



# Scottish Prison Service Equality Mainstreaming Progress Report 2015-2017

Copies of this report in alternative formats and community languages will be made available on request.

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## Introduction

This is the second progress report on how the Scottish Prison Service (SPS) has mainstreamed equality into the delivery of our functions. Previous reports, published in 2013 and 2015, are accessible on our website [www.sps.gov.uk](http://www.sps.gov.uk).

This Mainstreaming report builds on the 2015 report and describes the progress we have made over the last two years to integrate and embed equality into our day-to-day functions so that it is a core component of everything we do. This report is divided into separate sections covering the following:

- Corporate governance and leadership
- Policy
- Equality & Human Rights Impact Assessments
- Employment
- Service provision
- Procurement activities

It is supported our Prisoner Equalities Data Briefing 2016, which is available on our website separately. This report should also be read in conjunction with our SPS Equality Outcomes Progress Report 2015-2017, our Employment Equality Monitoring Report 2015-2016 and our Report on Gender Pay Gap, Occupational Segregation and Equal Pay Statement, all also available on our website.

## SPS Equality, Diversity and Human Rights Statement

### Our Commitment

The Scottish Prison Service (SPS) is committed to ensuring our people, and everyone we work with is treated fairly, with dignity, and with respect for their human rights. This is regardless of their sex; gender identity; marital and civil partnership status; pregnancy and maternity; race (including ethnic or national origin, nationality or colour); disability; sexual orientation; age; religion or belief; and regardless of any other personal characteristic, such as: social background, working pattern, trade union activity or political opinion.

SPS is committed to fulfilling and, where possible, going beyond our obligations as both an employer and as a public sector service provider under the relevant Equality and Human Rights legislation. SPS also seeks to respect, protect, and fulfil the full range of international human rights obligations, such as the UN Convention on the Rights of Persons with Disabilities and the International Covenant on Economic, Social and Cultural Rights.

## **Our Vision**

SPS will embrace diversity and actively promote human rights in all aspects and areas of our work. SPS will promote fairness by ensuring everyone we engage with is treated with respect and dignity, and promote a culture where everyone in our care, our employees, our partner agencies and the public feel they are treated fairly, equally and according to their needs.

## **Our Principles**

SPS will:

- Recognise that a variety of backgrounds, styles, perspectives and abilities are an asset to our organisation, and therefore build a diverse and inclusive workforce that reflects this.
- Foster a workplace where our diverse working population has equal access to all employment opportunities.
- Develop meaningful and collaborative relationships with diverse community organisations.
- Use robust equality analysis to drive continuous improvement.
- Understand and place the needs and rights of those in our care at the centre of our policies and practices; and empower those in our care to shape decisions which affect them.
- Be sensitive to issues of discrimination, harassment and victimisation across the organisation and take steps to rectify problems and provide satisfactory remedies.
- Ensure our methods of communication are inclusive and accessible.

## The Public Sector Equality Duty and Mainstreaming

The Equality Act 2010 introduced the 'public sector equality duty' also known as the 'general equality duty'. This duty requires SPS, in the exercise of their functions, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

The specific duties require a listed authority to publish progress reports every two years describing how we have integrated the general equality duty into the exercise of its functions, so as to better perform that duty.

Simply put, mainstreaming means building equality considerations into all our business functions, budget setting, project planning and the design/operation of research activities. Mainstreaming can be done by:

- Conducting Equality & Human Rights Impact Assessments;
- Featuring equality in business planning, policy development mechanism, committee/decision-making reports; and
- Using equality data to understand and improve our activities and meet the needs of employees and service users.

## Corporate Governance & Leadership

In 2015, in response to an internal audit recommendation and following a consultation with internal and external stakeholders, we established an Equality & Diversity Steering Group to act as a formal means of regularly advising the Chief Executive and SPS Advisory Board on progress, issues and risks associated with Equality and Diversity. The group's Terms of Reference stipulate that its purpose is to:

- Have senior oversight of SPS's performance against the Public Sector Equality Duties, and specifically, SPS Equality Outcomes, and report on a 6-monthly basis to the Executive Group, Advisory group and Risk Monitoring and Audit Committee.
- Conduct horizon-scanning of and provide a strategic response to equality and human rights matters, in particular changes in legislation that will have an impact on SPS policy and service delivery.
- Provide oversight of and decision-making on strategic equality and diversity matters as they affect the whole organisation.
- Ensure cross-directorate collaborative working to maximise the outcomes for equality and diversity.

The Steering Group is chaired by the Head of Human Resources with senior representation from Operations Directorate, Strategy and Innovation Directorate, Legal Services, Corporate Affairs, Trade Union Side and Equality & Diversity.

In 2016 we embedded Equality & Diversity as a theme across our corporate planning process and developed a corporate deliverable for all business areas relating to delivering the public sector equality duty and specifically mainstreaming and equality outcomes. The E&D team and the Corporate Planning and Performance team have worked closely together to ensure E&D is reflected in the Corporate Plan 2017-2020. We have also reduced our equality outcomes' lifespan to 3 years align it with our corporate planning cycle.

