

Single Equality Scheme for Midlands Regional Probation Training Consortium 2011 - 2013

Introduction

This Single Equality Scheme (SES) for the Midlands Regional Probation training Consortium (MRPTC) highlights the commitment to ensuring equality and diversity are embedded in all our dealings with people

This is MRPTCs first Single Equality Scheme. It describes how we will fulfil our ambition to promote equality of opportunity and avoid discrimination and outline how we intend to show compliance with the appropriate legislative duties. . The promotion of equality and diversity should be at the centre of all our work, both in fulfilling the delivering and commissioning of training / services. This SES will also guide our practice as an employer. This Scheme will cover the period April 2010 to March 2013. The incorporated Action Plan, AppendixG, will be monitored, reviewed and assessed annually.

Whilst acknowledging the legislative requirements for a SES we at the MRPTC wish to be inclusive of all aspects of diversity ensuring we work to towards eliminating discrimination in all of our work . We believe that no individual, group or section of society should suffer from discrimination and are wholly committed to the elimination of discrimination arising from race, ethnic or national origin, gender, transgender, religion or belief, marital status, age, sexual orientation and disability.

We welcome your thoughts and comments on this Single Equality Scheme and on any other aspects of our work to promote equality and diversity.

Who we are

The Midlands Consortium's mission is to be a provider of choice for the Probation Service and other organisations within the criminal justice sector.

We deliver a range of high quality training, consultancy, project management and conference administration services.

The Midlands Consortium has both national and regional responsibilities in relation to the training and development needs of staff.

The Midlands Consortium has achieved the Skills for Justice 'Skillsmark'. The 'Skillsmark' is the quality mark for learning and development in the Justice sector. It is awarded to learning providers who have gone through a rigorous assessment process and have been recognised as providing high quality learning programmes, relevant to the needs of the Justice sector.

Single Equality Scheme [SES] Action Plan for Midlands Training Consortium

1. To put in place the strategic action required to implement the SES

Diversity Strand	Action	Responsibility	Timescale
All	Prepare, publish and implement the SES.	SWS and Managers	By 1/1/2011
All	Report on SES progress annually to the Executive Board	SWS	By 1/4/2012 and then annually
All	To continually develop the consortium so that equality and diversity related issues are openly discussed and best practice is promoted	SWS and Managers	Ongoing

2. To assess MTC functions, processes and policies for relevance to equality.

Diversity Strand	Action	Responsibility	Timescale
All	Assess functions, processes, and policies for relevance to equality	SWS and Managers	April 2011
All	Review and update the list of functions, processes and policies as part of the annual progress report to the executive board. Including reviewing current priorities as high, medium or low and make necessary changes.	SWS, AC, JR	April 2012 and then annually.

3. To make arrangements for assessing and consulting on the likely impact of proposed policies.

Diversity Strand	Action	Responsibility	Timescale
All	Introduce and promote the use of Equality Impact assessments [EIAs] to all MTC staff.	SWS, AC, JR	April 2011
All	To assess all identified policies, functions and processes, using the EIA and take remedial action as required.	Relevant, specified managers.	Jan 12 and then ongoing

4. To publish the SES and subsequent EIAs

Diversity Strand	Action	Responsibility	Timescale
All	Publish the SES and results of the assessment on the MTC website	SWS, AC, JR.	March 2011 and then ongoing.
Nationality, Ethnicity and disability	Respond positively to individual requests for materials in other formats with regards to accessibility.	SWS	On demand.

5. To monitor aspects of diversity of the users of MTC's services

Diversity Strand	Action	Responsibility	Timescale
Race, Gender, and Disability	Develop a monitoring questionnaire to be given to all training event participants.	SWS and Managers	March 2011.
Race, Gender, and Disability	Monitoe and report on the diversity profile of training event participants.	SWS and NC	March 2012 and then annually.
All	To review the diversity strands monitored in this way and change if appropriate	SWS and Managers	Ongoing after March 2012.

6. To provide training for MTC staff in relation to equality duties and issues.

Diversity Strand	Action	Responsibility	Timescale
All	Provide access to required training for all staff covering all equality strands.	SWS	April 2011
All	Develop systems by which consortium staff regularly receive relevant information on diversity issues	SWS	April 2011

7. Share our equality policies and principles with partners

Diversity Strand	Action	Responsibility	Timescale
All	Ensure that associates and partner agencies are informed of MTC's equality duties and policy.	All Managers	April 2011

8. Actively promote positive aspects of Equality and Diversity to MTC service users

Diversity Strand	Action	Responsibility	Timescale
All	Develop and display materials at Fort Dunlop premises to raise awareness of key diversity events throughout the year	NC, LR, AC, JR.	April 2011 and ongoing.

An Executive Committee, comprising a Board Member from each of the Midlands Areas, oversees the work of the Midlands Consortium. There are a number of meetings to oversee the management of key areas of consortium business, which comprise consortium and constituent Trusts' staff.

The Consortium currently has 19 staff working within it. All staff are seconded from Trusts within the Midlands region.

The Consortium is currently based at Fort Dunlop in Birmingham

What we do.

