



Scottish Prison Service Equality Outcomes 2017-20 Final Progress Report

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1. Introduction

This final report sets out the achievements against our Equality Outcomes 2017 – 2020 under the Scottish specific duty¹.

Our Equality Outcomes reflect the areas of equality that require the greatest focus from SPS, set against our commitments and obligations under the Justice Strategy and the National Performance Framework, alongside other requirements placed on us as a public sector employer and service deliverer. The Equality Outcomes are designed to support SPS’ strategic themes and outcomes and progress is monitored via our internal corporate planning processes.

An organisational review in November 2013 ([Unlocking Potential: Transforming Lives](#)) set a direction for the Scottish Prison Service. This set-out a person centred approach towards engaging with those in custody with a focus on desistance and collaborative working to achieve the aims of the review. The review also resulted in an ambitious Vision and Mission for SPS.

OUR VISION

Helping to build a safer Scotland, unlocking potential, transforming lives.

OUR MISSION

Providing services that help to transform the lives of people in our care so they can fulfil their potential and become responsible citizens.

The Vision and Mission, outlined within our [Corporate Plan](#) for 2017-20, continue to be reflected into the [SPS Corporate Plan 2019/22](#) and Annual Delivery Plans through a number of Strategic Themes and priorities.

Our Outcomes were developed in line with the activities outlined within our 2017 – 20 Corporate Plan (Our Plan). In 2019 we refreshed our Corporate Plan, setting out our priorities for 2019 – 22 under the SPS Corporate Plan 2019-22. Our responsibilities under the Public Sector Equality Duties, including reporting on our Outcomes, form part of the strategic theme “Impact” and we publish this final report taking cognisance of the organizational revised priorities.

¹ The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 require each listed authority to publish a set of equality outcomes which it considers will enable the authority to better perform the general equality duty. It must publish a fresh set of equality outcomes within four years of publishing its previous set.

2. Compliance with legislation

Equality is vital to achieving our Vision and we have made a clear commitment to equality and diversity through our Corporate Planning and Performance with an organisational action to deliver our diversity activities under our Impact Strategic Theme. In 2017 we developed our second set of Equality Outcomes for 2017 - 20, based on the findings of the 2013 – 17 Outcomes. They were designed to be sufficiently high level in order to further the three needs of the general equality duty and encompass a broad spread of cross-cutting activities.

Our final 2017 – 20 Outcomes update report is published, as required, under the Equality Act (2010) (Specific Duties) (Scotland) Regulations 2012. Performance against the equalities duties is regulated by the Equality and Human Rights Commission (EHRC). The Human Rights Act 1998 also makes it unlawful for a public body or those performing a public function to act, or fail to act, in a way that is incompatible with the European Convention on Human Rights.

In May 2020 the EHRC reviewed the PSED specific reporting obligations due to the Coronavirus outbreak, with the Coronavirus (Scotland) Act 2020 enabling SPS to postpone publication of statutory reports whilst continuing to divert key resources to control the transmission of COVID-19. The requirements of the general duty remained in force and continued to be critical in ensuring that the SPS considers the needs and disadvantages faced by our colleagues and those in our care. In line with the revised reporting timeframes, the SPS continued to work towards the achievement of the activities set out within the existing the 2017 – 2020 Outcomes, until the new Outcomes were published in December 2020.

The Equality Act 2010 sets out the “general equality duty” (known as the three ‘needs’), which places a duty on listed public authorities to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

The Equality Act 2010 lists nine protected characteristics and defines direct and indirect discrimination as where someone is treated less favourably according to a protected

characteristic: age, disability, marriage and civil partnership, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation.

3. Progress against our Outcomes

This report brings us to the end of our second equality outcomes cycle and focuses on the achievements the SPS has made with regard to our Equality Outcomes since we reported on our progress in 2019.

Over the past three years we have worked hard to build on the solid foundations laid between 2015 and 2017 and to deliver against our 2017 – 2020 Outcomes which we acknowledged were challenging when we set them in 2017. A tremendous amount of work has been carried out to advance equality, diversity and inclusion for everyone who works within, or comes into contact with the SPS.

Progress has been monitored using a range of indicators including the results of staff and prisoner surveys, focus groups, management information reports, policy reviews, corporate planning reports and employment equality information data.

4. Equality Outcome 1: Our workforce across all business areas and levels reflects the diversity of wider Scottish society.