Our senior leaders were at the forefront of the roll-out of Stonewall's anti-hate crime campaign, No Bystanders, across SPS in November 2016. Our Chief Executive, the

Executive Management Team, all Governors-In-Charge, Senior Equality Champions, the Trade Union Side chair, Staff network chairs and the equality and diversity team at headquarters all wrote testimonials about why they supported the campaign. The testimonials were published on an intranet site which is accessible to all employees alongside photographs of them holding signed pledge cards. Our Chief executive wrote the following:

“When I was asked to endorse an anti-bullying and hate crime campaign across SPS, I felt strongly that it was the right thing to do. Bullying and hate are entirely harmful behaviours and can have a hugely damaging effect on our work environment and the people involved. They have no place in any part of SPS and it is important that we all stand together against it. All those in our care, staff, partner agencies and visitors have the right to be treated with dignity and respect at all times.

What do we mean by 'bystanders'? Bystanders are people who see or hear something happening and purposefully ignore it, choose not to take the appropriate actions or worse, think that someone else will deal with it.

Remember: What you ignore you permit. What you permit you condone.

The 'No Bystanders' campaign has a clear message: standing up for fairness and kindness against hateful language and unacceptable behaviour is everyone's business. No one must ever think that someone else will deal with it. It is not someone else's duty; it is yours and mine. Challenging any kind of derogatory or demeaning language or behaviour sets the tone for the type of culture we want to have in SPS. It gives strength to those who might be experiencing it but feel unable to speak up, and it sends a strong message of zero tolerance to those who might think about using such language or displaying such behaviour.

The 'No Bystanders' campaign is entirely aligned with SPS' Values and for this reason, I am proud to make a public pledge that I will never be a bystander. I encourage every manager and member of staff to do the same so that SPS is a place where diversity is valued and everyone is treated with dignity and respect.”

The site also allows all staff to pledge not to be a bystander and so far nearly 300 staff have signed up. It contains information about what hate crime is and how to report it internally and externally, and links to other campaigns. We also created

posters which were displayed across all SPS location throughout launch week encouraging colleagues to visit the site and make the pledge. We will continue to develop activities to promote the campaign across the organisation.

In 2016 our Executive Management Group approved the flying of the Rainbow flag from all SPS estates on 4 key dates throughout the year, taking SPS beyond our obligations under the Scottish Government flag flying protocols which did not require our organisation to fly the Rainbow flag. So far it has been flown to celebrate Pride Glasgow 2016 and to mark the start of LGBT History Month 2017.



Pictured above are the rainbow flags proudly presented at HMP Shotts, HMP Castle Huntly, HMP Perth, HMP Barlinnie, HMP Edinburgh, HMP Low Moss, HMYOI Polmont, SPS Headquarters, HMP Dumfries, and HMP Greenock.

Lucy Ridgeway, Chair of Prism, SPS LGBT staff network, said:

“It is fantastic to see the Rainbow flag flying from all SPS estates. This is something that Prism has been calling for, and I am extremely proud to work for an organisation that makes such a visible commitment to LGBT equality and inclusion. The message it sends to staff, prisoners and the wider public is powerful”.

The new SPS Leadership Strategy 2016-2018 has identified ‘Supporting Diversity’ as a behaviour which links to our strategic priorities and which requires leaders to demonstrate that they understand what motivates and enables other people and that they value different skills, expertise and opinions.

## Equality, Diversity and Human Rights Policy

We have introduced a new suite of equality policies:

- **Equality, Diversity and Human Rights Statement**, which sets out SPS’s commitment to ensuring that our people, and everyone we work with is treated fairly, with dignity, and with respect for their human rights, regardless of any protected characteristic or any other personal characteristic, such as: social background, working pattern, trade union activity or political opinion.
- **Equal Opportunities in Employment**, which aims to promote a culture where all individuals receive fair and equal treatment in all aspects of employment while embracing the benefits of working within a diverse workforce; to ensure that existing employees and those who apply to work with SPS are judged solely on merit by reference to their skills, abilities, qualifications, aptitude and potential; and to ensure that colleagues and their trade union representatives are provided with appropriate forums to discuss equality, diversity and human rights issues and given the opportunity to raise any concerns.
- **Dignity at Work Policy**, which aims to ensure that, as far as reasonably practicable, everyone is able to work in an environment free of any form of bullying, harassment, victimisation or discrimination.

## Equality & Human Rights Impact Assessments

We have used our Equality & Human Rights Impact Assessment (EHRIA) process to embed equality and human rights into our day-to-day functions. For example, the EHRIA of our revised Maternity and Parenting Policy explicitly identified as an outcome of review that the new policy would avoid making stereotypical assumptions based on gender and rather to use inclusive language to enhance equality of opportunity and inclusion for all genders, parents who are in same-sex relationships, and transgender staff.

The EHRIA of our Corporate Governance guide identified that the documents should set out the commitment that public appointments be accessible to as diverse a talent pool as possible, regardless of background. It was considered that inclusion of a form of words would emphasise the fact that the Advisory Board upholds the principle of equality of opportunity for all applicants as SPS values highly the benefits of having members with different points of view and experiences on the SPS Advisory Board. Accordingly, when appointing Non-Executive Directors SPS will hope to receive applications from a wide range of talented people irrespective of their religion or belief, gender, age, gender identity, disability, sexual orientation, ethnic origin, political belief, relationship status or caring responsibilities. When considering the draft Corporate Governance Guide, the Impact Assessment Panel felt that similar commitment to the accessibility of public appointments should be given in the Executive Management Group and Risk Monitoring and Audit Committee (RMAC) Terms of Reference which were amended accordingly.

