

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	PRL Audit and Assurance for Prisoner Community Work Placements.
EHRIA Lead Person	SPS Policy Manager S&I Directorate
Date EHRIA completed	August 2016
Review date and frequency	In line with the next step of the project
Is this a new or revised policy/practice?	New <input checked="" type="checkbox"/> Revised <input type="checkbox"/>

Scoping	
What are the aims of this policy/practice?	<p>There are no PRL standards currently in place for community placement working. The SPS required an audit procedures to monitor for a standardised and fair approach as well as ensuring compliance with The Scottish Prison Rules 2011.</p> <p>Produce a set of standards that will provide consistency throughout the SPS, provide direction on the required assurance, (Primary and Secondary) risk assessments, (Prisoner and Community placements) conditions at placements, monitoring of prisoners at placements and recording of such information into the effectiveness of the activity.</p>
WHO did you consult with?	<p>Community Placement Officers in establishments (Open estate, Cornton Vale Greenock Barlinnie Polmont)</p> <p>Community Service Providers</p> <p>Legal Service Colleagues (HQ)</p> <p>Heads of Offenders Managers in establishments</p> <p>Information Security (HQ)</p> <p>Prisoners on Community Placements (Male &amp; Female)</p> <p>Audit and Assurance Services Colleagues (HQ)</p>

Scoping	
	Equality and Diversity Colleagues (HQ)Community placements (Graham Bradley removals – Dundee Transform COC – Dundee)
WHAT did you learn?	<p>That not all community providers were aware of their responsibility under the 2010 Equality Act</p> <p>There were a requirement to consider other EHRIA were completed to ensure total compliance of these proposed standards.</p> <p>During the evidence gathering it was apparent that each establishment were using different processes and that some establishment were having to learn from those with more experienced at engaging community placements, therefore a uniform set of templates were required which the Enterprise and Employability team were now developing.</p>
HOW will this shape your policy/practice?	<p>Enable those establishments to make informed and fair decisions regarding community placements by- Provide assurance in that a fair and equal process is undertaken when considering Community Placements.</p> <p>Provide clarity due to lack of central control over governing the procedure in approving community placements</p> <p>Reduction of risk and increase Prisoners safety due to establishments ineffective risk assessment procedures governing community placements</p> <p>Mitigate SPS risk to reputation, injury or loss to a Prisoner/individual because of poor record keeping and maintaining robust defensible decisions when granting a Prisoner access to the community.</p> <p>Protection for prisoners, establishments and providers.</p> <p>Enabling Prisoners to gain experience, skills improve self-esteem and worth.</p> <p>Contract for community placement will include compliance to the 2010 Equality Act.</p>
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?	<p>The Prison and Young Offender Institutions (Scotland) Rules 2011</p> <p>Equality Act 2010</p> <p>PRL – Prison Resource Library (Prisoner Progression)</p> <p>Audit and Assurance Services report recommendations into Community Placements Dec 2014 (Cornton Vale, Open Estate, Barlinnie and Greenock)</p> <p>Impact assessment in relation to the Prisoners Wage Earning Policy and other link policy's</p> <p>Prisoner Wage Earning Policy</p>

<b>Scoping</b>	
	Focus groups including Prisoners and Community Placement providers (HQ canteen) Transgender Policy Prisoner Privacy Assessment SPS Directions 2011 (No 24 – Work Placements)

