures have a reviewed EIA if the policy or procedure is amended or reviewed	<ul style="list-style-type: none"> <li>▪ The same process, as above, is applied to reviewed policies, strategies and procedures</li> </ul>	CS	Ongoing	1 – 11	Policy and strategy reviews have made up a large proportion of the 17 EIA's undertaken during the first year of the Action Plan.

Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
<p><b>8. Gathering information, data collection and analysis and performance management</b></p>					
<p>The full range of employment &amp; service delivery monitoring required by the duties is in place and additional monitoring undertaken to cover other equality strands as appropriate</p>	<ul style="list-style-type: none"> <li>▪ Continue to produce the annual diversity report, covering equality strands of race, gender disability and age, with further consideration given to gathering monitoring information on the grounds of sexuality and religion. Report to address all employment and service delivery monitoring.</li> <li>▪ Extend employment monitoring to include key HR policies such as sickness absence, flexible working, vacancy management</li> </ul>	DK	August 09	1 - 11	<p>Annual Diversity Report for period 2008-2009 produced. Employment monitoring information provided on all defined legislative monitoring requirements in relation to race, gender and disability. Information is now being gathered from staff on sexual orientation on monitoring form.</p> <p>Not currently got in place monitoring arrangements for key HR policies.</p>
<p>Ethnic monitoring systems for employment and service delivery capture white minority ethnic groups and gypsies and travellers</p>	<ul style="list-style-type: none"> <li>▪ Adjustments to be made to ethnic monitoring systems following revision of census categories or changes in NOMS directive</li> </ul>	DK	March 11	1 – 3	<p>Not yet actioned</p>

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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
Our diversity assessment systems for offenders captures all relevant information, including disability information, so that appropriate ways of working can be identified and put in place	<ul style="list-style-type: none"> <li>▪ Continue to use our diversity and equality monitoring assessment for offenders and review effectiveness of capturing information annually</li> </ul>	DK	March 10	1, 2, 3, 4, 6, 7, 8, 10 & 11	<p>Offender diversity and equality monitoring form reviewed and updated. Information on sexual orientation, religion, specific learning difficulties, care responsibilities and nationality added.</p> <p>Increased capacity will be assessed as part of diversity report 2009-2010</p>
A wide variety of data and information is produced in order to assess effectively how certain actions will and do affect certain groups	<ul style="list-style-type: none"> <li>▪ Extend data gathering beyond monitoring to include carrying out bespoke equalities audits and surveys relevant to disability, women and ethnicity</li> <li>▪ Continue to develop the Service users group</li> <li>▪ Run a series of staff equalities seminars</li> <li>▪ Use other surveys that provide segmented data for evaluative purposes</li> </ul>	DK DK DK DK	March 10 March 10 March 10 March 10	1 – 11 1 – 11 1 – 11 1 - 11	<p>Alongside Diversity Report we have undertaken a Women Offender Survey, an Offender Survey segmented by race, gender and disability, audit of OASys and sentence plans, offender focus group drawn from the Service Users Group.</p> <p>Service Users Group continues to run. Looking to replicate in other LDU's. Has run an "Alcohol Awareness Day" for other offenders. Also participated in team building events, presentation skills training, talks to young adults and teenagers in danger of offending as identified through the Safer Communities Team. They attend the weekly new offender induction sessions.</p>
Performance measurement on the effectiveness of our approach to disability equality is also achieved	<ul style="list-style-type: none"> <li>▪ Participate in the Employer's Forum disability standard assessment by 2010</li> </ul>	DK	September 10	4, 6, 7, 8 & 9	Advice from NOMS that given the push towards single equality schemes, it is preferable rather than adopting multiple standards which measure different things in different ways a single "standard" should be produced. We have been

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through the Employer's  
Forum Disability Standard

advised to await this development, which may  
accompany the single equality bill.

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Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
Performance measurement on the effectiveness of our approach to sexual diversity is achieved through participation in the Stonewall Workplace Equality Index	<ul style="list-style-type: none"> <li>▪ Participate in the Stonewall Workplace Equality Index by 2010</li> </ul>	DK	September 10	Not applicable	Advice from NOMS that given the push towards single equality schemes, it is preferable rather than adopting multiple standards which measure different things in different ways a single “standard” should be produced. We have been advised to await this development, which may accompany the single equality bill.
Monitoring in terms of age is introduced into current equalities monitoring and reporting in order to provide evidence of outcomes in relation to this equalities strand	<ul style="list-style-type: none"> <li>▪ Integrate into 2008-2009 Diversity Report</li> </ul>	DK	July 09	Not applicable	Age monitoring was not integrated into the 2008-2009 report but will be addressed in the 2009-2010 reporting period.
Systems are in place to scrutinise the results of monitoring and other evaluative exercises in order to use information to improve performance	<ul style="list-style-type: none"> <li>▪ Continue to use equality information in the monthly performance report which is scrutinised by the senior management team</li> <li>▪ Continue to produce the Diversity Report annually which is scrutinised by the management team and used to review progress</li> </ul>	DK	Ongoing	1, 3, 4, 5,6, 10 & 11	Performance report provides segmented data in relation to KPI's  Diversity Report produced for 2008-2009. Race, gender and disability in employment and service delivery outcome measures reported on. Future development to include age, sexual orientation and religion or belief.

Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
<b>9. Premises</b>					
<p>Nobody has difficulties accessing or using any of our services through buildings that are not accessible to all. This includes our approved premises</p>	<ul style="list-style-type: none"> <li>▪ Continue with managed approach to those buildings not deemed as fully accessible ensuring all relevant managers are aware of plan through induction training</li> <li>▪ Revision of the Approved Premises diversity strategy, including reviewing accessibility for disabled offenders</li> </ul>	<p>SB</p> <p>SB</p>	<p>Ongoing</p> <p>March 10</p>	<p>4, 5, 6 &amp; 7</p> <p>4, 5, 6 &amp; 7</p>	<p>Integrated into Diversity Induction Training, Disability Training and Managers Diversity and Equality Training.</p> <p>Approved Premises Diversity and Equality Strategy reviewed. All programmes and manuals reviewed and updated.</p>
<b>10. Training</b>					
<p>Board members are trained in Equality Impact Assessments and duties</p>	<ul style="list-style-type: none"> <li>▪ Run training event for Board members</li> </ul>	<p>CS</p>	<p>Sept 09</p>	<p>1 – 11</p>	<p>Board training delivered October 2009</p>
<p>All staff are trained in the general and specific duties, and other equalities legislation, and what this means in relation to their particular work roles</p>	<ul style="list-style-type: none"> <li>▪ All new staff to receive diversity and equality induction training and disability equality training within 6 months of joining HPA</li> </ul>	<p>CS</p>	<p>Ongoing</p>	<p>1 – 11</p>	<p>Training delivered on a quarterly basis both Induction training and Disability training. Programme and manuals updated.</p>

Outcome to be achieved	Actions		Dead-line	General Duty Covered	Progress and Outcomes
All managers have appropriate management training on diversity and equality, including undertaking equality impact assessments	<ul style="list-style-type: none"> <li>▪ All new managers to receive management equalities induction training within 6 months in role.</li> <li>▪ Training to be delivered to those managers with responsibility for developing policy and strategy on undertaking EIA's</li> </ul>	CS  CS	Ongoing  March 10	1 – 11	Quarterly training provided  Not yet undertaken
Training and awareness raising events provide staff with the opportunity to develop their knowledge of different religions	<ul style="list-style-type: none"> <li>▪ Continue to provide information through the diversity database</li> <li>▪ Continue to run training on religion and culture for programmes teams as needed</li> <li>▪ Provide information on access to community based training opportunities in relation to religion</li> <li>▪ Use community speakers for teams where felt valuable.</li> </ul>	CS  CS  CS	Ongoing  Ongoing  Ongoing  Ongoing	Not applicable	Up-to-date information on different religions and festivals available on diversity database and EPIC.  No training delivered during this first year.  Training opportunity advertised for staff on local Muslim awareness raising training. No current take up.  No speakers organised during this first year.

Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
Staff's knowledge and practice is further developed by focused training in key diversity areas	<ul style="list-style-type: none"> <li>▪ Annual programme of training that looks at specific diversity issues to be delivered according to need (dyslexia, ASD, mental health, gypsy and traveller communities, transgender issues and any other issues that are identified as valuable to look at in more depth)</li> </ul>	CS	Ongoing	1 – 11	During time period training has been provided through:  Best Practice Conference with workshops on Women Offenders and Autism Training days x2 on women offenders Training days x3 on Autism Dyslexia training day and team based training Mental Health training x5 Hate Crime Training
Staff's knowledge is reinforced and updated through regular briefings and team based events	<ul style="list-style-type: none"> <li>▪ All teams to have at least one visit per year from the Diversity adviser to provide refresher and update session</li> </ul>	CS	March 10	1 – 11	Diversity Adviser and/or Women and Equality Liaison Officer has visited all teams at least once during time period.
<b>11. Publishing, communicating and reviewing our Scheme</b>					
All staff are aware of the Single Equality Scheme, the equality duties and their relationship to their roles	<ul style="list-style-type: none"> <li>▪ Information to be given out through the Team Brief system in April and leaflet sent to all staff</li> <li>▪ Addressed in Diversity Induction Training</li> </ul>	JB  JB	April 09  Ongoing	1 – 11	Put in place  Has been integrated into Diversity Induction Training

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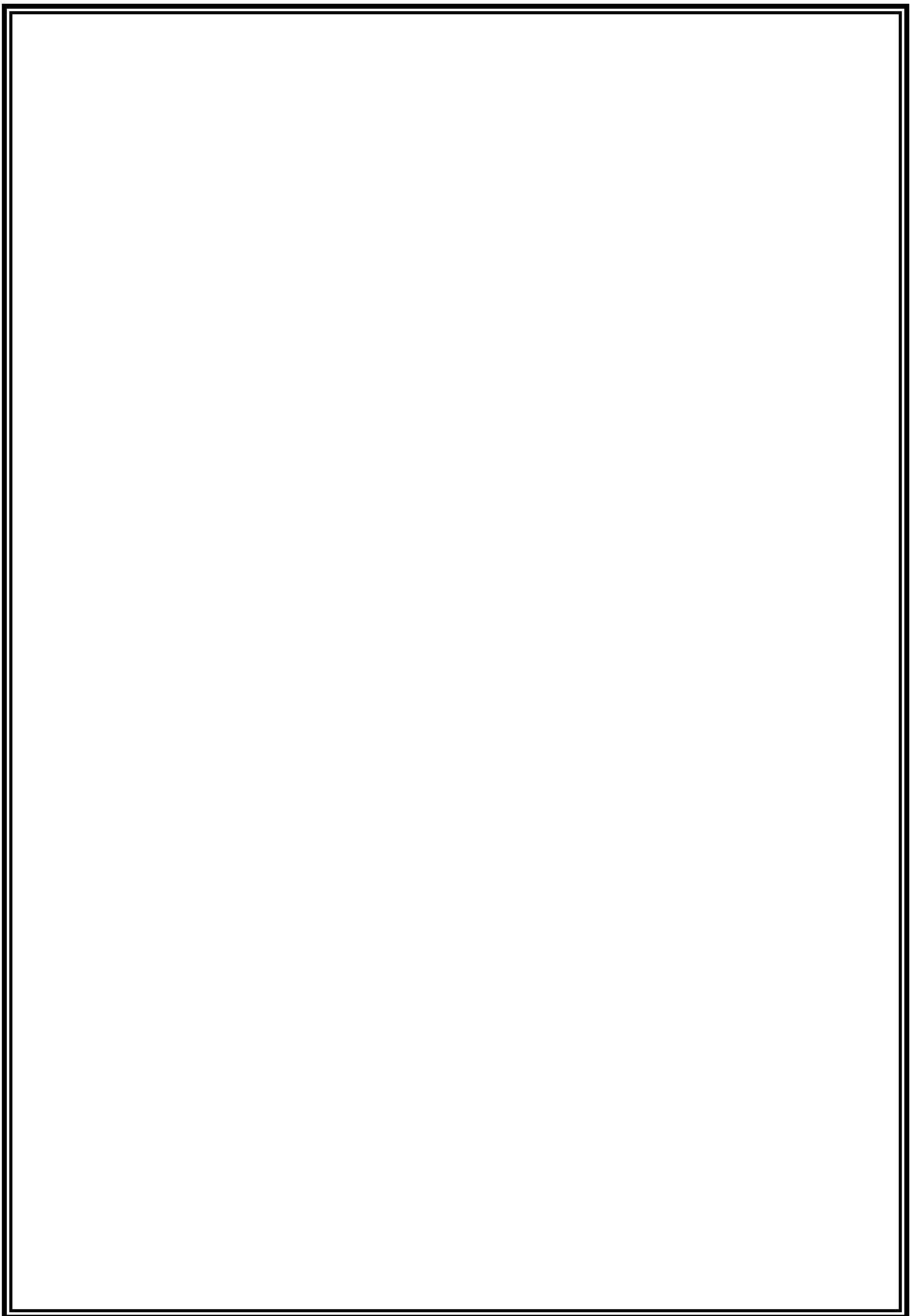
Outcome to be achieved	Actions	Lead	Dead-line	General Duty Covered	Progress and Outcomes
The Single Equality Scheme, monitoring results and the results of EIA are published	<ul style="list-style-type: none"> <li>▪ Publication of Scheme on HPA website and intranet by end of March 2009</li> <li>▪ Information made available on EIA assessments and monitoring results on website and intranet system as produced.</li> <li>▪ Other methods to be used as appropriate – e.g. Probation Report and staff newsletter</li> </ul>	DK	March 09	1 – 11	In place
		DK	Ongoing		In place
		DR	Ongoing		Team brief has been used throughout the year to keep staff informed
The Single Equality Scheme is reviewed and republished on a 3 year cycle and the action plan is reviewed annually.	<ul style="list-style-type: none"> <li>▪ Diversity Adviser to lead on annual review of action plan and HPA functions</li> <li>▪ Diversity Adviser to lead on 3 year review of scheme</li> </ul>	CS	March 10	1 – 11	In place
A range of different communication methods ensure access to information for all stakeholders	<ul style="list-style-type: none"> <li>▪ Promote availability of all publications in different languages and formats upon request</li> <li>▪ Ensure HPA's Internet Website continue to provide effective access to information about services</li> </ul>	DR	Ongoing	1 – 11	In place
		DK	Ongoing	1 – 11	In place – website reviewed and updated during time period.