The Corporate Governance guide states:

“SPS supports the Scottish Government belief that everyone has a right to equality of opportunity and should be able to fulfil his or her potential free from the barriers that limit aspiration. Accessibility to public appointments is a fundamental requirement and the public appointments process promotes, demonstrates and upholds equality of opportunity for all applicants.”

And

“SPS values very highly the benefits of having different points of view and experiences on the EMG. Accordingly, the process for recruiting EMG members will promote, demonstrate and uphold equality of opportunity for all applicants.”

In 2016 we conducted an EHRIA of the review of offender behaviour programmes in order to ensure that programme delivery would be more individualised and focused on what best meets the interests of the individual. The intended equality outcome of the review was that access, understanding, language difficulties and reasonable adjustments were considered and implemented for those who had been assessed as requiring to attend and participate in programmes. The impact assessment identified the need to ensure that staff working with women had knowledge of recent research to guide practice when working with female sexual offenders; and also that the examples used in sessions should be adapted to consider cultural expectations when a group consists of individuals who are not from a traditional 'white British' background and culture.

Additionally, the programme Management Manual was updated to include a section explicitly addressing issues relating to equality to support officers delivering programmes in understanding the equality-related issues they might encounter and how best to meet the needs of prisoners.

SPS always seeks to engage with those who have experience, experts or an interest when conducting EHRIs on different subject matters. For example, to inform the design and build of the women's national facility, a workshop was held to which a range of third sector organisations were invited in order to contribute directly to the project. Very positive feedback was received from delegates about the opportunity to input so directly.

The EHRIA of the Spiritual and Pastoral Care, Religion and Belief Strategy Framework and Standards for Spiritual and Pastoral Care, Religion and Belief included wide consultation both internally and externally including the Joint Faiths Board on Community Justice Faith Communities Through care Forum, the Scottish Pagan Federation, the Central Gurdwara Glasgow (Sikh Temple), Angulimala Scotland (Buddhist Prison Chaplaincy), Spiritualists' National Union, the Scottish Secular Society, Faith Communities Throughcare Forum and the Scottish Humanist Society. The consultation identified, for example, that the word 'pastoral' is more acceptable to those who do not have a theistic belief and do not recognise a spiritual dimension and as such the text of the policy refers to spiritual and pastoral care; that provision for those of the same belief to meet together is required as an equivalent

provision to communal worship, and consequently for belief groups that do not have a practice of worship there is opportunity provided for those of that belief group to meet together to discuss their belief. The EHRIA ensures that prisoners who do not adhere to any religious or belief group or who do not wish to practice a religion or belief will not be obliged to do so.

## Employment

### Pay

In 2016 we gained Living Wage accreditation. Paying the Living Wage allows employees to access the goods and services which most people deem necessary to participate in society. Research also shows that paying the Living Wage can increase staff retention and reduce sickness whilst improving morale, productivity and motivation. We also increased occupational maternity and paternity pay which will positively impact particularly on women's earnings.

### Employee Survey

The SPS participates in the annual Civil Service-wide People Survey. The Survey provides a key metric of employees' views on what it is like to work for the organisation, covering such diverse topics as leadership, managing change and our organisational objectives. Although the Survey consists of a number of set questions (to ensure benchmarking across participating organisations), the SPS is able to define specific questions aimed only at our own employees. In 2016, the Director of Corporate Services agreed for the following equality-related questions to be incorporated into the survey:

- I understand why SPS collects information about the protected characteristics of staff.
- I think that SPS is supportive of staff with disabilities.
- I understand the SPS policies on Equality and Diversity.

The results provided a useful measure of staff knowledge and attitudes and helped inform the equality outcomes SPS developed for 2017-2020.

## Workforce Diversity

Over the past 2 years we have taken steps to increase the diversity of the SPS workforce. For example, analysis of recruitment data has been central to the review of our Recruitment Policy which has been ongoing through 2016-2017. In light of an acknowledged underrepresentation of employees from ethnic minority groups and disabled people, and to maintain SPS's support of the Scottish Government Youth Employment Plan, it was decided to: 1) reflect a policy position in the draft new Recruitment policy to explicitly state that SPS aims to reflect the diversity of wider Scottish society; and 2) define an equality outcome for the period 2017-2021 in relation to increasing the diversity of the SPS workforce, identifying positive action measures such as diversifying recruitment strategies and sustained community engagement, and reviewing our recruitment process to ensure disabled candidates experience equality of opportunity.