The consortium has developed several core strands to its current provisions; many of them flow directly from working with NOMs central. These include, in no particular order:-

- development events for probation service officers
- accredited programmes training
- middle manager development programmes - including CMI accreditation.
- VQ accreditation centre - offering awards in community justice, administration, training and management. Also assessor and verifier training events.
- Offender management and associated training
- New Probation Qualification Framework
- Residential workers training

In addition our new premises contain high quality training rooms which are available for use by other agencies

In the delivery of the above suite of events we engage several associates who offer a wide range of skills, experience and expertise. This would enable us to engage in time limited development projects for customers in a diverse range of practice as well as training and development areas. There is also a track record of the consortia staff developing and delivering specific development programmes both within the region and nationally.

Appendix A contains an extensive list of the individual events currently delivered by the consortium.

Policy

MRPTC is committed to diversity and will implement Equal Opportunities in employment and the provision of services.

Every eligible person or group will have an equal opportunity of access to services and facilities. Fair and open procedures will be applied to recruitment, selection, retention, training and development of staff.

Discrimination of any kind including direct, indirect, intentional or unintentional by MRPTC both as an employer, or in its dealings with its customers will be addressed. Discrimination where identified will be eliminated. Any incidents will be investigated and any lesson learnt will be used to further develop our policies and practices.

Our services will be designed to be appropriate to the diverse needs of all our stakeholders including individual learners.

Key stakeholders will be involved in planning, monitoring and reviewing how services are delivered at an individual and agency level and through partnership arrangements. Appropriate consultation with community groups (where relevant) and service users will assist us in ensuring that our policies and practices provide fair and equal access and appropriate delivery. All contracted associates and partner agencies will also be expected to work to the spirit of this policy statement.

MRPTC in its role as an employer will address all acts of harassment, victimisation, discrimination or prejudice either towards or by its staff. The MRPTC accepts full responsibility to take the necessary action under the relevant legislation.

Appendix C is a list of relevant legislation.

This Policy Statement is available to all staff, and interested parties and will be published in its main office and its own website.

Involving people to develop the scheme

All Consortium staff to have been consulted on the development of the SES.

Information has also been gathered from Trusts via their websites. The SES has been agreed by the Consortiums Management Board and Executive Committee meetings.

Our SES will be available on the Midlands Consortium website with the facility for additional comments / feedback to be given.

Website Address www.probationtraining-midlandsconsortium.org.uk

The following sources of information were utilised during the preparation of the SES and should be referred to whilst undertaking any future EIAs.

- Learning and Development programme evaluations
- Fort Dunlop User surveys
- Trusts' website information
- Statistics on Consortium staff employees and associates by race, gender, disability and age

Appendix B shows monitoring data for the relevant probation areas

Who we mainly provide services for.

Derbyshire Probation Trust

Leicestershire Probation Trust

Lincolnshire Probation Trust

Northamptonshire Probation Trust

Nottinghamshire Probation Trust

Staffordshire and West Midlands Probation Trust

Warwickshire Probation Trust

West Mercia Probation Trust

National Offender Management Service

Rehabilitation Services Group

Director of Offender Management Offices (East Midlands and West Midlands)

De Montfort University

HM Prison Service

Youth Offending Service.

Voluntary and community groups and social enterprises such as :- SIFA - Fireside, Aquarius and Swanswell.

Procedure

The consortium will only apply this procedure to policies and practices for which it is solely responsible for. Some of the policies and practices it operates under are owned by seconding trusts and it is their responsibility to ensure they are equality impact assessed . However where Trust policies have a substantial impact on Consortium staff an internal EIA will be carried out.

All significant areas of consortia business should be covered by clear policies or guidance. Each policy will be prioritised by level of importance and given a corresponding timescale for how soon it will be subjected to the equality impact assessment process. Once assessed and any necessary changes been made the assessment will be published on the midlands consortium website and a date logged 3 yrs hence for that assessment to be reviewed. Any new practices/policies/procedures will, wherever possible, be equality impact assessed before they are implemented.

Appendix D contains the process to be followed during an Equality Impact assessment , including best practice guidance.

Appendix E is an algorithym of this process

Appendix F is the form that should be used for Equality Impact Assessments carried out under this procedure.

Signed

Date

Appendix A - Current events offered by MPRTC

<u>AREA OF WORK</u>	<u>ACTIVITY</u>
PSO Core Programme	Module 1 - Programme Induction
	Module 2 - Working with Diversity
	Module 3 - Communication Skills / PSM
	Module 4 - Offender Management
	Module 5 - Risk Assessment
	Module 6 - Motivational Interviewing
	Module 7 - Teamwork
	Module 8 - Effective practice
	Module 9 - Workbook Review Day
	Module 10 - Handling difficult situations
	Module 11 - Substance Misuse
	Module 12 - Inter-agency Working Enforcement and Compliance
	Module 13 - Introduction to Working with Sex Offenders
	Module 14 - Mental Health
	Module 15 - Introduction to Domestic Violence
	Module 16 - Victim Awareness and Contact
	Module 17 - Resettlement
	Module 18 - Practice Implementation Day
	Module 19 - Orientation to the Criminal Justice Sector (Workbook)
	Module 20 - Legal Framework / Enforcement and Compliance (Workbook)