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## Appendix 1: List of Probation Service Functions and Relevance to the HPT Scheme

All Functions have been assessed in relation to their relevance to Equality on a spectrum of High, Medium or Low relevance. The work of the Probation Service is all about having an impact on people and therefore the greater part of its work is going to have relevance to the scheme. However, some distinction has been made between high and medium impact on the basis of:

1. critical junctures of contact
2. areas that are particularly relevant to the aims of the General Duties
3. Results of evaluative data

FUNCTION	RELEVANCE	EIA Undertaken And/or equalities Issues integrated
<b>Note that under each function there may be a number of policies, procedures and practices. EIA's will be carried out as these are developed and reviewed.</b>		
<b>Operational/Service Delivery</b>		
<b>Offender Management:</b>		
Court Services/Court Reports/Bail information	High	Yes
Assessment and targeting (EOASys)	High	Yes
Parole Reports/Early Release assessments/Life Assessments	High	Yes
Management of Community Orders (unpaid work/supervision/drug rehabilitation/alcohol treatment/programmes/mental health treatment/residence/specified activity/prohibited activity/exclusion/curfew/attendance centre) in accordance with National Standards	Medium	Yes
Sentence Planning Process	High	Yes
Post-release supervision	Medium	Yes
Multi-agency Public Protection Panels/Risk Assessment	Medium	Yes
Enforcement – breach process & recall arrangements	High	Yes
Integrated offender management	Medium	No
<b>Interventions:</b>		
Approved Premises	High	Yes
Delivery of Accredited Programmes <ul style="list-style-type: none"> <li>- Enhanced Thinking Skills</li> <li>- Drink Impaired Drivers</li> <li>- Domestic Violence (IDAP)</li> <li>- Anger Management (ART)</li> <li>- Substance Misuse (OSAP)</li> </ul>	High	Yes
Drug Rehabilitation Requirement	High	In progress
Provision of Unpaid Work/Community Payback	High	Yes

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ETE and Essential Skills	High	Yes
Delivery of Alcohol Treatment Requirement	High	Yes
<b>Victims:</b> Undertaking victim contact work in cases involving a serious sexual or violence offence where the offender is given a custodial sentence of 12 months or more, in accordance with the National Standards and PC 61/95	Medium	Yes
<b>HUMAN RESOURCES</b>		
<b>Recruitment and Retention:</b>		
Recruitment of Probation staff in line with Home Secretary targets	High	Yes
Secondments/transfers/directions	Medium	Yes
<b>Conditions of Service/Employee Relations:</b>		
Leave arrangements	High	Yes
Flexible working	High	Yes
Allowances e.g essential car user	Medium	Yes
Sickness and absence	Medium	Yes
Reward	Medium	Yes
Capability	Medium	Yes
Grievance and Discipline	High	Yes
<b>Staff Management:</b>		
Exit Interviews	Medium	No
Performance & Appraisal	High	No
Career Development	High	Yes
<b>Training:</b>		
In-Service Training	Medium	Yes
Probation Officer Qualifying Training	Medium	Yes
NVQ's	Medium	No
<b>Health &amp; Safety:</b>		
Accidents	Medium	No
Violent Incidents	Medium	Yes
Harassment	High	Yes
<b>ADMINISTRATION/FINANCE/PREMISES</b>		
<b>Support Services:</b>		
Secretarial and administration	Low	No
<b>Finance:</b>		
Budget Monitoring	Low	No
Business Planning	Medium	No
Accounting	Low	No