In relation to young people, the SPS Resourcing team engages with local schools, colleges and universities to promote careers in SPS through career fairs and events on a regular basis. A more structured and focused programme will be adopted in future years to enhance the SPS brand in higher and further education to support the SPS professionalisation agenda and targeted recruitment in areas such as ethnic minority groups, LGBT people, etc. SPS attends Pride each year and will seek to extend our participation into BME community groups. In previous years SPS has promoted its Estates apprenticeship programme through a targeted advertising strategy and working with Skills Development Scotland and other partner bodies to support the development of young people on joining SPS. There are a number of initiatives that focus on 'life in prison' with school engagement programmes that promote the work of the organisation and to deter young people from crime.

In order to make promotions boards as accessible as possible, we have developed candidate supporting materials for internal candidates that provide an insight into the selection process and approach. The supporting material describes each of the stages in selection and guides them on how to prepare/approach assessment as well as removing the unknown and uncertainty of recruitment. National promotion boards are supported through assessment awareness events where a member of the national recruitment team share information on the selection approach, timeline

and offer guidance to applicants on what to expect and how to prepare. Candidate communications at the advert stage describe what is being assessed and at what stage in selection, again to take away the uncertainty. SPS promotes reasonable adjustments at each stage of selection. Where reasonable adjustments are required within selection a member of the recruitment team will liaise directly with the candidate to understand the put in place any requirements/adjustments. On occasion SPS will support internal candidates through seeking Occupational Health advice on the best course of action to support the candidate's needs.

Over the past few years we have seen a significant increase in the application and success rates of women in our campaigns. This has been as a result of specific action such as representing women on our adverts and reshaping the language to make the vacancy proposition more reflective of skills that appeal to women; having a gender balance on assessor panels; using the aforementioned assessment awareness sessions for applicants pre-campaign; and capturing the location preferences in pre-campaign communications and awareness sessions to ensure this is not a barrier for candidates. Since October 2015 the proportion of women in our operational intakes has increased from 30% to 49% in March 2017, and women now represent 45% of promoted employees – considerably ahead of the 29% of the workforce they comprise.

### Employee Equality Information

Our separate SPS Employment Equality Information Report 2015-2016, published on our website, sets out the diversity data we have gathered for our employees and the analysis of this information. Over the past two years we have used this data to shape our policies and practices during Equality & Human Rights Impact Assessments, and to inform involvement exercises which shape the direction of SPS equality, diversity and human rights.

For example, to support the HR policy review project which was implemented to review and streamline all existing SPS HR policies, extensive equality data was provided for each of the 7 policy 'families' into which all policies had been grouped. The equality information, specific to each family, consisted of SPS employee diversity statistics, Census data, relevant case law, external reports and best

practice guidance from organisations such as Stonewall and the Employers' Network of Equality and Inclusion. This information was used by policy review groups in order to build equality and human rights considerations into the revised policies and to conduct effective impact assessments.

Similarly, when we were consulting on the new equality outcomes specific briefings on SPS equality data were put together and shared with equality staff networks to 'set the scene' of trends within SPS. The data briefings focused on workforce composition and recruitment, retention and progression statistics and were supplemented with analysis from the Employee Survey 2015 results (disaggregated by protected characteristic), Stonewall Workplace Equality Index, the Career Progression survey SPS conducted in 2014 and other internal research. The purpose of sharing this information was to empower staff network members with relevant knowledge on the issues so that they could provide informed views on the direction of the E&D agenda within SPS.

As described in the SPS Employment Equality Monitoring Report 2015-2016, in 2017 we launched SPS-wide campaign to raise awareness of equality monitoring and to increase declaration rates across all monitoring categories.

### Staff Networks

We have 3 active staff networks in SPS: INSPIRE, our network for disabled staff or those who care for disabled people; Prism, our network for lesbian, gay, bisexual and transgender staff; and Women in SPS (WiSPS). All the networks are self-organising, meaning it is the members' interests and desire for change which inform the creation, sustainment and purpose of the network. They are supported by the E&D team at headquarters.



Prism, our longest-established network, continues to evolve and develop to reflect current issues and to be an effective advocate for equality in the SPS. Following a long period of consultation with members, Prism became trans-inclusive.

Recognising that this was just the beginning and that there was a need to grow the knowledge and confidence of the group in dealing with trans issues, they invited a member of the Scottish Trans Alliance to a network meeting to discuss her own experiences and to help the network understand the types of queries they might get from colleagues on trans issues. Whilst this was a positive step forward, the network understands that there is still much for them to learn in order to provide effective support on trans issues and they are keen to develop their knowledge.

In 2016 Prism delivered successful roadshows at various SPS establishments to mark LGBT History month, and were at the forefront of organising SPS's attendance at Pride Glasgow in 2015 and 2016 and Pride Edinburgh in 2016. The network also led on a poster campaign across the whole organisation to mark International Day Against Homophobia, Biphobia and Transphobia (IDAHOBiT). In summer 2016, the network chair, along with the E&D Managers for Prisoners, co-delivered a workshop at Edinburgh Napier University's event aimed at raising awareness about the LGBTI community and promoting interaction between individuals from diverse backgrounds. It covered the SPS vision for equality, including that prisons should be a safe place to live, work and visit, that people can operate without fear, discrimination or unfavourable treatment. The presentation explored the many provisions we have in place to support staff, how we gather and protect information about prisoners' sexual orientation and how we use it to ensure their safety in custody.

