



WEST MERCIA PROBATION AREA

DIVERSITY - DISABILITY, RACE AND GENDER EQUALITY SCHEME

2007 - 2010

1. FOREWORD

West Mercia Probation Area sees equality of opportunity as fundamental to its aims of protecting the public and rehabilitating offenders. Our work is based upon fundamental respect for human dignity. The West Mercia Probation Board, as part of its corporate responsibility, has adopted a positive commitment to embracing diversity which is based on four mutually supportive pillars. This is outlined in the policy statement "Positive about Diversity". It is essential, therefore, that we do all that we can do to eliminate unfair discrimination, both in the workplace and amongst the consumers of our work. We, therefore, welcome this opportunity to fundamentally review our approach to diversity and publish a Diversity Equality Scheme. The Board will take great interest in the implementation of this Scheme and Action Plan and intend to ensure it makes a real difference.

James Kelly
West Mercia Probation Board Chair

David Chantler
West Mercia Chief Officer

30th April 2007

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2. INTRODUCTION

Since we produced our first diversity scheme, there have been a number of changes that affect equality and diversity in the work we do. Under new laws on age, disability sex, together with European directives on religion, belief and sexuality, public services must now show how they promote equality of opportunities and make sure they do not discriminate when providing services and employing people.

In 2002 our diversity scheme included our specific responsibilities under the Race Relations Amendment Act 2000. We reviewed the scheme in 2005 and in 2006 expanded it to include our specific responsibilities under the Disability Discrimination Act 2005. We now include our responsibilities under the Gender Equality Act 2007. Our scheme is a single one and reflects the development of the single Commission for Equality and Human Rights. (CEHR)

3. WHO WE ARE

West Mercia Probation Area was established as one of the 42 areas of the National Probation Service in England and Wales by the Criminal Justice and Court Services Act which came into effect on 1st April 2001. It serves a mixture of urban and rural communities in Worcestershire, Herefordshire, Shropshire and Telford and Wrekin.

It is a forward looking, innovative service with staff based at probation centres: Worcester, Redditch, Kidderminster, Hereford, Shrewsbury and Telford. Staff are seconded to:

- "Connect", a West of Midlands project which provides through the prison gate support for short term prisoners.
- The 6 Prisons in West Mercia, Blakenhurst, Brockhill, Hewell Grange, Shrewsbury, Long Lartin and Stoke Heath Young Offenders' Institution.
- The Youth Offending Services
- Drug Interventions Programme Teams.
- Partner agencies, included not for profit organisations such as Youth Support Service

4. WHAT WE DO

We are a law enforcement agency delivering community sentences, supervising and working with offenders according to the terms set by Courts and the Parole Board. We work directly with offenders and provide information to victims on the sentences served by violent and dangerous offenders.

Our aims are:

- To protect the public
- To reduce re-offending
- To deliver proper punishment of offenders
- To secure the rehabilitation of offenders
- To ensure offender's understanding of the effects of crime on victims and the public.

5. WHAT THE LAW SAYS ABOUT OUR EQUALITY DUTIES

As a public authority, we have general duties to promote equal opportunities relating to race, disability and gender and to remove discrimination. We must meet our responsibilities under the Race Relations Amendment Act 2000, Disability Discrimination Act 2005 and the Equality Act 2006 to promote diversity and equality in our work.

As a public authority we have specific duties to:

- Outline the steps, methods and actions to respond to the general duties
- Produce Race, Disability and Gender Equality Schemes and Action Plans
- Implement the actions and report on the outcomes of any work undertaken.

As a public authority we are required to publish our equality scheme to explain what we will do to meet our general and specific duties.