4.1 We will ensure the SPS Workforce Plan fully considers equality factors to support the delivery of Equality Outcome 1, including appropriate positive action approaches in our attraction strategies and to tackle occupational segregation. As part of the introduction of values-based recruitment we will include those associated with valuing diversity and introduce Equality and Diversity criteria as essential for our senior vacancies and test this during selection

What we achieved: In April 2018 we published our 2018 – 23 Workforce Plan, setting the strategic direction for the management of resources across SPS. The Workforce Plan identifies actions under the four headings of Resourcing, Career Development, Leadership and Governance, and is intended to revise the historical short to medium-term workforce planning approach that we have previously undertaken. The Workforce Plan takes cognisance of both the overarching principles set by the [Civil Service Workforce Plan \(2016-2020\)](#) and the direction set by the Scottish Government in relation to employability.

Our Workforce Plan identified the need for improved management information and in 2018 we completed the roll-out of our Workforce planning dashboards for all business areas and we featured these within the organisational workshops when working with business areas to identify current and future workforce challenges. The dashboards include gender and age as well as Operational and Non-Operational profiles.

In October 2017, the Executive Management Group (EMG) approved the development of a values-based assessment tool to attract, select and promote employees on the basis that their individual values and behaviours align with the values of the organisation. The aim of the project is to:

- Measure candidates' suitability to be a Prison Officer, through assessing their values, behaviours and attitudes.
- Provide a realistic preview of the Prison Officer job to potential applicants.
- Provide a standardised method to assess candidates' personal attributes.
- Manage high volume applications for Prison Officer jobs.
- Increase diversity with the Prison Officer staff group.

As a result of this significant changes were introduced to Prison Officer Selection in late 2019. A key element of the redesign of selection processes was the removal of unintended barriers and bias. This included:

- The launch of Situational Judgement Test
- Removing a manual sift (identified as a potential area of bias)
- Values Based Group Exercise
- Improved moderation approaches to enhance feedback to assessors, improving performance and reducing bias.

All areas of the new selection process were reviewed for adverse impact.

A form to capture socio-economic background information has been developed on the online recruitment system and has been attached to the new Residential Officer application form. This will support analysis of the applicant pool to measure progress against our aim of having a workforce that reflects the diversity of wider Scottish society and aligns to the Civil Service Commission's stated priority of enhancing diversity within the Civil Service. Following evaluation, it is intended to roll this out across all application forms, both internally and externally. We continue to use targeted advertising to support a more diverse range of applicants.

4.2 We need to ensure that our recruitment processes do not pose any unintentional barriers and we will review them to understand why certain equality groups have a lower rate of success

What we achieved: Name-blind recruitment was trialled by the Workforce Planning team for recruitment to Operational and Estates staff during the first quarter of 2018, and, following completion of the trial, the revised Name-blind recruitment process was rolled out to all internal and external recruitment by September 2018.

We developed and rolled out across all the estates Unconscious Bias e-learning, available for recruitment assessors, managers and HR teams to complete. Our Workforce planning team monitored completion rates across the SPS and local HR teams promoted awareness of the course to new and potential assessors and recruitment managers.

We increased the numbers of applications from candidates who applied for roles within SPS through the Two Ticks Guaranteed Interview Scheme (now part of the Disability Confident Scheme), with 16 candidates progressing to the later stages of the recruitment process. We have developed equality monitoring data pertaining to applications submitted broken down into the following categories – Age, Disability, Gender, Ethnicity, Sexual Orientation and Religion/Belief.

Of the existing employees who were promoted during the same period referenced above there was an increase of 1.18% of the number of staff promoted. In 2016-17 there were 51 females promoted across SPS however in 2017-18 the number of females promoted had dropped by 7.84% with 47 female staff being promoted. This compares to the number of male staff promoted increasing by 14.71% from 34 male staff promoted in 2016-17 rising to 39 in 2017-18.

Analysis of applications versus offers for External Roles in SPS

Data has been analysed for last full performance year, period 1st April 2018 to 31st March 2019 to understand impact of the work to achieve this Equality Outcome and to inform future actions. During this period just over 6000 external applications were received, of which 315 offers of employment were made, so 5 % of all applicants offered a post. The tables on the following pages provide a breakdown of the analysis of our external recruitment activities.

Across the demographics analysed for this report, it appears that our attraction rates are largely representative of the general population in Scotland. In age, gender, ethnicity and religious belief that certainly seems to be the case, while applications from those who

identify as LGB are slightly over-represented, with the exception of the recruitment of individuals who identify as gay male. Applications from those who identify as having a disability are below the national proportions.

It is at the selection stage that the number of those with specific protected characteristics, particularly gay men, individuals with disabilities and those from BAME backgrounds are not reflective of the wider Scottish population. These areas will require further research and we will take forward this action under our new Outcomes.

Gender

Gender	Male	Female	Prefer not to disclose/ no value
% of Applications Received	49%	51%	0%
% of Offers	51%	49%	1%

Our data analysis indicates that our recruitment activities attract approximately similar numbers of male and female applications. These applications are converted into approximately an equal number of offers for both male and female.