SPS was proud that the chair of Prism was a 2016 Icon Awards finalist in the 'Uniformed Icon Of The Year' category for her work in advancing LGBT equality within the Scottish Prison Service.



INSPIRE is the SPS network for disabled employees and employees who care for disabled people. It was previously known as the 'SPS Disability support Network' but in 2015 the group agreed to change its name to 'INSPIRE'. A new chair was elected and since then he has re-established regular meetings and has led the group to develop a new logo for the group and to begin re-defining the group's aims and objectives, with a clear vision for the network.



Women in SPS (WiSPS) was previously known as the SPS Women's Development network, but in a similar journey to INSPIRE, in 2016 they undertook considerable consultation with network members to re-name the network and re-develop the logo in order to present a broader and more professional offering to colleagues and the business. Uniquely amongst the networks, WiSPS also decided to have not only a female senior sponsor of the network, but a male senior sponsor too, in order to demonstrate inclusion and to send a powerful message of gender equality to all colleagues.

The senior managers who sponsor the networks are all Directors or Governors-In-Charge, and all are proactive in their support for the groups. They have all attended network meetings to gain a first-hand understanding of the issues affecting members and to lend support and guidance to the group's work. They have signed-off all-staff communications promoting the networks or the equality issues they champion.

Our senior LGBT champion championed two key initiatives at the SPS Executive Management Group, gaining the support of the Chief Executive and other Directors to roll out No Bystanders across the whole organisation and to fly the Rainbow flag from all 15 SPS estates. She is also extremely supportive of Stonewall's Workplace

Equality Index and after our 2016 and 2017 results were received she personally met with our Stonewall account manager to understand what SPS could do to further support and embed LGBT equality and inclusion in SPS.

Our senior disability champion is a firm advocate of disability issues and has attended external training to improve his knowledge and understanding of the equality area he champions. He has been extremely keen to understand the implications of the British Sign Language Scotland Act 2015 on service delivery in particular and has welcomed the Scottish Council on Deafness and the British Deaf Association to HMP Low Moss for tours of the establishment in order to gain their advice and guidance on improvements they can make to meet the needs of deaf and BSL-using prisoners and visitors.

Consultation is an important aspect of the role SPS staff networks play and all draft HR policies and their Equality & Human Rights Impact Assessments are sent to networks for members to comment and contribute. In addition, the policy approval process requires all policies to be signed off by a Policy Steering Group which deliberately includes individuals from our staff networks to ensure that policies meet the needs of the general equality duty.

We have established formal mentoring/reverse mentoring relationships between the chairs of Prism and WiSPS and the senior equality champion who sponsors the networks. The aim of the relationship is to:

- Support the development of the employee in their role as Chair of a staff network in SPS, especially supporting their role in embedding and leading positive change.
- Provide the senior champion with a greater awareness of the lived experience & practical issues faced by SPS employees who share the protected characteristic(s) of the network chair; and support the senior sponsor's continuing development as an effective equality champion.

The relationship between the chair of Prism and our senior LGBT champion is the longest running so far and has proved very valuable for both parties.

In 2016 our Equality & Diversity Steering Group identified the need to develop better structure and governance around staff networks in order to clarify how to establish them; the work they could deliver and their accountability; and to understand what networks required from management in order to be successful. Network members were consulted with via two surveys and the outputs discussed during network meetings. The final proposals approved by the Steering Group set out:

- Consistent Terms of Reference for all groups, to include a Confidentiality statement and an Equality statement;
- The importance of staff networks providing a forum for consultation with the business, but allowing groups to self-organise and define their purpose as they see fit;
- The need for network accountability in the forms of setting objectives and providing end-of-year reports.
- Expectations of management in terms of the proactive support they should offer network members and network activities
- The role of the senior champion to grow their own knowledge of the equality area and to ensure issues associated with the equality are they champion are properly represented at senior level
- A commitment to developing guidance materials for networks in how to establish and run effective groups.

These proposals will be implemented from 2017 onwards.

To support the development of staff network members and enhance the impact these groups can have on the organisation, SPS has provided for 8 network members to attend the Stonewall Workplace Conference 2016, the *Supporting Disabled People in the Workplace* conference in 2017 and the Women into Leadership Scotland 2017. Additionally, 5 members of Prism attended Stonewall's Role Model programme which is designed to help individuals think about what it means to be themselves in the workplace and how they can be a more visible LGBT role model.

## Professional Memberships

### *Stonewall*

The SPS has continued to be a Stonewall Diversity Champion. Every year we participate in the Stonewall Workplace Equality Index and in 2016 make considerable strides in increasing our ranking by moving from 164<sup>th</sup> to 109<sup>th</sup>, and 10<sup>th</sup> out of the 30 organisations within our sector (Emergency Services).