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<b>Premises:</b>		
Buildings, estates, approved premises	Medium	Yes
<b>Contracts:</b>		
Purchase of services and partnerships and grant aiding e.g. ESF	Medium	Yes
<b>QUALITY AND PERFORMANCE MANAGEMENT</b>		
Research	Medium	No
Monitoring & Effectiveness	Medium	Yes
Information Services, including IT	Medium	Yes
Complaints Procedures	Medium	Yes
EEM	Low	Yes
Annual Report	Medium	Yes
Business Planning	Medium	Yes
<b>PARTNERSHIPS &amp; STAKEHOLDER RELATIONSHIPS</b>		
MAPPA	Medium	Yes
Prolific Offender Scheme	Medium	Yes
External Communication	High	Yes
Publications, including website	High	Yes
Briefings	Medium	Yes
Press Relations	Medium	Yes
Strategic Partnerships – e.g. Police, Prisons, YOTS	Low	Yes
Commissioned/Purchased Services	Medium	Yes
Developing accommodation policies	Medium	No

APPENDIX 2

**PROBATION SERVICE  
HAMPSHIRE PROBATION TRUST**

**EQUALITY IMPACT ASSESSMENT**

**Section One: Preliminary Screening for relevance and possible adverse impact**

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

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

Is it possible that the policy/procedure may be discriminating unlawfully?	Yes/No
Could some groups be excluded from the benefits of this policy/procedure or could it have a negative impact on them?	Yes/No
Is it possible that the policy/procedure may cause negative relations between groups?	Yes/No

If the answer to any of these questions is **Yes**, go on to the full Equality Impact Assessment (EIA)

If the answer to all of the questions is **No**, please provide **explanatory evidence** (consultation information, other research or data or information that has that have been taken into consideration in order to reach this decision. Complete paragraph below and attach the preliminary screening document to the policy to be signed off by senior management.

**This policy and/or set of procedures have been written with a view to avoiding any adverse impact on an individual by reason of their ethnic origin, disability, gender, sexual orientation, age, religion or belief. The policy has been screened for any illegal discrimination and to ensure that no group is excluded from any benefits or experiences any**

disadvantage. It is not believed that this policy will have any such adverse impact because ..... Future reviews of policy and procedures will revisit this evaluation, drawing on data to monitor outcomes.

## 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:

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

### 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)*

**Race:**

**Gender (including transgender):**

**Disability:**

**Sexuality:**

**Religion or Belief:**

**Age:**

**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)*

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

**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?**

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

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

**9. Monitoring arrangements and review process**

**10. How results will be published**

**Signature of Policy Lead .....**

**Position .....**

**Date .....**

## APPENDIX 3

### **EQUALITY IMPACT ASSESSMENT** **Ten key points to ensure a good impact assessment**

The ten steps below are practical suggestions about how to approach the impact assessment process in general to ensure that it is thorough and fully evidenced.

1. **Establish the local baseline in your area – this will help with all impact assessments**

Who are your service users? Who are your staff? Who are your partner organisations and those to whom you contract services? What do you know about these groups in relation to disability, racial and cultural background, age, faith, gender, etc? Do you have enough knowledge and information about these diverse groups to be able to assess the impact of your policies and practices on each of them? What sort of information might you need to show that you can give detailed consideration to the possible impact?

If you don't have it, how can you get it? What do you know about your local community and sources of advice and expertise that you could tap into? How can you find out? What could be available in your area or at national level, to strengthen local community sources and their capacity to help with the impact assessment process?

2. **Clarify who is responsible for conducting impact assessments**

Will all impact assessments be done by one person, for example, the diversity manager? Or will relevant policy and operational managers carry them up with advice from the diversity manager? How will the assessment be communicated and actioned by senior management? How will the outcome form part of regular performance and management review processes? Are responsibility and deadlines clearly assigned and are there enough resources available for those responsible to do them properly?

Will impact assessment training be provided for all those responsible for impact assessments?

3. **Set up a process for internal consultation – and use it before you start**

Given the composition of your staff, who needs to be consulted internally about the impact of policy and practice? Is there already a system in place for consultation? If so how effective is it? And if not can something be put in place *before* the impact assessment process begins? Can staff associations and support groups help?

Use the internal consultation process to help identify potential problems, adverse impact or areas which the impact assessment might need to probe. This framework can be used for all policies and functions.

4. **Set up a process for external consultation – and use it before you start**

What is the best way for you to involve local communities? What sort of support from you might they need in order to take this on effectively (resources, access, methods of communicating, frequency of consultation and so on)? Are any existing consultation methods working well and do they include the right people? If not, set up a strong and effective system of regular consultation with local communities.

Some organisations have set up an independent advisory group specifically to assist with impact assessment, by reviewing priorities for assessment, conduct of the assessment, conclusions, and bringing a challenging and fresh perspective which can be very helpful.

Once a good process is in place, consult before you begin the impact assessment to help to identify potential problems, adverse impact or areas which you need to explore.

5. **Decide what questions need to be asked about the policy, function or practice.**

Remember that policies can be unwritten – custom and practice – as well as formal written policies.

What and who does the policy or function affect? How much do you already know about the way it works: has there been any equalities monitoring in the past, any staff or service users surveys, audit reports or other information? Are there any identified concerns?

Use this and the consultation process above to think through any potential adverse impact of each area: what are the danger points where unfair treatment might occur? How much discretion is involved, and how is this discretion supervised and by whom? How is use of discretion recorded? What management oversight and supervision is in place for the policy or function?

What are the gaps in your knowledge of the impact of this policy or practice and how can you fill them?

6. **Collect the evidence**

Evidence can be from a variety of sources: monitoring where it is in place, of staff and service users, is one source. You can also carry out surveys or interviews and focus groups specifically to gather evidence for the impact assessment, and collect further evidence from the consultation methods set up earlier in the process. There might have been inspectorate reports, or pieces of local research on a topic. Staff associations and networks may have evidence as may partners and service users.

In the impact assessment you need to describe what the various sources of evidence were; how it was obtained, from whom and what were the key issues (concerns or successes) which the evidence suggests. It is not enough to state that no adverse impact has been identified: the assessment must make clear the basis for that statement: the how, who, what and when of arriving at that assessment.