Race Equality

Under a General Duty, the Race Relations (Amendment) Act 2000 requires public authorities to show how they will:

- Eliminate unlawful discrimination
- Promote equality of opportunity
- Promote good relations between people of different racial groups

Disability Equality

The social model forms the foundation of the Disability Discrimination Act 2005, as opposed to the medical model which sees disability as a barrier. The definition of the social model as defined within the Act is as follows:

"The poverty, disadvantage and social exclusion experienced by many disabled people is not the inevitable result of their impairments or medical conditions, but rather stems from attitudinal and environmental barriers. This is known as the 'social model of disability' and provides a basis for the successful implementation of the duty to promote disability equality."

Under the General Duty, the Disability Discrimination Act 2005 requires public authorities to show how they will:

- Promote equality of opportunity between disabled people and other people
- Eliminate discrimination that is unlawful under the Disability Discrimination Act
- Eliminate harassment of disabled people that is related to their 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, in appropriate circumstances, this requires more favourable treatment

Gender Equality

Legislation already exists to protect men and women from discrimination because of their gender. Under a new General Duty the Equality Act 2006 requires public authorities to show how they will

- Promote Gender Equality

- Eliminate sex discrimination and harassment
- Demonstrate that they treat men and women fairly
- Adopt a proactive approach and ensure that gender equality is considered in all decisions and activities: through policy, practice, planning, service deliver, employment and training.

6. OUR SCHEME

This Scheme and Action Plan explains what the Service has already done and intends to do, to positively promote and deliver equality in everything we do. It also shows how we are:

- Assessing and consulting on the likely impact of our proposed policies on the promotion of equality
- Monitoring all functions and policies for any adverse impact on different racial groups and planning to introduce monitoring in relation to disabled persons
- Publishing the results of assessments, consultation and monitoring undertaking to identify adverse impact on disability and race or equality
- Making sure that the public has access to the information and services that we provide
- Training our staff in connection with the general duties to promote disability and race equality and any relevant specific duties
- Publishing monitoring information on our staffing profile by race and ethnicity
- Planning to monitor and subsequently publish information on our staffing profile by disability

The structure of our Scheme is based on the European Foundation of Quality Management Framework

- Leadership
Modelling and embedding a culture of positive promotion and awareness of the needs of all stakeholders
- Policy and Strategy
Establishing systematic impact assessment for policy and strategic developments
- People
Training our managers and staff so that they understand diversity and their duties under legislation

Improving our recruitment, development and retention of staff

➤ Partnership and Resources

Working with our partners to promote equality and diversity, ensuring that their working practices are compliant with equality legislation

Ensuring our own procurement and commissioning arrangements are compliant with legislation

➤ Processes

Ensuring that the Equality Action Plans (Appendices) are monitored and reviewed to reflect changes and learning in the organisation and wider environment.

7. LEADERSHIP

The importance of equality and diversity will be actively promoted by the Chief Officer, Board and Senior Managers.

The Scheme and Action Plans are approved and reviewed by the Board

The Board Diversity Group meets regularly to review progress on the Action Plan

The Staff Diversity Group champions diversity throughout the organisation and provides a forum to promote good working practices which reflect the needs and requirements of all stakeholders.

➤ Diversity Strategy Group: Membership comprises, the Chief Officer is Chair of the Group; 2 Board members - members of the community representing faith, disability, race and gender perspectives; trade union representative; 2 staff members from the diversity staff group, representatives from staff support groups and the senior manager with lead responsibility for diversity and HR manager. The group provides a consultation forum to devise, design and develop the Board's Diversity Strategy and reviews progress on the Diversity - Disability and Race Equality Scheme and Action Plans. The Group meets 4 times a year.

➤ Diversity Staff Group: Convened by the Senior Manager for Diversity, attendance is open to all members of staff and includes representatives from each operational team. It progresses the diversity work programme approved by the Strategy Group and provides a consultation mechanism to inform direction and progress on diversity. The Group meets 4 times a year.

- Diversity Recruitment Group: Chaired by the Senior Manager for Human Resources, it includes a Board Member; Practice Development Assessor (PDA), Black Staff Group representative and Diversity Officer. The group's task is to review and improve recruitment, retention and progression of under-represented groups (BME, Disability and Men). The terms of reference for this group and its target and focus are subject to continuous review.