Key highlights where we improved our scores or continued to score strongly included:

- **Employee Policy** - because of the inclusive language we use which ensures that everyone knows they can have confidence using the policies.
- **Community Engagement** - because of our forward-thinking and person-centred trans policy for prisoners which was developed in partnership with the Scottish Transgender Alliance.
- **All-staff Engagement** - because of the campaigns we hold for IDAHOBiT Day and BiVisibility Day, and the Staff Notices we publish about attending Pride Glasgow and the visibility of our LGBT Champion, Catherine Topley, Director of Corporate Services, supporting events and initiatives in person.
- **Monitoring** - because of our improvements in monitoring following the introduction of e-HR and our Good Practice in monitoring gender identity and in keeping the information confidential.
- **Staff feedback questionnaire** - which showed that LGB staff in SPS were more comfortable being 'out' to their colleagues, managers and service users than in across the other organisations in our sector. Also, LGB staff in SPS felt that the culture is inclusive of LGB people, that senior managers display visible commitment to LGB equality and that if they experienced bullying or harassment on the grounds of their sexual orientation they would feel confident reporting it.

In the 2017 Index our ranking dropped to 177<sup>th</sup>, but we continued to score strongly in Employee Policy, Training and Monitoring where we scored the same as, or indeed more than, the Top 100 organisations. We also scored the same as or more than the overall average in categories such as Staff Network Group, Career Development,

Line Managers, Procurement, Community Engagement and the Staff Feedback Questionnaire. Positively, the number of staff who completed the Staff Feedback Questionnaire (305, 86% of whom identified as non-LGBT) was the largest we have ever achieved which demonstrates increasing engagement with our staff.

SPS regularly participates in Stonewall seminars and our staff always attend the annual Workplace Conference. In 2016 we were delighted to be requested by Stonewall to host one of the workshops at the conference on 'Supporting trans colleagues in the workplace'. This was delivered by the chair of our LGBT network, Prism, and received the most positive feedback by participants of all the conference workshops.

As described earlier in this report, SPS rolled out Stonewall's No Bystanders campaign, making the video clip available to all staff to view and using Stonewall resources (pledge card, posters and the crime booklet) to raise awareness of hate crime and to encourage colleagues to stand up for fairness and kindness and never to be a bystander.

### *Enei*

In 2015 the SPS Executive Management Group approved becoming a member of the Employers Network for Equality & Inclusion (enei). Being a member has allowed us access to their many workplace guides which we have used when developing our own equality, diversity and human rights policies, and in developing the role and remit of our staff networks and equality champions. The infographics which enei has produced across each protected characteristic and overall showing Scotland's diversity have been displayed across all SPS establishments. We consulted with enei in the development of survey we held to gather views on our new equality outcomes, on the draft equality outcomes themselves and on the draft SPS Corporate Plan 2017-2020.

## **Service Provision**

### **Transgender prisoners**

In the past 2 years we have continued to work hard to support trans prisoners, especially those who begin their transition in custody. The SPS and the Scottish Trans Alliance (STA) have an excellent working relationship and the Alliance

provides invaluable advice and guidance not only to SPS, but also to the prisoners themselves.

We have held numerous case conferences at which the trans prisoner is empowered to participate fully in order to shape the plan for managing their safety and their transition journey in custody. Case conferences are an open forum and the individual can ask for family or friends to attend.

For trans female prisoners there is the facility to have someone help with make-up and hair, if needed. With the help of the Scottish Transgender Network we can help supply wigs and breast forms to the prisoner if they cannot get them for themselves. We allow trans prisoners to bring in appropriate clothing to their chosen sex. Similarly for trans male prisoners the SPS and STA will endeavour to help if required.

If the person changes establishment we offer a familiarisation visit to the new establishment to meet the staff and in particular their new personal officer. They are offered a chance to see the area and meet with some of the prisoners in that area to find out how things work and what to expect. The family can be invited to one of the visits also to see where the visits area is and to meet the personal officer to ask questions about any concerns they have.

In February 2016 the SPS was honoured to receive a Special Recognition Award from Stonewall Scotland for our progressive policy on the treatment of trans people in custody. We were delighted to receive this award as our policy's person-centred approach reflects our desire to ensure that we take the necessary steps to understand and meet the needs of all transgender prisoners, and that at all times whilst in custody trans people are treated with dignity and respect.

### Young People

In progressing the Vision for Young People in Custody, Quality Indicators (QIs), setting out the characteristics of high quality experiences and provision for young people in custody, have been developed. The QIs reflect a human rights-based approach, explicitly consider the needs of young people with learning difficulties and disabilities, set out the importance of a culture of positive relationships between staff and young people and mutual respect and describe the need to meet the faith needs of young people. There is also a specific QI on equality and diversity.

## Religion & Belief

In November 2016 SPS published its Strategy Framework for Spiritual and Pastoral Care, Religion and Belief. The vision of Strategy Framework includes SPS's recognition of the importance of a person's beliefs and values, their life-journey, experiences, assets/talents, potential, needs, losses, hopes, choices and relationships. Underlying this Strategy Framework is a broad understanding of spiritual and pastoral care which encompasses a whole person approach with the capacity to enable change. The SPS supports the individual's right to freedom of religious belief and practice and of non-religious belief and practice. Making provision for those who wish to practise their religion or belief in prison is a part of spiritual and pastoral care.

The goals and outcomes of the Strategy Framework include greater clarity in meeting spiritual and pastoral needs; recognising the value of positive belief in relation to mental well-being; and a positive effect on the culture of the organisation.