PSO Specialist Modules	Court Presentation Skills
	Thinking Skills Programme (Coaching for Engagement)
	Stepping Stones (Sentence Planning) (2 days)
	Working with Offenders and Learning Difficulties
	Working with Suicide and Self-Harm
	Fast Delivery Report Writing (2 days)
	Extremism and Radicalisation
	Hate Crime
	Supervision and Coaching Skills (2 days)
	Training and Presentation Skills

Certificate in Higher Education	
	Development Award for approved premises
	Development Award for Victim Contact Officers
	Coaching and Mentoring award (pilot for work based assessors) 4 NVQ units
	Sentence Planning
Other Learning Resources	Bail workbook (for Court PSOs) and workbook answers for line managers
	Diversity workbook (level 3)

<u>Assessment Centre</u>	
Vocational Awards	NVQ Community Justice (City & Guilds)
	NVQ Community Justice (City & Guilds)
	NVQ Community Justice Development Awards (City & Guilds)
	NVQ Community Justice (Cluster Units) (City & Guilds)
	NVQ Learning & Development (OCR)
	NVQ A1 Assessor Award (OCR)
	NVQ V1 Internal Verifier Award
	OCR
	NVQ Mentoring in the Workplace Award (OCR)
	NVQ Management (OCR)
	NVQ Administration (OCR)
	Preparing to Teach in the Lifelong Learning Sector (PTLLS)
	Introduction to Trainer Skills

Assessment Centre Training	A1 Assessor Training
	V1 Internal Verifier Training
	VQ Manager for New Assessors
	VQ Manager for New Internal Verifiers
	Preparing to Teach in the Lifelong Learning Sector (PTLLS)
	Introduction to Trainer Skills
	Professional Discussion
	The Expert Witness

Accredited Programmes	Core Skills
	Thinking Skills Programme
	One to One
	Drink Impaired Drivers
	Integrated Domestic Abuse Programme
	Controlling Anger and Learning to Manage it
	Community Offender Sex Work Programme
	Internet Sex Offender Groupwork Programme
	Offender Substance Abuse Programme
	Low Intensity Alcohol Programme

Accredited Programmes Associated training	
	Risk Matrix 2000
	Offender manager training relating to the sex offender programmes
	Introduction to the Treatment Manager Role (1 Day)
	Supervision Skills for Treatment Managers (2 Days)
	Treatment Manager Video Monitoring
	Assessment Centre Event briefings

Management Development	Moving into Management
	Introduction to Management
	CMI Level 5 Award Performance Management
	CMI Level 5 Award Performance Management
	CMI Level 5 Certificate
	Other CMI Awards
	Project Management
	Managing Conflict
	Management of Action Learning CMI Level 5 Award
	Coaching and Mentoring CMI Level 4 Award/Cert
	Facilitation, Team Building
	Coaching

<u>OAST</u>	Current Issues in Probation
	Strategies for Meeting the Required QAF
	Common Myths and Pitfalls of Working with Sex Offenders
	Safeguarding and Protection from Abuse
	Working with Mental Health - Awareness
	Working with Mental Health - Practical Skills
	Engaging and Motivating Offenders
	Managing Stress in Others
	Working with the Benefits System - Incorporating ESA
	Working with Dual Diagnosis
	Supporting Planning and Key Working: Structuring Outcomes with Offenders
	Suicide and Self Harm Awareness
	Risk Assessment
	Introduction to First Line Management

Approved Premises	LiHMO
	New AP Managers

Conferences	Admin of Conferences, training events etc
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Appendix B Monitoring Data

Trust	Race		Gender		Disability	
	BME %	White %	Female %	Male %	Identified Disability %	No identified disability %
Derbyshire						
Leicestershire	16	84	69	31	9	91
Lincolnshire	2.5	97.5	70	30	11	89
Nottinghamshire	18	82	68	32	15	85
Northamptonshire	9	91	68	32	11	89
Staffordshire	6	94	65	35	7	93
Warwickshire	12	88	68	32	5	95
West Mercia	10	90	65	35	14	86
West Midlands	34	66	68	32	5	95

Appendix C - The Legal Framework

Equality, Diversity & Human Rights

Legislation outlawing discrimination on the grounds of gender and race has been in force since the mid-1970s. More recently, legislation covering disability, religion or belief, age and sexual orientation has been introduced

The following is a guide only to the legislation currently in place that impacts on equality and diversity issues, and is not a comprehensive list.

