

This template summarises the key decisions/actions taken in the EHRIA, and has been separated from the full EHRIA document for publication on the SPS external website in compliance with statutory requirements.

Background	
Title of the Policy	SPS Family Strategy
EHRIA Lead (role)	Strategy and Innovation Policy Manager
Date EHRIA completed	16/05/2017
Review date and frequency	16/05/2018
Is this a new or revised policy/practice?	New <input checked="" type="checkbox"/> Revised <input type="checkbox"/>

Scoping
<p>What are the aims of this policy/practice?</p> <p>The Family Strategy will set out how the SPS will review, develop and deliver national and local policies and procedures relating to people in our care and their families. Action to support the strategy includes:</p> <ul style="list-style-type: none"> • Developing mechanisms for listening to and feeding back to service users; • Taking account of the SPS responsibilities in relation to the Children and Young People (Scotland) Act 2014; • A focus on ‘what works’ for people in our care, victims, families and communities; • Fostering and developing partnerships with community organisations in order to support families; and • Taking account of equality, diversity and human rights issues. <p>The Family Strategy has implications at both national and local levels for the SPS, partner organisations, people in our care and their families including:</p> <ul style="list-style-type: none"> • Compliance to all relevant legislation to support the Family Strategy; • Embedding the strategy within the Corporate Planning process; • All policy leads to take account of the strategy within their area and update accordingly; • Review of all local processes to provide opportunities to maximise family contact; • Providing appropriate, accessible information to people in our care and their families; <p>Intended outcomes of the new strategy include:</p> <ul style="list-style-type: none"> • Families feeling included and informed in decisions that may involve or affect them; • Staff have a greater understanding of the impact of imprisonment on people in our care and their families; • Families have the ability to develop or maintain positive relationships; • Effective partnership working to improve pathways for prisoners and their families. <p>WHO did you consult with?</p>

Barnardo's; Trade Union Side; Prisoner Governors' Association; Family Contact Officer; Deputy Governor, HMP Low Moss; Operations Directorate; Head Of Operations, HMP Edinburgh; Women's Project Team ; Head of Offender Outcomes, HMP Low Moss; Prisoner Focus Group; Family Focus Group; Scottish Disability Equality Forum; Stonewall; Religions Advisers, SPS HQ.

WHAT did you learn?

Because no family strategy currently exists, there is a lack of consistency organisationally. SPS must align with Scottish Government priorities around families.

Consideration should also be given within the policy to E&D Act 2010.

There is currently limited information on:

- supporting LGBT parents and families
- supporting people with learning difficulties and disabilities
- supporting families of foreign national prisoners

HOW will this shape your policy/practice?

This Strategy will help set out SPS' commitment to people in our care and their families at both strategic and local level and promote the benefits of such.

What quantitative and/or qualitative evidence as well as case law relating to equality and human rights have you considered when deciding to develop new or revise current policy/practice?

SPS National Visitors Survey 2013; SPS Organisational Review 2013; Prison and Young Offenders Institutions (Scotland) Rules and Directions 2011; National Child Protection Guidance 2014; Children and Young People (Scotland) Act 2014; Community Justice (Scotland) Act 2016; Equality Act 2010; European Convention of Human Rights; HMIPS Standards; HMIP Reports; Data Protection Act; Current examples of best practice at various establishments; SPS Equality Outcomes Visitors' Survey 2017.

- Scottish Government wellbeing indicators hyperlink: [Shanarri indicators](#)
- Positive Prisons website
- Barnardo's – [When a parent goes to prison](#)
- Stonewall has produced '[Different Families](#)' a review of what children say about their gay parents
- SPS GMA 13A/13: Standards for encouraging family contact

Impact

Will the impact and outcomes of the new/revise policy/practice:

Contribute to eliminating discrimination, harassment and victimisation?

E.g.