8. POLICY AND STRATEGY

Staff and managers work with the other probation areas in the region; the senior manager for diversity attends a regional forum with other diversity champions.

Policies, procedures and practices are reviewed to ensure that we are not unlawfully discriminating against any groups of people via the Impact Assessment process.

The Impact Assessment panel reviews policies prior to submission to the Board for approval. Panel members are drawn from the Diversity Strategy Group, Diversity Staff Group and Staff Support Groups.

The following policies were impact assessed during 2005 - 2007

- Equal Opportunities
- Sickness Absence
- Staff Mobility
- Bullying and Harassment
- Special Leave
- Career Break Scheme
- Redundancy
- Stress Management
- Child Protection
- Diversity Equality Scheme
- Offender Transport
- Environment

All these policies were approved and will be monitored during 2007 - 2010 and information made available on request, through the Annual Report or other publications.

To ensure that all policies are reviewed in a timely manner, an Impact Assessment panels are held every month.

Membership of impact assessment panel includes managers and staff from our organisation. During 2007 - 2008 we will work on extending this to include representatives from disability and minority ethnic groups, service users and other stakeholders.

9. PEOPLE

a) Staffing Profile

Race & Ethnicity

Information has been drawn down from the 2001 Census. The area has a total minority ethnic population of 26,646 which comprises 2% of the total population.

We monitor the ethnicity of all staff and applicants using the 2001 census categories.

2004:

We had 6% of staff (27) who self identified as being of black or of minority ethnic origin.

In 2004 (January - December), we received 679 applications for employment. Of these, 34 (5%) were from BME candidates. 14 (2%) were short listed. None were appointed.

As a result of this monitoring we set up a Diversity Recruitment Group to review our recruitment processes to improve this position as we recognised that we must attract quality BME candidates. We appointed a Diversity Officer for a secondment period to promote the service with under-represented groups. The Diversity Officer secondment has now come to an end and our intention is to recruit a Diversity Officer on a permanent basis who will be involved in promoting the service with under-represented groups and to help review and improve our recruitment, retention, progression opportunities and processes for BME candidates and existing staff members.

2005:

We had 6.68% of staff (28) who self identified as being of black or of minority ethnic origin.

In 2005 (January – December), we received 700 applications for employment. Of these, 44 (6%) were from BME candidates. 11 (8%) were short listed. 4 were appointed.

We are pleased with these results and will continue to progress our work to enhance our profile with the communities in West Mercia.

Our monitoring statistics for 2006 will be published during 2007.

Disability

We have achieved the Positive about Disability – Two Ticks award, which reflects the systems and structures we have in place for recruitment of staff with disabilities.

From April 2007 we will have in place a comprehensive disability monitoring system for staff. The monitoring arrangements have been the subject of consultation and have been endorsed by the Disability Rights Commission.

We will have introduced disability monitoring for the offenders under our supervision from 4th January 2007 for new orders and will complete monitoring for all offenders on the caseload during 2007.

A 'case conference' approach is currently undertaken to the review of individual disabled staff needs. This approach will be adopted across West Mercia in early 2007 to ensure the transparent, consistent, fair and equitable treatment of employees with a disability.

Gender

We have a comprehensive and well established gender monitoring system in place for recruitment, progression and training. In common with other probation areas, we have a predominantly female workforce, of the 447 staff we employ, 297 are female. We recognise that we need to attract male applicants to the service and will continue to actively promote this requirement.

b) Training

We require all our staff to have an appropriate level of awareness, knowledge and skills to work with colleagues and service users from diverse backgrounds

and to comply with equality legislation. The diversity module in our Induction Programme, attended by all new staff, is regularly reviewed and updated.