- 1970 The **Equal Pay Act (EPA)** (as amended), makes it unlawful for employers to discriminate between men and women in terms of their pay and conditions (including pay, holiday entitlement, pension etc) where they are doing the same or similar work; work rated as equivalent; or work of equal value.
- 1974 The **Health and Safety at Work Act** places a general duty on employers to protect the health, safety and welfare of their employees. Employers may also be in breach of contract for failing to protect workers' health and safety.
- 1975 The **Sex Discrimination Act (SDA)** (as amended), makes it unlawful to discriminate on grounds of sex or marital status in areas such as employment, education and the provision of goods and services.
- 1976 The **Race Relations Act (RRA)** (as amended) makes it unlawful to discriminate on grounds of colour, race, nationality, ethnic or national origin. The Race Relations (Amendment) Act 2000 outlaws discrimination in all public authority functions, and places a general duty on public authorities to promote race equality and good race relations. There is also a specific duty to produce a Race Equality Policy and undertake race equality impact assessments.
- 1994 Under the **Criminal Justice and Public Order Act**, it is a criminal offence to intend to cause harassment, alarm or distress.
- 1995 The **Racial and Religious Hatred Bill** (amendment to Public Order Act 1986), extends the racial hatred offences in the 1986 Act to cover stirring up hatred against persons on racial or religious grounds.
- 1995 The **Disability Discrimination Act (DDA)** (as amended) makes it unlawful to discriminate on grounds of disability in the areas of employment, the provision of goods and services and education. The 2005

Regulations provide new definitions of direct discrimination and harassment and widen the duty to make reasonable adjustments.

- 1995 The **Occupational Pensions (Equal Treatment) Regulations** (as amended) supplement the requirements for equal treatment under the Pensions Act 1995. In particular they provide for the Equal Pay Act to have effect in relation to an equal treatment rule. The Regulations allow a court or tribunal to make a declaration as to an applicant's rights to equal treatment. The 2005 Regulations amend the time limit for bringing proceedings before a tribunal to secure equal treatment under an occupational pension scheme.
- 1995 The **Pensions Act** requires occupational pension schemes to observe the principle of equal treatment between men and women.
- 1996 The **Employment Rights Act** (as amended by the Employment Relations Act 1999) covers many issues including an employee's entitlement to maternity leave, paternity leave, adoption leave, parental leave and the right to request flexible working arrangements. It also outlaws detriment in employment and affords employees a right not to be unfairly dismissed and to receive a redundancy payment (providing qualifying criteria are met). Further Regulations elaborate on these.
- 1997 The **Protection from Harassment Act** makes harassment both a civil tort and criminal offence, and although originally drafted to provide protection from stalking, covers other forms of harassment, both in and out of the workplace.
- 1998 The **Malicious Communications Act** makes it an offence to send an indecent, offensive or threatening letter, electronic communication or other article to another person and the **Telecommunications Act** (1984) makes similar provisions in respect of telephone messages.
- 1998 The **Working Time Regulations** (as amended) aim to improve health and safety by controlling working hours. The Regulations afford basic rights and protections to workers not just employees, including minimum paid annual leave entitlements, rights to rest periods at work and limits on weekly working time.
- 1998 The **Human Rights Act** gives effect to rights and freedoms guaranteed under the European Convention on Human Rights. The legislation makes it unlawful for a public authority to breach convention rights, unless an Act of Parliament prevents it from acting differently.

- 1999 The **Sex Discrimination (Gender Reassignment) Regulations** make it unlawful to discriminate against a person for the purpose of employment or vocational training on the ground that that person intends to undergo, is undergoing, or has at some time in the past undergone gender reassignment. In particular, the Regulations give transsexuals the right to be protected from direct discrimination.
- 2000 The **Part Time Workers (Prevention of Less Favourable Treatment) Regulations** make it unlawful for employers to treat part-timers less favourably in their terms and conditions of employment than comparable full-timers (unless that treatment is objectively justified). The Regulations require an employer to apply a 'pro-rata' principle to certain contractual entitlements such as remuneration and holiday, so that part-time staff are not treated less favourably than full time staff.
- 2001 The **Special Educational Needs and Disability Act (SENDA)** extends the DDA (1995) to include the provision education (including Higher Education). It makes it illegal to discriminate in the provision of education on the grounds of a student's disability. It is now largely incorporated within the DDA (2005).
- 2001 The **Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations** widen the definition of indirect discrimination and clarifies that in a tribunal claim it is first up to the employee to establish facts that could constitute sex discrimination. The burden of proof then shifts to the employer to show that there is a non-discriminatory reason for its actions.
- 2002 The **Employment Act** makes provision for rights to paternity and adoption leave and pay; amends the law relating to statutory maternity leave and pay; makes provision for the use of statutory procedures in relation to employment disputes; and covers the right to request flexible working.
- 2003 The **Employment Equality (Religion and Belief) Regulations** make it unlawful to discriminate on grounds of religion or religious belief in employment and vocational training.
- 2003 The **Employment Equality (Sexual Orientation) Regulations** make it unlawful to discriminate on grounds of sexual orientation in employment and vocational training. The Regulations protect homosexuals, heterosexuals and bisexuals.
- 2004 The **Civil Partnership Act** defines a new legal relationship, which can be registered by two people of the same sex. It gives same-sex couples the ability to obtain legal recognition for their relationship and affords them equal treatment to married couples in a wide range of legal matters.