- Raise awareness of our SPS vision and values for equality and diversity
- Challenge appropriately any behaviours or procedures which

POSITIVE:

It will contribute to eliminating discrimination, harassment, victimisation

NO EFFECT:

It will have no effect on discrimination, harassment and victimisation

NEGATIVE:

do not value diversity and advance equality of opportunity	It will make discrimination, harassment and victimisation worse <input type="checkbox"/>
Advance equality of opportunity between those who share a protected characteristic and those who do not? E.g. <ul style="list-style-type: none"> Remove or minimise disadvantage Meet the needs of equality groups that are different from the needs of others participation in public life 	POSITIVE: It will advance equality of opportunity <input checked="" type="checkbox"/>
	NO EFFECT: It will have no effect on equality of opportunity <input type="checkbox"/>
	NEGATIVE: It will reduce equality of opportunity <input type="checkbox"/>
Foster good relations between those who share a protected characteristic and those who do not? E.g. <ul style="list-style-type: none"> Tackle prejudice Promote understanding 	POSITIVE: It will foster good relations <input checked="" type="checkbox"/>
	NO EFFECT: It will have no effect on good relations <input type="checkbox"/>
	NEGATIVE: It will cause good relations to deteriorate <input type="checkbox"/>
Ensure Human Rights Compliance?	It will uphold human rights articles. <input checked="" type="checkbox"/>
	It will breach human rights articles. <input type="checkbox"/>

Please summarise the results of the Equality & Human Rights Impact Assessment, including the likely impact of the proposed policy/practice advancing equality and human rights.

<p>Positive Impacts</p> <p>Protected characteristics affected: Age, race, gender, disability, religion or belief, maternity and pregnancy, marriage and civil partnership, socio-economic groups, human rights compliance.</p> <p>Family contact cannot be underestimated in providing opportunities to sustain and improve relationships. It is recognised that not all family relationships are positive, and some are damaging and abusive. But where there are positive relationships (or the potential to build them) prisons can take steps that will help enable families to sustain and improve their relationships.</p> <p>Family Strategy lead will provide consistency and sharing of best practice across the estate. Also be present at key partnership meetings like National Prison Visitors Centre Steering Group. This will provide a platform to provide all family members visiting prisons to have a greater level of support through: improving the visits experience for people visiting their family member or loved ones in prison by: allowing families to access independent and impartial advice, information and support, which meets their needs; champion families’ needs towards the prison system.</p> <p>Age Positive impacts include promoting the broader definition of the family to include grandparents and older parents and a more liberal attitude towards children.</p>

Positive Impacts

Identifying needs for different age groups, i.e. Children's visits being available up to age 18. Over 16 years of age attended visits unescorted. Taking Visitors and children's views into account in Children's visits application process.

Young people and the best interest of children are central to decision making and this strategy promotes family activities out with school time, family friendly visits where family contact is maximised in a family friendly environment with appropriate healthy snacks and buggy storage, as identified as issues through the 'SPS Equality Outcomes Visitors Survey results 2017'. Notices to families will be communicated in a way which suits the audience and will include BSL, easy read and various languages.

Race

Positive impact of This Strategy is to promote family engagement for all. The translation service is available if required. Additionally, there is provision for phone credit to be allocated to foreign nationals to maintain family contact. The family strategy will also look to promote new innovations available for maintaining contact.

Disability

One of the guiding principles within the Family Strategy is to treat families with dignity and respect. Positive impacts within the Family Strategy are within the key theme of wellbeing whereby we will: ensure people in our care and their families are supported appropriately in relation to any wellbeing concerns and support staff to enable them to be able to identify and respond to wellbeing needs of people in our care and their family members.

Religion and Belief

Positive impact of this Strategy will include establishments having to consider how family engagement can be maximised whilst taking into account difference religions, worship times to ensure they are not disadvantaged etc.

Women

It is evident that a high proportion of our visitors are female and as such the outcomes that the strategy is trying to achieve will have a positive impact on women that are effected by partners in prison. Support being provided and promoting involvement in partners/family member's period in custody.

Women in custody

Recognising the importance on maximising family contact and appropriate child contact to promote bonding and promotes parental rights where this is agreed through the local authorities.

Maternity and Pregnancy

The overarching positive impact of this strategy ensures that families feel included and engaged in any decisions that may involve or affect them and that staff have a greater understanding of the impact of imprisonment on people in our care and their families. In addition, reference is made to the SPS Child Protection Policy and Scottish Government National Child Protection Policy 2014 to ensure the safety and wellbeing of children is considered and acted upon when required. A separate mother and baby policy exists to ensure that the needs of pre and post-natal mothers are catered for.