7. **Act on the results**

According to what the impact assessment concludes, ensure action is taken to amend the policy or function or even produce a new policy or procedure, and that responsibility and a timetable for action is clearly assigned and implementation is monitored.

8. **Set up and use an effective monitoring system.**

If the policy or function concerned has not been subject to ethnic monitoring in the past, and has a potential for adverse impact, you need to ensure ethnic monitoring systems are in place. All new policies and functions will also require an ethnic monitoring process to demonstrate year on year that there is no discrimination and that the policy promotes good race relations.

Make sure your local monitoring system can provide the answers to your own local questions (not just provide data for NPD statistics!) and reflects what you know about your service users and your staff. Make sure that everyone involved knows why they are monitoring and how to do it.

As well as outcomes in terms of statistics ensure you cover the use of discretion at key decision making points: how is it used, who by, who oversees the outcomes. Can you be sure discretion is always been exercised fairly and can you prove that? Provide training for the staff that will collect and analyse the monitoring information

9. **Publish the results**

All equality impact assessments should be made available to service users and staff, perhaps using the Area web site. Feedback and results should also be given to everyone, internally and externally, who was consulted. Publication promotes openness and accountability and encourages further dialogue and debate. Make sure the published results are in a range of accessible formats to meet the diverse range of access requirements.

10. **Keep asking the questions!**

If the monitoring and consultation is effective, the review process should become part of the routine performance and management processes so that the impact of policy and practice can be continuously reviewed.

Think about additional ways to check for impact and gather evidence as time goes by: annual service users and staff surveys, for example. Use local independent external contacts (for example local universities) to conduct small scale research projects to validate the monitoring results.

Impact assessment is an evolving and continuous process. Policy and practice changes and so do people and knowledge and understanding of race and diversity. Setting up a strong system as suggested above will mean the impact assessment process becomes mainstreamed, and can be used as a basis for impact assessment of all diversity strands disability, gender, race, sexual orientation, faith and belief, and age.

## Appendix 4

### Relevant Legislation

#### 1. THE SEX DISCRIMINATION ACT 1975

##### 1.1 Service Delivery:

- The Sex Discrimination Act 1975 makes it unlawful to discriminate against a woman by:
  - a) refusing or deliberately omitting to provide a service
  - b) refusing or deliberately omitting to provide a service of like quality in a like manner and on like terms as is normal in relation to men.

This section covers the Services of any profession or trade, local or other public authority.

- The Sex Discrimination Act 1975 permits services at a place to be restricted to a single sex if:
  - a) the place is part of an establishment for persons requiring special care, supervision or attentionor if
  - b) serious embarrassment would result; or persons might be in a state of undress and might reasonably object to the presence of the other sex, if the facilities or services were used by both men and women.

##### 1.2 Employment

- The Sex Discrimination Act imposes a duty upon employers not to discriminate against those seeking work or those in employment on the grounds of either sex or marital status.
- The Act covers three types of discrimination: direct discrimination; indirect discrimination and victimisation.
  - A woman claiming that she has suffered direct discrimination must prove that she has been treated less favourably on the grounds of her sex.
  - A woman claiming that she has suffered from indirect discrimination must show that a condition or requirement has been applied to her and that considerably fewer women than men are able to comply with that condition. She must also show that

she has suffered a detriment because she herself is not able to comply with the condition and that the employer cannot justify the condition on other grounds. For example, a refusal to allow part-time work may amount to a requirement for full-time work, which may have a disproportionate effect on women. The reasonable needs of the employer will, however, be taken into consideration and balanced against the discriminatory effect.

- A woman claiming that she has suffered victimisation must show that she has been treated less favourably than others have because she has taken steps in connection with an action under the SDA.
- Discrimination is lawful where there is a genuine occupational qualification that allow for male or female specific employment roles that meet certain criteria For example working to meet the personal care needs of one particular gender.

## POSITIVE ACTION –

An employer may encourage women or men specifically to apply for jobs which in the previous twelve months have been done solely or mainly by members of the opposite sex. However, the most suitable applicant must be chosen on the grounds of merit.

### • **Further Additions to the Sex Discrimination Act**

- Parental Leave Directive – Implemented in December 1999 it allows 14 weeks parental leave for anyone with children up to the age of 5. This includes adopted children. It also allows for unpaid leave and for family leave for family emergencies.
- Part-time Work Directive – Came into effect in April 2000 it gives part-time workers the same rights and opportunities as full-time workers in areas such as training and career development opportunities, holiday pay, staff benefits, appraisals, equal pay, pension schemes etc.
- Reduction of qualifying period for protection against unfair dismissal to one year
- Paid maternity leave extended to 18 weeks and the simplification of maternity leave legislation
- Introduction of 10 days of state funded Paternity Leave
- Transsexuals – from 1999 transsexuals are included in the SDA; e.g. dismissal on the grounds of transsexuality or discrimination in training is prohibited.

## 2. THE RACE RELATIONS ACT 1976

### 2.1 Service Delivery:

- The Race Relations Act 1976 makes it unlawful to provide services which discriminate against a person on the grounds of race by:
  - a) refusing or deliberately omitting to provide a service

b) refusing or deliberately omitting to provide a service of like quality in a like manner and on like terms to all comers.

- The Race Relations Act 1976 refers to both direct and indirect discrimination.

## **2.2 Employment:**

- The Race Relations Act 1976 imposes a duty on employers, in both the public and private sectors, not to discriminate against those seeking work or those in employment on the grounds of race.
- The Race Relations Act 1976 refers to both direct and indirect discrimination, mirroring the same principles as outlined in the SDA above, alongside the provision for genuine occupational qualifications.