- 2004 The **Gender Recognition Act 2004** gives legal recognition to a transsexual's acquired gender. For example, a male-to-female transsexual will be legally recognised as a woman in English law.
- 2005 **Disability Discrimination Act** makes substantial amendments to the 1995 Act. It introduces a duty on all public bodies to promote equality of opportunity for disabled people. In particular, public bodies have to produce a Disability Equality Scheme to promote disability and to explain how they intend to fulfil the duty to promote equality. It also extends the definition of disability. Part four of the DDA now largely supercedes the SENDA (2001).
- 2005 The **Employment Equality (Sex Discrimination) Regulations** are concerned with the principle of equal treatment of men and women as regards access to employment, vocational training and promotion, and working conditions. It makes changes to the definition of harassment at work and indirect discrimination, and also prohibits discrimination on the grounds of pregnancy and maternity leave.
- 2006 The **Employment Equality (Age) Regulations** make it unlawful to discriminate against employees, job seekers or trainees on grounds of age in employment and vocational training. They prohibit direct and indirect discrimination, victimisation, instructions to discriminate and harassment. They introduce a minimum retirement age of 65; a duty on employers to respond to requests to work beyond retirement age; and remove the upper age limit for claiming a redundancy payment or unfair dismissal.
- 2006 The **Equality Act** makes provision for the establishment of the Equality and Human Rights Commission (EHRC) by merging the Equal Opportunities Commission, the Commission for Racial Equality and the Disability Rights Commission. The EHRC is responsible for promoting equality and diversity and will work towards eliminating discrimination on the usual grounds (including religion and belief, sexual orientation, age, gender, disability, race and gender reassignment). It also creates a duty on public authorities to promote equality of opportunity between men and women by requiring public bodies to produce a Gender Equality Scheme.
- 2007 The **Equality Act (Sexual Orientation) Regulations 2007** make it unlawful to discriminate on the grounds of sexual orientation in the provision of goods, facilities and services, education, disposal and management of premises and the exercise of public functions.
- 2010 **The Equality Act 2010**

Appendix D – EIA process.

Stage 1 Screening Assessment

This is the screening process to establish the relevance of the policy /practice to equality and diversity issues

This screening will:-

Define the main aims of the policy or practice

decide who will carry out the initial screening / impact assessment

Collect information

Assess the impact of the policy and/or practice

Stage Two: Full Impact Assessments

This stage has nine components:

Component One – Key points of the policy / practice

- What outcomes does it aim to achieve?
- How will you measure progress towards and/or achievement of those outcomes?
- Who are the key stakeholders?

- How will it be put into practice?

- who will be responsible for it?

- How will you measure the effectiveness of its implementation ?

Component Two: Consider the data and research

A vital part of an EqIA is exploring any available data and relevant research. This will help to form an opinion on any implications a function, or policy, may have for equality and diversity. For example:

- Data may show that a certain group of people are not accessing a service.

- Data can be statistical, information from formal audits, consultation exercises (with the public and staff), and surveys. Qualitative and quantitative data can be used, but must be used in the right context. This may include service activity, workforce profiles, information of the local population and census data. Previous data used to monitor the policy can be used in support of the impact assessment process. Where data is limited or not available, this should be identified as a limitation and action plans devised to overcome it.

The following questions may be helpful:

- What data is available to help inform the EqIA?
- Is this sufficient?
- Are there any gaps?
- What, if any, additional information is required?

Component Three: Assess likely impact on equality

It is important to consider any influence the policy is having, or could potentially have, on the individual strands of equality. The function, or policy, should be examined for its effectiveness in:

promoting equality

eliminating discrimination

achieving equity.

Analysis must be undertaken with the strategic objectives of the organisation in mind and the questions should reflect legal requirements, local plans and population needs. When examining the policy, remember that analysis questions may need to be different for each diversity strand. This is because the measures for equality and diversity are determined by law or by the barriers faced by a particular group. It may be possible to assess related policies and practices as a group.

It should be remembered that any impact can be positive, negative, intentional or unintentional and that the principles used to guide the process are legislative requirements, and good practice. If the analysis shows a potential for adverse impact on equality, or unlawful discrimination, the process will need to be investigated and any problem areas tackled.

The following questions can help to reach a decision on the potential impact:

- Is there an impact on any particular group?
- Could the way the policy is carried out have an adverse impact on equality of opportunity or good relations between different groups?
- Does the policy promote equality of opportunity and good relations?
- Is the policy directly or indirectly discriminatory, and can the latter be justified?
- Is the policy intended to increase equality of opportunity by permitting Positive Action or Reasonable Adjustment to redress disadvantages? If so is this lawful?
- Is further research or consultation necessary?

Component Four: Consider the necessary changes

If the assessment shows that the policy is likely to have an adverse impact, you must consider how to address this. Before making a decision, it is important to make sure that reducing the adverse impact on one particular group does not create an adverse impact on another group. If this is unavoidable, you will have to show that this can be justified on non discriminatory grounds. It may be necessary to seek legal advice. The following questions may assist this part of the process:

- Can changes be made to the practice or policy proposal?
- Can the practice or policy be implemented in different ways?
- Would a different practice or policy still achieve the aims and objectives of the original proposal, but avoid any adverse impact on equality?