We actively promote the National Probation Directorate "Accelerate" scheme which is designed to develop aspiring middle managers who have a disability or self identify as BME. One of our managers completed this scheme in 2006.

During 2006 we commissioned core awareness and skills training for all our staff on 'Diversity, Disability and Discrimination'. 116 staff and managers have attended to date, with a further 3 events planned. The learning from this will be taken forward to inform future policy, training and action.

We run a regular training event for working with racially motivated offenders and require all of our practitioner staff and managers to attend this when they have completed diversity awareness training. This training is being reviewed and will be broadened to include all Hate Crimes.

We monitor take up of training by ethnicity. During 2007 we will introduce a mechanism to enable us to monitor applications for training. We will also during 2007, work on mechanisms to monitor applications and take up of training by staff with a disability.

Of the 3784 training days delivered to staff during the 2005 - 06 financial year, BME staff attended 299 training days; this represents 8% of the total training provision in the Area. This monitoring will be extended to cover disability during 2007.

Our training report, which can be obtained on request, details the training offered, participants, job role and race and ethnicity and summary of evaluation reports on the training provided.

We commissioned a research project on the quality of our service delivery to BME offenders and the findings of this will inform the commissioning of future training.

From June 2007 we will have a full time Diversity Officer to co-ordinate and progress our equality action plans throughout our organisation and with our partners and stakeholders.

Staff Support Groups

We have and will continue to encourage staff support groups for:

- Black and Minority Ethnic Staff
- Lesbian, Gay, Bi-Sexual and Trans-gender staff
- Staff who have a disability

Staff from West Mercia attended the first national conference for Disabled Staff and a regional network has been set up with the scope for a local support group to be established.

The support groups are open to all staff who self identify as being members of these groups and attendance at meetings is encouraged.

The aim of the groups is to provide an informal and relevant support network for staff and links with senior managers.

10. PARTNERSHIPS AND RESOURCES

We have service level agreements with a number of local community groups including:

- Worcestershire Race Equality Council – provide consultancy and advice to senior managers and staff, membership on the Diversity Strategy Group and Impact Assessment Panels
- ASHA – provide services to women offenders in the Worcester area, we are supporting the development of similar provision in Hereford, Redditch, Kidderminster and Telford.
- Ethnic Access and Telford and Wrekin Interpreting and Translation Services – provide interpreters and training for staff in the use of interpreters. We also have access to other resources where existing partners are unable to meet specific interpreting and translation needs.

We are corporate sponsors for the Gender Awareness Bureau and this gives staff and managers access to consultancy and training on trans-gender issues.

All our partnership contracts include a requirement that providers of services comply with equalities legislation.

11. PROCESSES

We are considering the viability of joint consultation arrangements with other criminal justice agencies as well as the Local Strategic Partnership networks. Our chief officer, staff and managers have attended public events co-ordinated by the Communities and Diversity Officer for the Local Criminal Justice Board to promote our work and to listen to concerns of individuals and communities. These events took place at public venues across West Mercia and the concerns, particularly of isolated rural communities have informed our Action Plan for 2005 -08. There is a schedule of quarterly meetings which take place on a rotating basis across the 4 county and unitary areas in West Mercia. These meetings afford a valuable opportunity to consult and involve members of the local communities.

Our Diversity Officer forged excellent links with local colleges, community groups and individuals and during the secondment period, delivered a series of road-shows and presentations during 2006. Her secondment came to an end in August 2006 but demonstrated the value of a dedicated post to promote Diversity. We have now appointed a full time Diversity Officer who takes up her post during May 2007.

The following represents the involvement of stakeholders and the work we are undertaking to promote our Diversity - Disability and Race Equality Scheme:

- Surveys are carried out with staff and offenders and feedback used to improve service and reduce discriminatory practices
- Interpreting, translation and signing services are in place - our range of provision was increased during 2006 to reflect the increase in demand experienced during 2005. Through our providers of interpretation we are able to consult with members of minority communities.
- We monitor the race and ethnicity of offenders in line with national requirements, the target of 95% was achieved in 2003 - 04 and improved on during 2004 - 05 with a completion rate of 98%. We will continue to work to maintain or improve on this during 2007 and beyond.
- An annual report is prepared for the Board which gives an analysis of monitoring on reports completed, proposals made for sentence and outcomes.