## **3. THE RACE RELATIONS (AMENDMENT) ACT 2000**

- This Act is relevant to both service delivery and employment. Developing and extending the provisions of the Race Relations Act, the amended act places a general duty on Public Authorities, including the National Probation Service, to:
  - Eliminate unlawful discrimination
  - Promote equality of opportunity
  - Promote good relations between people of different racial groups.
- The Act has also required the Service to meet the Specific Duty to publish and implement a Race Equality Scheme, in which the means by which the Service will meet the requirements of the General Duty are laid out. Central to this process is the assessment of the impact of all relevant policies and functions on different ethnic and racial groups. Where adverse differences appear to be happening remedial action needs to be considered in order to ensure equality of outcome.
- This legislation builds on the Race Relations Act 1976 in its endorsement of positive action (e.g. Sections 35, 37 & 38 make it lawful to afford training and comparable services to members of particular racial groups to enable them to compete on an equal basis with others for employment). The Amended Act endorses the need for positive action even further in the recognition of authorities' requirement to take direct action in order to promote equality.
- The Act also outlines specific duties in relation to employment. All Public Authorities must monitor by reference to race and ethnicity:
  - Numbers of staff in post
  - Numbers of job applicants
  - Applicants for employment training and promotion
  - Training recipients
  - Those who benefit or suffer detriment as a result of performance assessment procedures
  - Those who are involved in grievance procedures

- Those who are the subject of disciplinary procedures
- Those who cease employment

#### **4. THE DISABILITY DISCRIMINATION ACT 1995 & DISABILITY EQUALITY DUTY 2005**

- The Disability Discrimination Act 1995 defines a disability as:

“A physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day to day activities”

- *“Impairment” means a loss of faculty. “Mental impairment” includes a mental illness, even where it is not a clinically recognised mental illness. Mental impairment is, therefore, broader than mental illness. Certain conditions are deemed not to be impairment (e.g. addictions; personality and other disorders).*
- *To be “substantial” an effect must be more than minor and “long term” are effects that have lasted at least 12 months, are likely to last at least 12 months, or are likely to last for the rest of the life of the person affected. Long term effects include those which are likely to recur.*
- *The mental or physical impairment must have a substantial effect on the person’s ability to carry out normal day-to-day activities.*
  - *Factors to be taken into account in determining whether there is a substantial adverse effect include the time taken by a person with an impairment to carry out a normal day-to-day activity and the manner in which (s)he carried it out, compared with what might be expected if (s)he did not have the impairment. Account should also be taken of the extent to which the impairment causes pain or fatigue in performing day-to-day activities and the substantial adverse effect which can arise from the pain or fatigue.*
  - *Where a person has a progressive condition, it is deemed to be an impairment which has a “substantial adverse effect” (for example: cancer; multiple sclerosis, muscular dystrophy; HIV infection), which results in an impairment that has (or has had) an effect, but not yet a substantial effect upon ability to carry out day-to-day activities.*
  - *An impairment will be taken to affect the ability of a person to carry out normal day-to-day activities if it affects one of the activities as follows:*
    - *Mobility – moving from place to place*
    - *Manual dexterity*
    - *Physical co-ordination*
    - *Continence*
    - *Ability to lift, carry or otherwise move everyday objects*
    - *Speech, hearing or eyesight*
    - *Memory or ability to concentrate, learn or understand*

- *Perception of the risk of physical danger*

#### **4.1 Service Delivery:**

- The Disability Discrimination Act imposes a duty on providers of services to make adjustments where that provider has a practice, policy or procedure which makes it impossible, or unreasonably difficult, for disabled person to make use of a service which is provided, or could be provided, to other members of the public (Section 21 [1]). This is in relation to, for example, access to and use of any place which members of the public are permitted to enter; access to and use of the means of communication; access to and use of information services, the service of any profession or trade, or any local or other public authority (Section 19 [3] a-h)
- From 2004 the Act will require that 'reasonable' adjustments will be required to be made to the physical environment to overcome any barriers to access.

#### **4.2 Employment:**

- The Disability Discrimination Act 1995 makes all employers, of 15 or more employees, legally liable for discrimination against disabled persons when applying for employment or when employed. A duty is placed on employers to make reasonable adjustments to working arrangements, or a physical feature of premises, where these place a disabled person at a substantial disadvantage. This duty applies to those applying for employment alongside existing employees at all stages of employment.
- The duty of adjustment is designed to enable disabled persons to perform jobs which non-disabled persons can perform or to have features of the working arrangements or workplace modified so as to enable them to be able to carry out duties for which they are otherwise qualified.
- An employer discriminates against a disabled person if:
  - The employer, for a reason which relates to the disabled person's disability, treats them less favourably than (s)he treats or would treat others to whom that reason does not or would not apply
  - The employer cannot show that the treatment is justified
  - The employer fails to comply with the duty to make adjustments in relation to the disabled person and cannot show that failure to comply with the duty has been justified
- The Act requires employers to make reasonable changes to physical features of premises and arrangements for work practice. For example:
  - Adjustments to premises
  - Allocating some of the disabled person's duties to another person
  - Altering working hours
  - Assignment to a different place of work
  - Allowing absence during working hours for rehabilitation, assessment or treatment
  - Acquiring or modifying equipment

- Providing a reader or interpreter
- Whether it is reasonable for an employer to have to take a particular step will depend on the:
  - Extent to which taking the step would prevent the adverse effect in question
  - Extent to which it is practicable for the employer to take the step
  - Financial and other costs which would be incurred by the employer in taking the step and the extent to which taking it would disrupt any of their activities
  - Extent of the employer's financial and other resources
  - Availability to the employer of financial or other assistance with respect to taking the step.

### **Disability Equality Duty 2005:**

The Disability Equality Duty is a requirement on public sector bodies, including the Probation Service, to pay "due regard" to promoting equality for people with disabilities in every area of work. This means pro-actively ensuring that disability equality is woven into the everyday working of the Service – particularly in relation to policy and practice around service delivery and employment. The Duty tasks public bodies with removing the barriers to equal opportunities for people with disabilities and the Duty specifies six things that need to be given attention to as we go about designing, delivering and reviewing everything we do:

- Promote equality of opportunity between disabled people and other people
- Eliminate discrimination that is unlawful under the DDA
- Eliminate harassment of disabled people that is related to disability
- Promote positive attitudes towards disabled people
- Encourage participation by disabled people in public life
- Take steps to meet disabled people's needs, even if this requires more favourable treatment.