Component Five - Action - Consult and Involve relevant stakeholders

Mechanisms for consulting stakeholders within the Midlands Region already exist. It is important to ensure full representation. Some legislative duties require more in depth involvement and organisations should be looking to reach those with a range of impairments, and from a range of diverse backgrounds, taking into consideration age, race, gender, sexual orientation and religious belief. Those with long-term health conditions should also be involved. If appropriate the use of advocates should be considered. To involve and consult stakeholders organized meetings specifically AROUND Equality Impact Assessment can be held, use of evaluation feedback form Consortium organized events and one to one interviews with appropriate staff/ learners.

To make involvement effective, certain elements are needed:

- A clear focus on where the organisation can realistically make changes and what resources can be set aside for this
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- Involvement processes which are fully accessible to a wide range of people from diverse backgrounds.
- A **proportionate** approach which takes into account the size of the organisation.
- Open and transparent reporting on the outcomes of any involvement, and any changes which have been made as a result.

Action Planning is likely to fall between Components Five and Six.

Good Impact Assessment templates will provide for a well rounded and holistic approach to planning.

The SMART technique can be used.

- Specific
- Measurable

- Agreed - as opposed to "Achievable".
- it's a reminder/trigger about "consult and involve"
- Realistic Time Based
- Evaluate- Economics (the cost of doing it, the cost of not doing it!).

What is reasonable, practical and proportionate?

- Record/Review

Component Six: Make a decision on the policy

The next stage is to summarise the findings and give an overview on whether the policy will promote equality and diversity as a component part of delivery. It is at this stage of the assessment process that a decision should be made on the effectiveness of the policy. The decision should be based on the aims and objectives of the policy; the results of the data gathered and the results of the consultation and involvement with stakeholders. Below are some important points that should be considered before deciding whether to introduce a practice or policy, especially if an adverse impact has been identified:

Direct discrimination in any of the areas - this would be unlawful and the proposal should be rejected.

Indirect discrimination in relation to any of the areas. This should be rejected, unless it can be justified under the legislation, such as:

- It was necessary to the organisation effectively carrying out its functions.
- The organisation was unable to find another way of achieving the aims and objectives that had a less discriminatory effect.
- The organisation considers that the means it employed to achieve its aims and objectives were proportionate, necessary and appropriate.
- The assessment shows that it may not promote equality of opportunity or good relations. Alternatives should be considered that would lessen the negative impact, and increase the likelihood of endorsement.

The following questions can help in deciding whether or not to introduce the function or policy:

- Has any adverse impact been identified?
- What are the main consultation findings, and what influence do they have?
- Are there any alternative measures that could be taken which would achieve the desired aim without the adverse impact identified?
- Can the adverse impact or indirect discrimination be justified i.e. can it be argued that the policy objectives were essential and justifiable to the organisation and that the means they have been achieved by were appropriate and necessary?

Component Seven: Reporting of Results.

Under specific duties, arrangements must be made for publishing the results of the EqIA's. Publishing results of EqIA's shows commitment to promoting equality and demonstrates that the organisation is carrying out the specific duties of assessing, involvement, consulting and monitoring. In the case of new practices and policies, arrangements must be set out for publishing the results of the EqIA and the impact that the policies are likely to have on promoting equality. Any reports that are published should be in a format that is accessible and include any action plans to address the issues identified by the process.

Consideration should be given to publishing the following:

- A description of the policy, together with a brief account of how possible effects have been assessed.
- A summary of the results of the EqIA, including the likely impact on promoting equality.
 - Details of the involvement and consultation processes and their results.
 - A review of the proposal in the light of the assessment, particularly concerning any adverse impact on promoting equality.
- Reasons behind the decisions made.
- Recommendations needed to ensure an effective and fair implementation of the policy.
- Any additional arrangements such as training and regular monitoring postimplementation.
- A statement of future action.

Component Eight: Monitoring and review

As currently no monitoring arrangements exist these need to be implemented as soon as practicable. Once these arrangements are in place a system to review and revise these arrangements (if necessary) also needs to be set up.

EqIA's should not be considered a one-off exercise. The actual impact of a policy will only be realised when it has been put into practice, so a review should be planned after implementation to see how the function or policy is working in practice. When the equality scheme(s) reach their review date, organisations should have an amalgamation of EqIA results to support the review of the scheme(s). This must include data collection and information at the point where staff and service users interface with the organisation.

Monitoring Questions

The following questions should be considered when planning arrangements for monitoring a function or policy:

- Should this be piloted before full implementation, to check for any adverse impact?
- How will it be monitored after full implementation?
- Are there planned reviews? If so, how often and who will be responsible?
- Will a further EqIA and consultation be required to check for adverse impact? If so, when is this likely?

Component Nine - Quality Assurance

Equality should mean Quality. Quality should mean Equality.

Discharging the burden of proof in litigation cases and/or withstanding increasingly robust scrutiny from external inspection regimes will be much easier if the Impact Assessments are effective, efficient and consistent.