Marriage and civil partnership

Positive Impacts

Positive impacts include promoting the broader definition of the family to include same sex marriage and civil partnership

Socio-economic groups

This Strategy aims to cut across all socio-economic group and will ensure that all families are treated equally. Positive impacts will include: families not feeling stigmatised because a family member is imprisoned; staff understanding the importance of family contact and how it can support desistance; case management process encouraging family involvement.

The following principles will underpin the Family Strategy and inform all practice relating to families affected by imprisonment:

- Family members are treated with fairness, dignity and respect
- Families are included in their relatives' rehabilitation wherever possible
- Every family is unique
- The best interests of Children are paramount to any decision making
- Effective Partnership working is key to successful outcomes

Travel Expense - further promotion and standardised communications to support Assisted Prison Visits Scheme that support people in poverty. Support new innovation to reduce impact on families.

Uphold the statutory Rights of Article 8 - **Right to respect for private & family life** (e.g. confidentiality and access to family).

Negative Impacts

Protected characteristics affected: Race, gender, disability, religion or belief, socio-economic groups, human rights interference (but legitimate and proportionate).

Impact	Mitigation
Some prisoners are excluded from having their family visit, for example sex offenders, domestic violence offenders	Following risk assessment, it may not be deemed appropriate for some visits to take place due to the nature of the offence or child protection issues.
Families may live too far away to visit.	If eligible, accumulated visits can be facilitated. Ongoing engagement can take place via letter, email and telephone and promote new innovation like Prison Voicemail.
Families might not be able to financially afford to come to visit Some families will refuse to engage.	Assisted Prison Visits Scheme may support families financially and is widely available and communicated to families.
We currently have young people in custody.	Continue to promote the SPS corporate parenting role for young people and care leavers. We cannot force individuals to engage however we will continue to extend that offer. Children and Young People (Scotland) Act 2014 protects the right of young people.

Some families or children may be excluded from visiting their family member due to the nature of their crime.	This can be mitigated due to child/ adult protection concerns that are present. Child protection processes & training should be reviewed and up to date.
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Recommended course of action	
Outcome 1: Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified.	<input type="checkbox"/>
Outcome 2: Proceed with adjustments to remove barriers identified for discrimination, advancement of equality of opportunity and fostering good relations or breach of human rights articles.	<input checked="" type="checkbox"/>
Outcome 3: Continue despite having identified some potential for adverse impact or missed opportunity to advance equality and human rights (justification to be clearly set out).	<input type="checkbox"/>
Outcome 4: Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified.	<input type="checkbox"/>

Summary of Outcome decision and Recommendations
<p>The SPS Family Strategy will be launched on the 18th May along with Family Improvement plan templates to be populated of each establishment. This will allow the SPS to improve outcomes for people in our care and their families.</p> <p>Creating an establishment improvement plan that supports delivery in key areas:</p> <ul style="list-style-type: none"> • Provide information to all families to ensure understanding, and notices to families will be communicated in a way which suits the audience and will include BSL, easy read and various languages. Ensure that families can access the information when not in a prison, in particular, on SPS website and partner’s website; • Family Strategy lead will provide consistency and sharing of best practice across the estate. Also be present at key partnership meetings like National Prison Visitors Centre Steering Group; • The family strategy will also look to promote new innovations available for maintaining contact; • The family strategy will support new innovations to reduce financial impact on families of maintaining family contact; and • Child protection processes & training should be reviewed and up to date.

Next steps
<p>Monitor information provided to families on our strategy and through the Strategy improvement plans. People should understand our policies and the SPS are required to publish in a range of accessible formats.</p> <p>Liaise with communication branch to provide up to date information to families when not in a prison, in particular, on SPS website and partner’s website, so that families can access and digest our information away from the prison environment.</p>

Next steps

Monitor family complaints and surveys for discrimination and continue to support the SPS Visitors Survey and SPS Equality Outcomes Surveys to gain a knowledge of areas to improve in.

If you require this document in an alternative format, please contact SPSEqualityandDiversityTeam@sps.pnn.gov.uk