Alongside the General Duty there is a Specific Duty placed on the HPA, which applies to the majority of public authorities, to make clear how we will be meeting the General Duty. At the heart of the Specific Duty is the publication of the Disability Equality Scheme. The requirements of this Scheme are to show how disabled people have been involved in the development of priorities, arrangements for undertaking impact assessments and gathering information and how that information is going to be used, particularly to review effectiveness. HPA's Disability Equality Scheme, and associated action plan, is available on the Diversity Database.

### **5. HUMAN RIGHTS ACT 2000**

The Human Rights Act identifies the particular rights and freedoms in the European Convention of Human Rights that have been introduced into domestic law in the UK. These rights are not new, but the Act means that UK citizens will now be able to take issues to court here, rather than being referred to Strasbourg.

Unqualified rights cannot be restricted in any way:

- The right to life
- The prohibition of torture, inhuman or degrading treatment
- The prohibition of slavery and forced labour
- The right to liberty and security
- The right to a fair trial
- No punishment without law
- The right to marry
- The prohibition of discrimination

Qualified rights may be restricted – but only to meet a ‘pressing social need’

- The right to respect for private and family life
- Freedom of thought, conscience and religion
- Freedom of expression
- Freedom of assembly and association
- The protection of property
- The right to education

## 6. EU EMPLOYMENT AND RACE DIRECTIVES

- As the title implies, the EU Framework Employment Directive only applies to employment and occupation related matters, such as recruitment, training and promotion. Therefore the scope of its protection against unfair discrimination (in relation to religion or belief, sexual orientation and age) is less than the protection that is afforded in relation to sex, race and disability.
- Implementation of the various strands of the Race and Employment Directives are enacted through:
  - Race Relations Act 1976 (Amendment) Regulations 2003
  - Disability Discrimination Act 1995 (Amendment) Regulations 2003
  - Employment Equality (Religion or Belief) Regulations 2003
  - Employment Equality (Sexual Orientation) Regulations 2003

Summary of Regulations:

### 1) Race Relations Act 1976 (Amendment) Regulations 2003

- The burden of proof of discrimination has been shifted from the applicant to the employer. This means that the emphasis will now be on Boards as employer to prove that they did not discriminate. The emphasis will be that once a claimant has evidence that he/she has been discriminated against then the tribunal will find in favour of the claimant unless the employer can prove that discrimination has not occurred.
- A revised definition of ‘indirect discrimination’ has been introduced. The current definition states that indirect discrimination occurs where a person

Unclassified

applies a requirement or condition which is apparently neutral, but can put people of a specific racial or ethnic origin at a disadvantage when compared to others. The new definition widens the scope so that there will be more circumstances, such as formal requirements, conditions and provisions and informal practices under which claims can be brought.

- Introduction of a new definition of harassment. Harassment is now defined as a form of direct discrimination and as being “unwanted conduct which is intended to, or which creates the effect of violating a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person.

2) Disability Discrimination Act 1995 (Amendment) Regulations 2003

3) Employment Equality (Religion or Belief) Regulations 2003

The regulations apply to vocational training and all facets of employment – including recruitment, terms and conditions, promotions, transfers, dismissals and training. They make it unlawful on the grounds of religion or belief to:

- Discrimination directly against anyone. That is, to treat them less favourably than others because of their religion or belief;
- Discriminate indirectly against anyone. That is, to apply a criterion, provision or practice which disadvantages people of a particular religion or belief unless it can be objectively justified
- Subject someone to harassment. Harassment is unwanted conduct that violates a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment having regard to all the circumstances and the perception of the victim
- Victimise someone because they have made or intent to make a complaint or allegation or have given or intent to give evidence in relation to a complaint of discrimination on the grounds of religion or belief
- Discriminate of harass someone in certain circumstances after the working relationship has ended.

Exceptions may be made in very limited circumstances if there is a genuine occupational requirement for the worker to be of a particular religion or belief in order to do the job or to comply with the religious or belief ethos of the organisation.

Religion or belief is defined as being any religion, religious belief or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to religious belief. It will be for the Employment Tribunals and other Courts to decide whether particular circumstances are covered by the regulations.

4) Employment Equality (Sexual Orientation) Regulations 2003

## Unclassified

These Regulations apply to all employment and vocational training and include recruitment, terms and conditions, promotions, transfers, dismissals and vocational training. They make it unlawful on the grounds of sexual orientation to:

- Discriminate directly against anyone – that is to treat them less favourably than others because of their actual or perceived sexual orientation;
- Discrimination indirectly against anyone – that is to apply a criteria, provision or practice which disadvantages people of a particular sexual orientation unless it can be objectively justified
- Subject someone to harassment. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them having regard to all the circumstances, including the perception of the victim.
- Victimise someone because they have made or intent to make a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on grounds of sexual orientation
- Discriminate against someone, in certain circumstances, after the working relationship has ended.

A genuine occupational requirement – in very limited circumstances it will be lawful for an employer to treat people differently if it is a genuine occupational requirement that the job holder must be of a particular sexual orientation. The Regulations also permit differences of treatment on grounds of sexual orientation where the employment is for the purposes of an organised religion – such as the leader of a faith or of an establishment such as a mosque or temple.

### 5) Employment Equality (Age) Regulations 2006

The Age Regulations apply to all workers and to people who apply for work. In addition they cover access to vocational training. The Age Regulations prohibit direct and indirect age discrimination, harassment and victimisation as defined in the previous Regulations.

In most situations it will be unlawful to treat people differently on the grounds of age. However, employers and others with obligations under the Age Regulations will be able to justify doing so, but only by reference to specific aims and only if it is appropriate and necessary in the particular circumstances (“objective justification”). They will have to produce supporting evidence if challenged.

The Age Regulations will contain a national default retirement age of 65 (to be reviewed in 2011). Lower retirement ages will only be possible if the employer can objectively justify them.