Quality Assurance in this context refers to the process of agreeing quality standards and targets, implementing procedures to reach the targets, and regularly monitoring results against the standards and targets.

There are a number of useful reference points to bring about this holistic or "joined up" approach.

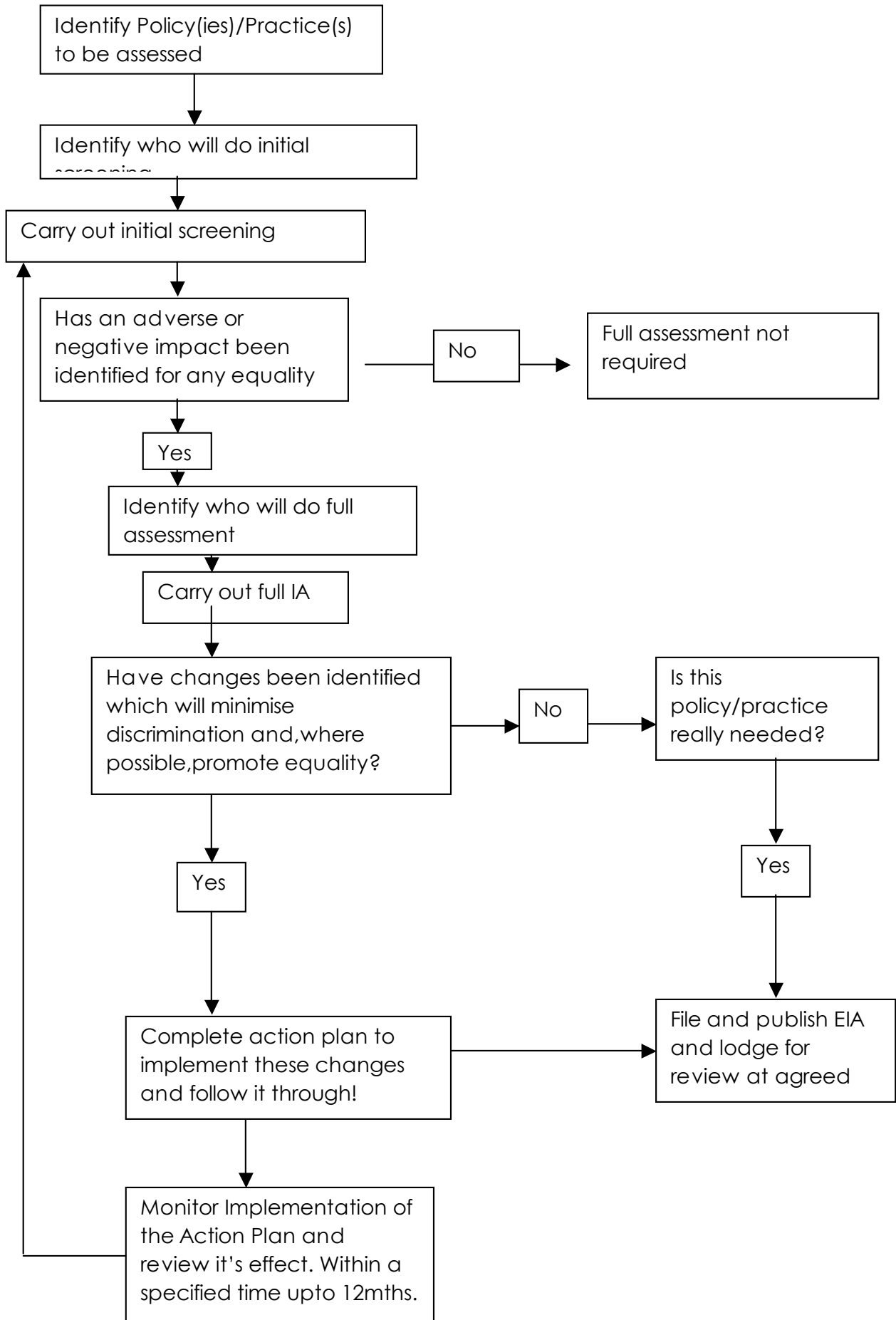
An Equality Steering Group, for example, might have a number of roles. This body could become a "clearing house" for initially receiving completed Screening and Full Assessments.

It should be able to provide feedback and with its vantage point on the "bridge" of the organisation even provide training, coaching or feedback advice. It is critical that the Steering Group is representative of the whole organisation from a governance, management, employment, service delivery and stakeholder perspective.

This is an important safeguard against having everything defined by professionals or others who do not actually use the services or activities. The initial process of setting quality standards for equalities issues may involve a long and complex process of determining, through discussions with users, for example, what they consider to be a good service. You will meet resistance. But every organisation should be able to prove it is doing its work well. Overtime, high quality indicators on Equality Impact Assessments should emerge. Without such indicators, there is a risk that that only quantitative or financial measures will be used.