## Fostering good relations

All SPS establishments have local Equality & Diversity groups which are required to be chaired by the Governor In Charge and to implement local E&D action plans which support the overall SPS E&D strategy. The E&D groups are also tasked with holding at least two events per year aimed at tackling prejudice and promoting understanding. Most go well beyond their requirements; below are a flavour of the types of activities that have been delivered over the past 2 years.

## **HMP Dumfries – Captive Art #3, 20th – 22nd July 2016**

High levels of re-offending affect us all and most of those who reoffend have learning difficulties and/or mental health issues. The arts are an effective way of engaging with offenders who feel alienated from mainstream education and employment, to assist with expressing their mental health issues through an appropriate channel and there is growing evidence that the arts are effective in changing offenders' lives.

The Koestler Trust is the UK's best known prison arts charity and an exhibition is displayed in Scotland each year. Prisoners from HMP Dumfries continue to provide exhibits of writing, poetry and artwork to show in the Koestler Exhibition and many have won awards for their works.

HMP Dumfries hold an annual Captive Art event to promote the development and achievements of those with a lack of education and/or difficulties and mental health issues allowing the local public to view the fantastic achievements of those in custody.

### **Event – July 20th – July 22nd**

The exhibition was developed and curated by prisoners who were showing exhibitions and who had never presented or had experience of public speaking. Prisoners were supported by John Oates and other education teachers from Motherwell College. The event was held over 3 days and was attended by over 80 visitors from outside and inside the prison including local artists, charity groups, prisoners and their families.

Some prisoners presented their poems to the audience and shared their experiences of dealing with learning and mental health issues within custody and how becoming involved in the arts has helped them get over these hurdles and hopefully be able to use their new skills upon release.

## **HMP Low Moss – 16 Days of Action 2016**

During November the Behavioural Team at Low Moss prison ran a series of events to recognise the International Day for the Elimination of Violence Against Women, which focused on raising awareness among staff and prisoners to help put a stop to male violence against women and girls.

Recognising that there has been an increase in the number of instances of domestic violence and those serving sentences for them, Low Moss felt that the events would be the ideal opportunity to offer advice and support to prisoners and visitors. It was also an opportunity to raise awareness of the support agencies that are out there for anyone who is suffering violence and does not know where to turn for support.

During the 16 day of action, Low Moss also provided training and information for prisoners and staff who wanted to gain a better understand of violence against women, the key facts and figures and also the bystander theory.

Events held during the week included:

- An SPS Behavioural Change officer giving the speech at Bearsden Academy to over 200 pupils as part of East Dunbartonshire Council's 16 Days of Action.
- Awareness sessions in the Links centre to highlight the white ribbon campaign to prisoners, with over 110 prisoners making the pledge to the campaign.
- The Open Book Group reading Roald Dahl's "Lamb to the Slaughter" focusing on violence in a domestic setting.
- Highlighting the White Ribbon campaign on International Men's Day (November 19<sup>th</sup>), giving prisoners the opportunity to focus on men's health, improving gender relations, promoting gender equality, highlighting positive male role models and realising that men are a big part of the solution.
- White Ribbon training delivered to Peer Support prisoners and staff from HMP Low Moss and HMP Addiewell.
- Screening of "Murdered by my Boyfriend", with many prisoners commenting on how powerful an impact it had on them.

## **Celebrating Eid al-Fitr at HMP Dumfries**

To support the 12% of the population at HMP Dumfries who are of Muslim faith, in the weeks leading up to Ramadan 2016 the establishment's education department held discussions with the Muslim population about the purpose of Ramadan and to establish how SPS could meet their needs and raise awareness and support from others.

An information sheet and slides were developed by some of those within the education department explaining what Ramadan and the Eid al-Fitr celebration represented for the Muslim faith. This explained the need for fasting, prayer and work were posted throughout the establishment including on the TV media boards for prisoners and visitors. This also included raising health awareness during the fasting period. This information was also available through the Prisoners' Information In-Cell TV Channel.

An Eid celebration dinner was held on July 7<sup>th</sup> where all Muslims invited a non-Muslim friend (prisoner) to attend and celebrate with them. This event was attended by over 30 prisoners and staff of the SPS. The event was of exceptional success as prisoners from both the short-term and long-term prisoner groups and offence types attended without any concerns.

Prior to the celebrations a special student award for outstanding contribution was presented to a prisoner who showed commitment and dedication during the successful Islamic studies course called iSyllabus for Schools. A number of students celebrated their completion of the first year of a newly published Islamic studies course 'iSyllabus'. This ground breaking course runs for 5 years and on completion the students will be eligible to gain a GCSE in Islamic Studies. A sound foundation and understanding of Islam provides a platform upon which extreme views are challenged and defeated. HMP Dumfries is the first establishment to pilot the newly designed course. Due to the success of the pilot groups' first year, together with a demand from several other establishments, the iSyllabus classes are currently being introduced to 4 other prisons across the SPS.

## **Anti-bullying – Respectme**

Since 2009 **HMP Shotts** has delivered an anti-bullying programme, developed in partnership with Respectme, to all prisoners entering the National Induction Centre (NIC). The establishment has four staff trained to facilitate these awareness sessions in classes of up to eight individuals.