### **7. GENDER RECOGNITION ACT 2004**

This piece of legislation gives transsexual people legal recognition in their acquired gender and ensures that transsexual people are afforded all the rights and responsibilities

appropriate to that gender. The Act provides for “Gender recognition Panels” to decide applications from transsexual people for legal recognition in their acquired gender. If the application is successful the panel will issue a gender recognition certificate. Successful applicants will be entitled to a new birth certificate in their acquired gender and other official documents, such as passports, National Insurance cards and driving licences. Transsexual people will therefore be able to marry in the acquired gender.

## **8.EQUALITY ACT 2006**

A number of additional elements of equality are brought in under this Act:

- Establish the Commission for Equality and Human Rights (CEHR), an overarching Equalities Commission into which combine the three previous commissions for gender, race and disability.
- Make unlawful discrimination on the grounds of religion or belief in the provision of goods and services
- Make unlawful discrimination on the grounds of sexual orientation in the provision of goods and services
- Create a duty of Public Authorities to promote equality of opportunity between women and men (The Gender Duty) and prohibit sex discrimination and harassment in the exercise of public functions.

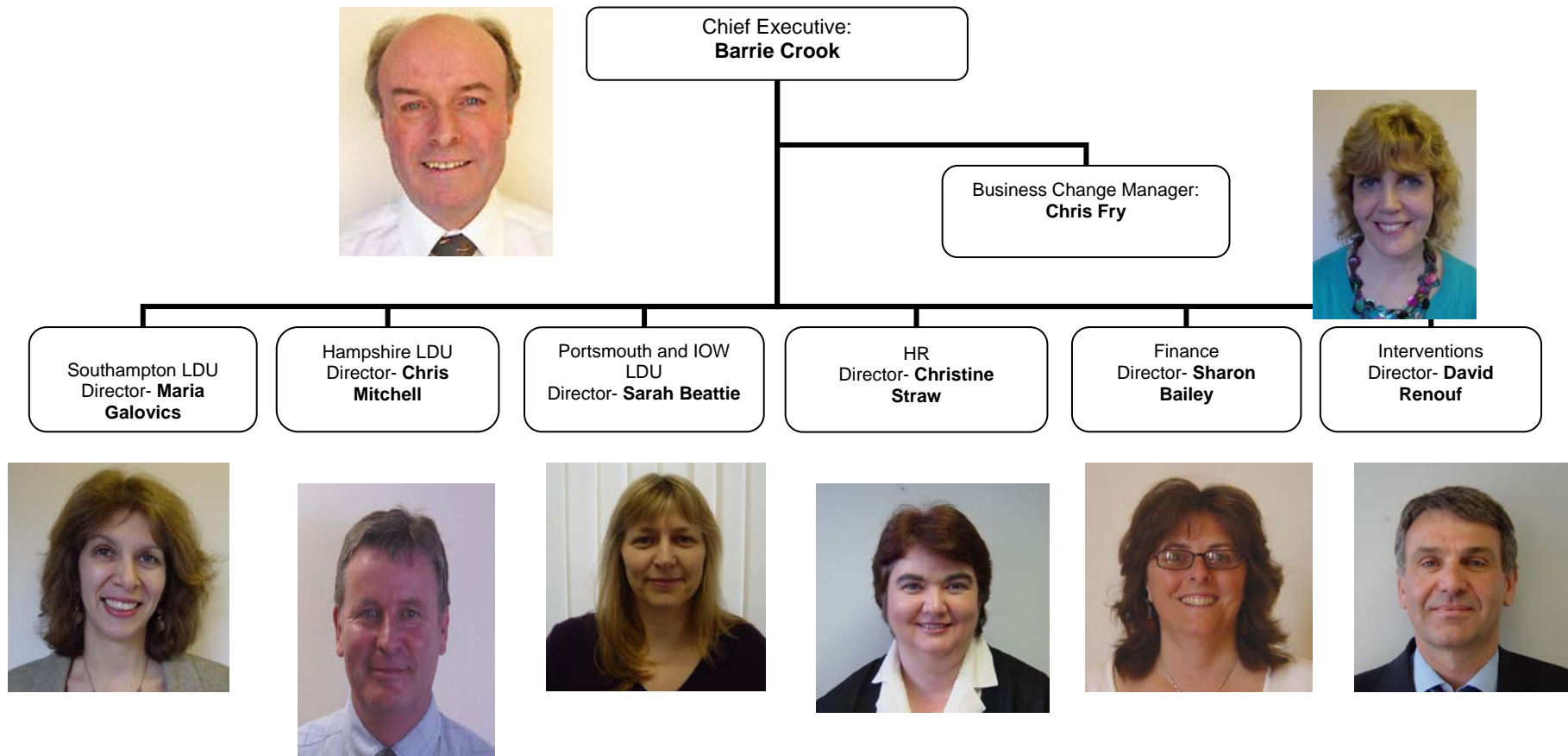
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APPENDIX 5

Hampshire Probation Trust

Senior Management Team



**HAMPSHIRE PROBATION TRUST BOARD MEMBERS**

(+ Lead areas of responsibility)

**Mike Fisher** (Chair)

**Barrie Crook**

**Lucy Docherty** (Performance Management)

**John Elgie** (Business Development)

**Mike Ford** (Case Review)

**Tina Harris** (JNCC, Human Resources)

**Bryan Nanson** (Audit)

**Liz Try** (Stakeholder Engagement)

**Alan Wainwright** (Finance & Risk Management)

**Paul Woodman**

**Noel Cato**

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## Appendix 6: Abbreviations

ABPO	Association of Black Probation Officers
ASD	Autistic Spectrum Disorder
CJS	Criminal Justice System
DDA	Disability Discrimination Act
HPA	Hampshire Probation Area
HR	Human Resources
LAGIP	Lesbians, Gay Men, Bisexual and Transgendered Individuals In Probation and Family Courts
LGBT	Lesbian, Gay, Bisexual and Transgender
MENDOS	Mentally Disordered Offender Service
NAPO	National Association of Probation Officers
NAAPS	National Association of Asian Probation Staff
NOMS	National Offender Management Service
NDSN	National Disabled Staff Network
WORP	Women Offender Reduction Programme
WSWs	Women Safety Workers