Beware of simply having an internal approach to assessment of Equality Impact outcomes. To guard against in built biases, it is often useful to consider and actually use the increasing number of self assessment templates provided by statutory bodies such as the Commission for Equality and Human Rights as well as those produced by agencies such as CJfSted, the Audit Commission and Supporting People prior to their inspections.

Appendix E - Flow Diagram of Assessment Process.



EQUALITY IMPACT ASSESSMENT

West Midlands Probation Area

PART 1 - INITIAL SCREENING

1. Policy / Strategy / Function Title:		
2. Date of Screening:		
3. Senior Manager responsible for Completing the Assessment:		
4. Policy / Strategy / Function Author:		
5. This is a: (please indicate Y or N)		New Policy / Strategy / Function
		Change to an existing Policy / Strategy / Function
		Existing Policy / Strategy / Function

6. What is the main purpose or aims of the policy, strategy or function?

7. Who will directly benefit from the policy, strategy or function? (E.g. partners, staff group, service users)	
8. Have you consulted on this Policy / Strategy / Function? If so whom with? What form did the consultation take? (correspondence, meeting, forum etc)	

9. Please complete the table below and give reasons/comments when:

- (a) The policy/ strategy / function/ project could have a positive impact on target groups or contribute to promoting equality of opportunity and improving relations between groups.
- (b) The function or policy could have a negative impact on a target group, i.e. disadvantage them in any way.

NB. If you score a HIGH NEGATIVE impact in any section below you must complete a Full Equality Impact Assessment (Part 2).

Diversity Strand	Positive Impact HIGH / LOW	Negative Impact HIGH / LOW	Reasons / Comments / Benefits (If no impact you must give explanation)
Gender			
Race / Ethnicity			
Disability			

Sexual Orientation			
Gender Identity			
Age			
Religion / Faith / Belief			

When considering the impact within the above diversity strands, please consider the impact for men and women; all racial groups and all ethnicities – including Gypsies and Travellers, Asylum Seekers, Refugees and Foreign Nationals; various age groups i.e. younger and older people; all disabilities – including Assistive Technology Users, Hearing impairment, Speech impairment, Dyslexia and other learning difficulties, Visual impairment (not corrected by glasses/contact lens), reduced mobility, reduced physical capacity (including difficulty with physical coordination), severe disfigurement, mental illness, progressive conditions (e.g. cancer, muscular dystrophy). Gender identity refers to individuals who describe themselves as transsexual or transgendered. Religion, faith and belief includes those who identify as atheist or agnostic.

10. What actions could be taken to amend the policy, strategy or function to eliminate any minor negative impact?	
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11. If there is no evidence	
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that the policy, strategy or function promotes equality of opportunity or improves relations between diverse groups, what minor adjustments could be made to achieve this?

12. Additional Information / Issues

13. Is a full Equality Impact Assessment necessary?: Yes No

If 'No', include following statement

This policy / strategy / function was screened for impact on equalities; as a result of this screening it has been decided that a full equality impact assessment is not required.

Date completed:

Signed by Line/Senior Manager:

Date approved by Senior Management/Board:

PART 2 – FULL ASSESSMENT

1) In Part 1 (Initial Screening), which diverse group/s were identified as being disadvantaged by the policy / strategy / function / project proposals?

- | | | |
|--|-------------------------------------|---|
| <input type="checkbox"/> Age | <input type="checkbox"/> Gender | <input type="checkbox"/> Faith/ religion |
| <input type="checkbox"/> Race/Ethnicity | <input type="checkbox"/> Disability | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Gender identity | | |

2) Summarise the high negative impact/s for the minority group/s

The next two questions must be completed, but only after examination of available data, consultation and if necessary, relevant research has been carried out to inform the response given.

3) What relevant research material, qualitative and quantitative data was obtained

and what does it tell you?

Please list:

4) What information did previous or more recent consultation provide about the **negative** impact of the policy, strategy or function?

(**N.B.** Feedback the results of your involvement/ consultation to all participants including internal and external

5) What changes do you propose to make to the policy, strategy or function as a result of the research and/or consultation? Please use this action plan to record details:

Actions Required	Outcome to be achieved	By Whom and When	Review date, by whom and frequency

6) Are the planned changes to the function or policy intended to:

- Lower the negative impact? Or

- Provide an opportunity to promote equality of opportunity and improves relations between diverse groups?

<p>7) What equality monitoring/ evaluation/ review systems have been put in place to ensure regular checks are undertaken on the effects of the policy, strategy or function?</p> <p>Give details:</p>	
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<p>8) When will the policy / strategy / function proposals be reviewed?</p>	
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Date completed:

Signed by Line Manager:

Approved by Senior Management:

ENSURING ACCESS TO INFORMATION

<p>1. How will you ensure that information used for this EIA is readily available in the future?</p> <p>(N.B. You will need to include this in your action plan):</p>	
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<p>2. How will you ensure that your stakeholders continue to be involved / engaged in shaping the development/ delivery of this policy / strategy / function?</p> <p>(N.B. You will need to include this in your action plan)</p>	
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3. How will you monitor the actions to ensure that the policy / strategy / function or project delivers the equality commitments required?

(N.B. You will need to include this in your action plan)