<b>Impact</b> Will the impact and outcomes of the new/revised policy/practice:	
<b>Contribute to eliminating discrimination, harassment and victimisation?</b> E.g. <ul style="list-style-type: none"> <li>• Raise awareness of our SPS vision and values for equality and diversity</li> <li>• Challenge appropriately any behaviours or procedures which do not value diversity and advance equality of opportunity</li> </ul>	<b>POSITIVE:</b> It will contribute to eliminating discrimination, harassment, victimisation <input checked="" type="checkbox"/>
	<b>NO EFFECT:</b> It will have no effect on discrimination, harassment and victimisation <input type="checkbox"/>
	<b>NEGATIVE:</b> It will make discrimination, harassment and victimisation worse <input type="checkbox"/>
<b>Advance equality of opportunity between those who share a protected characteristic and those who do not?</b> E.g. <ul style="list-style-type: none"> <li>• Remove or minimise disadvantage</li> <li>• Meet the needs of equality groups that are different from the needs of others participation in public life</li> </ul>	<b>POSITIVE:</b> It will advance equality of opportunity <input checked="" type="checkbox"/>
	<b>NO EFFECT:</b> It will have no effect on equality of opportunity <input type="checkbox"/>
	<b>NEGATIVE:</b> It will reduce equality of opportunity <input type="checkbox"/>
<b>Foster good relations between those who share a protected characteristic and those who do not?</b> E.g. <ul style="list-style-type: none"> <li>• Tackle prejudice</li> <li>• Promote understanding</li> </ul>	<b>POSITIVE:</b> It will foster good relations <input checked="" type="checkbox"/>
	<b>NO EFFECT:</b> It will have no effect on good relations <input type="checkbox"/>
	<b>NEGATIVE:</b> It will cause good relations to deteriorate <input type="checkbox"/>
<b>Ensure Human Rights Compliance?</b>	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.**

## Positive Impacts

Protected characteristics affected:

Prisoners from all Socio groups will be considered for work placements via the RMT process and that the process will be open and transparent to prisoners no matter what their characteristic group.

Impact assessments on other policies relating to these standards are completed to enable any related Policies/ Rules/Directions to be linked together.

Prisoner who were not in work prior to custody will get the opportunity to experience work activities in the community that will support them pre-release and post liberation.

Some placement providers may employ Prisoners on release following successfully completion of work placement programmes, this engagement will be based on their ability and experience gained as well as work ethic.

All Prisoners groups will have the opportunity to engage positively with all proactive community providers to undertake community work placements.

Prisoner's self-esteem, confidence, employability and life skills prospects will be enhanced and evidence gathered through reporting by placements providers.

Prisoners will receive realistic training as well as opportunity to obtain relevant certifications of duties undertaken whilst on the placement.

## Negative Impacts

Protected characteristics affected:

Impact	Mitigation
Placement providers may choose not to engage prisoners due to any of the 9 protected characteristics and prejudices.	Forward planning to mitigate non-attendance of placement, as well as consideration to accommodate religious observations. SPS could offer advice to placements to enable compliance.
The population of older prisoners who would not normally work will be offered the opportunity to work if available and were considered fit enough to carry out work placements.	<i>This is part of a release programme consideration must take into consideration the length of time at work and fitness levels.</i>
Prisoner being forced to work especially from socio and economic groups who may have never worked or the opportunity to work	<i>The Prisoner group could potential see this as forced labour. However purposeful activities will give vital skills, work attitude that will support Prisoners on release and reducing reoffending.</i>

## Recommended course of action

<b>Outcome 1:</b> Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified.	<input type="checkbox"/>
<b>Outcome 2:</b> 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"/>
<b>Outcome 3:</b> 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"/>
<b>Outcome 4:</b> 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

The Equality and Human Rights Impact Assessment (EHRIA) has shown the aims of these standards will provide a fair and standardise approach across the SPS. There is no hard evidence that these standards will be discriminatory or will breach any article or protocol in the Human Rights Acts but the need to identify some potential discrimination and minimise those breach of human right articles.

It is expected that the most significant impacts, and the most positive impacts, will be all Prisoners and support to Prisoners who are unable to participate in purposeful activity. The strategy is part of the Scottish Prison Service preventative approach to reducing reoffending, assisting service users into desistance and community recovery – focussing on improved identification of Prisoner needs by asset- based management plans.

Non engagement of Prisoners could be a possible negative effect and have an impact on the desistance model the SPS are attempting to introduce, monitoring of the reason for non-engagement in identifying possible issues that have not been considered.

It should not therefore have a detrimental effect on any protected group characteristics in the Equality Act or any Human Rights Articles.

## Next steps

Review after 12 months following implementation of a Community Placement policy.  
Review of the EHRIA to be undertaken when a full Community Placement policy is progressed or any associated policy's linked is revised.  
Monitor engagement levels and review the successes.  
Review when tool kits have been progressed or any concern is raised.

If you require this document in an alternative format, please contact  
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