This information is available on request via our website or by contacting us at the address at the end of this report.

- The national Offender Assessment System (OASys) was introduced in West Mercia during 2002 – 2003, this was a paper-based assessment tool and data collection was not feasible. We have now introduced the electronic version and implementation was completed in 2005, with - connecting the local system to other areas and the prisons. As we refine and improve the data quality on the system we will be able to enhance the information reports to inform on individual and group needs.
- We have carried out an audit of services to BME offenders and this work has provided the basis of further action research which we carried out in 2006 and will assist in planning staff training to support improvement action.
- We intend to carry out an audit of services to offenders who have a disability once we have established monitoring for disability. Our intention would be to undertake a first audit by March 2008.
- We carry out our statutory responsibility to contact victims and provide information on the progress of the offender's sentence. We do not receive race and ethnic information from the police at initial referral and efforts to progress this at a local level have not been successful. We continue to keep this under review and our first contact letter to all new referrals includes translations of key information.
- We supervise around 950 offenders each year, who are ordered by the court to carry out unpaid work in the community. This provides approximately 95,000 labour hours to the communities in West Mercia. We hold public events to promote this service and an officer was temporarily seconded to develop work placements which are relevant to the needs of local communities. This project ran from October 2005 until March 2006. In May 2007 we will have a full-time Manager tasked to further improve partnership working and increase the proportion of agency placements for offenders carrying out unpaid work. There will be a strong focus on securing placements that meet the requirements of all sections of the community and all offenders, particularly women, those who have disabilities and black and minority ethnic offenders. Information on how to contact our Community Payback Unpaid Work Scheme is available on our website or by contacting us at the address at the end of this report.

12. IMPACT ASSESSMENT

All new policies and functions are screened to assess whether they could lead to differential impact on particular groups; whether groups may have particular needs or if the policy could promote good relations. If there is an indication that a policy has an unequal impact, then a full impact assessment is carried out.

The following outlines how we do this:

- Consultation - Policies and procedures are discussed at the Joint Negotiating Consultation Committee (JNCC), Diversity Staff Group, Line Management Meetings and Staff Support groups. External consultation takes place with the Race Equality Council, County Equality Forums (Shropshire, Telford & Wrekin, Herefordshire, and Worcestershire) and community members of the Diversity Strategy Group. We will also utilise the contacts that our Diversity Officer forged to expand and strengthen our external consultation arrangements.
- Existing Policies - all policies are screened when due for review by the responsible senior manager and referred for Impact Assessment. A panel drawn from the Diversity Staff group meets every month to impact assess policies.
- New Policies - All new policies are impact assessed by the panel before approval by the Board.

Where information evidences that policies have an adverse impact on particular groups this will be taken up at Senior Manager or Board level as necessary and remedial action identified to rectify the disadvantage. The vehicle for this will be via individual, team or Area objectives in the DES Action plan.

Training on Impact Assessment was undertaken by all senior managers, the Board Chair and members of the diversity staff group in February 2002. Further training was delivered to a group of 16 staff and managers in 2006.

All policies have a review date; this will be dependant on the nature of the policy but will be a minimum of every three years.

A full list of our policies can be obtained by request from our website or by contacting us at the address at the end of this report.

13. FURTHER INFORMATION

Further information about work that has been outlined in this report can be obtained on request or from our website. Our Action Plans to progress and improve our working practices to promote equality and eliminate unlawful discrimination are included as appendices to this report and can also be obtained from our website: www.westmerciaprobation.org.uk or by contacting us at the following address:

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