In November 2014 **HMP YOI Polmont** launched its new anti-bullying strategy, developed in partnership with Respectme. This saw a move away from punitive processes previously used towards a more supportive and educational approach. The launch introduced a new suspected bullying report form (SBR) which can be completed by any member of staff, as well as an anti-bullying workbook. The new approach has been delivered to over 100 staff members and 380 young people. Engagement in the Respectme class with young people has been extremely positive.

At **HMP Cornton Vale** 8 staff have been trained by Respectme. Following this, a number of initiatives have been introduced across the establishment, including:

- the introduction of anti-bullying posters onto the back of every cell door and notice board, designed by the women;
- ‘business cards’ distributed in all areas of the establishment, with Freephone number details;
- anti-bullying help line on all phones across the establishment;
- ‘additional needs’ phones in Ross House to support women on a 24hr basis (hands free devices with 3 recognised support agency numbers pre-programmed);
- all women, both untried and convicted, sign an anti-bullying compact during induction;
- each hall has an established anti-bullying folder for staff guidance and awareness, and
- 6 week ‘drop in’ evening programme for young offenders in 2015 jointly with Respectme.

5 **HMP Glenochil** staff have been trained in the subject. As a result, since 2015, Glenochil has delivered training developed in partnership with Respectme to 115 offence specific protections across the prison. Specific outcomes from these awareness sessions have not be quantified. Nonetheless, senior management are

confident that this, in tandem with the implementation of the Anti-Violence Strategy, represents one of the major contributing factors to HMP Glenochil's claim to be 'the safest prison in Scotland'.

## Procurement

In late 2016, SPS refreshed its Procurement Strategy. This Strategy recognises the contribution that procurement activity can make in supporting the SPS's operational requirements, Vision and Mission whilst also contributing to the wider economic, social or environmental wellbeing agenda promoted by Scottish Government including through the Procurement Reform (Scotland) Act 2014. The Strategy also recognises the contribution that public procurement activity can have on tackling inequality, whether directly or indirectly, and the obligation to promote the general and specific equality duties within award criteria and conditions in relation to the SPS's public procurement activity.

The SPS procurement team routinely develop a Commodity / Service Strategy of each significant project. This key pre-tender stage enables the SPS project team to identify relevant issues including equality & diversity and to prioritise these within the subsequent procurement activity. Consequently, SPS's projects for goods, services or works routinely reflect consideration of relevant key priority areas into the specification, and this process also supports informed decisions around the 'best price-quality ratio' (BPQR) award criteria. This has included equality & diversity being an assessed BPQR area within some contract award decisions. Bidder compliance with the Equality Act is routinely tested and SPS contracts reflect provisions which encourage or oblige contractors to perform and mainstream equality duties. SPS contract management activity also undertakes proactive oversight of SPS contracts which includes checks that suppliers are meeting their legal and contractual obligations. Examples of the handling of E&D matters within SPS procurement activity is reflected below:

- In 2016, the SPS on behalf of Scottish Government, re-tendered for the next generation Occupational Health framework, the previous one being due to expire in March 2017. The previous tender, identified in non-statutory guidance from the Equality & Human Rights Commission as good practice,

was used as a base to make the next generation framework even more robust in terms of E&D. For instance, not only did SPS verify compliance, bidders were asked to submit a case study to demonstrate and evidence how they would reflect and embed E&D within the delivery of OH services. This was a scored part of the technical evaluation and therefore a key component of the contract award decision. The contract states that the OH provider will “ensure that the services provided are sensitive to, and respond to, the needs of individuals in general and specifically within the nine protected characteristics”. The contractor will be expected to report on a number of areas relating to their work including E&D.

- The new prisoner Learning & Skills contract also builds on well-established provisions of encouraging persons in custody to engage in learning activities. The specification recognises the diversity of those in custody (not only in terms of the nine protected characteristics) but also that the scope of services need to engage with individuals who may experience one or more Learning Difficulty and/or Disability (LDD); those with a history of poor engagement in learning or who have negative experiences of learning; individuals experiencing mental health or addictions issues; and those for whom English may not be a first language. In this tender SPS verified bidders’ general compliance with the Equality Act and tested how bidders would use their programme of learning to embed and address E&D with the services. This was a scored part of the technical evaluation and therefore a key component of the contract award decision. The OH provider will be expected to report on a number of areas relating to their work including E&D.
- The SPS achieved accreditation as a Living Wage employer by the Living Wage Foundation in 2016. Accreditation required SPS procurement to validate that suppliers whose staff work in SPS premises are remunerated at or above the Scottish Living Wage, and to develop an action plan to address any areas of non-compliance. SPS contract management activity checks validate continued supplier compliance. The SPS procurement team continue to use a number of methods to promote this fair work agenda: tender documents which include the Workforce Matters provisions; tenders which

encourage no inappropriate use of Zero Hours contracts; and Bidder Forum meetings to promote this messaging.

- Design Services for HMP Edinburgh Women's Regional Unit (WRU) included a specialist brief on equality and diversity which had to be taken into account in the design of the building. Whilst a contract was not ultimately awarded to build the WRU the specialist brief will serve to inform future designs for prisons and WRU builds being commissioned by the SPS.