Disability

Does applicant consider themselves to have disability?	Yes	No	No Value/ Prefer not to disclose
% of Applications Received	4%	95%	1%
% of Offers	1%	98%	1%

Only 4% of all applicants considered themselves to have a disability, of which 1% were made offers. This figure is low given that 32% of the adult Scottish population (over 16s) consider themselves to have a long-term limiting mental or physical health condition or disability (National Records for Scotland, 2017). 45.4% (approx. 765,000) of people with a disability are in employment in Scotland (Scottish Government, 2019).

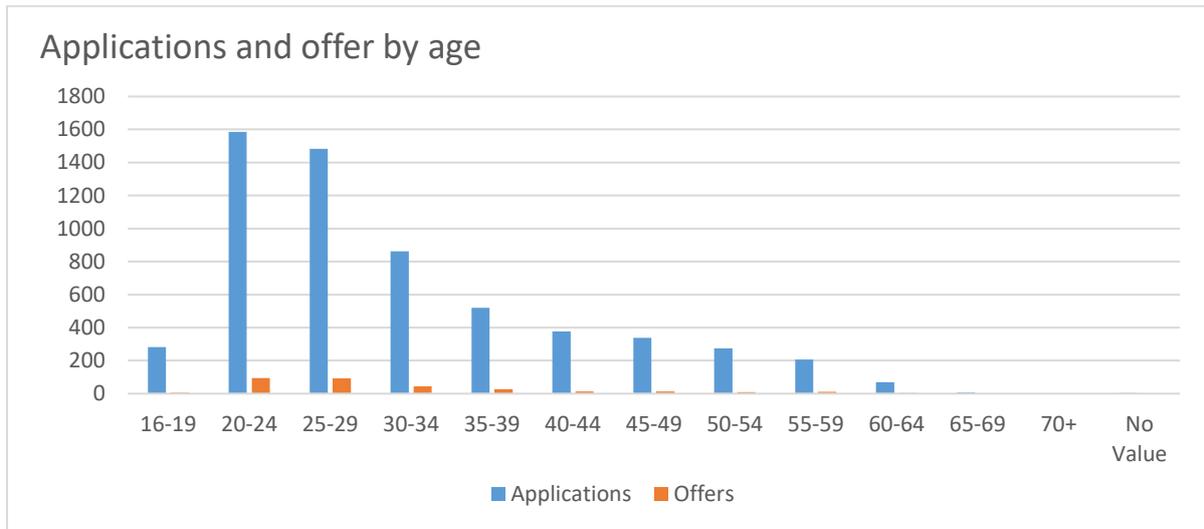
Sexual Orientation

Sexual Orientation	Hetero- sexual/ straight	Gay Man	Gay Woman/ Lesbian	Bisexual	Other	No Value/ Prefer not to disclose
% of Applications Received	92%	1%	3%	1%	0%	2%
% of Offers	90%	1%	7%	2%	0%	1%

Our data indicates that 5% of all applicants identified as being lesbian, gay or bisexual (LGB) with 2% preferring not to disclose. According to the Scottish Public Health Observatory (ScotPHO), only 2.4% of the Scottish population identify as LGB (ScotPHO, 2019), so there is actually an over-representation in this demographic. Added to this is the potential for under-reporting, where it can be assumed that a proportion of all applicants who are gay will not disclose or even state 'prefer not to disclose'. This then converted to 10% of offers made indicating LGB applicants outperforming other applicants

Age

Age Group	16- 19	20- 24	25- 29	30- 34	35- 39	40- 44	45- 49	50- 54	55- 59	60- 64	65- 69	70+	No Value / Prefer not to disclose
% of Applications Received	5%	26%	25%	14%	9%	6%	6%	5%	3%	1%	0%	0%	0%
% of Offers	2%	30%	30%	14%	9%	4%	4%	3%	4%	1%	0%	0%	0%



The data show that the number of applicants in the 20-40 age grouping is 74%. In all the age groups the 20-24 and the 25-29 age groups were again more successful compared with other groupings. Only 2% were under the age of 20.

Ethnicity

Ethnicity	White	African	Asian	Mixed	Caribbean or Black	Arab, Arab Scottish or Arab British	Other Ethnic Group	No Value / Prefer not to disclose
% of Applications Received	95%	1%	2%	1%	0%	0%	0%	0%
% of Offers	97%	0%	0%	1%	0%	0%	0%	1%

Our analysis has identified 4% of all applicants were from a Black, Asian and Minority Ethnic (BAME) or mixed ethnic background. According to the Coalition for Racial Equality and Rights (CRER) 4% of the Scottish population are from the same demographic (CRER, 2014). The data indicates that our recruitment activities are attracting close to the national proportion of this demographic, and we will continue our analysis further within our new Outcomes to better understand the reasons for the lower % of offers.

4.3 We are committed to disability equality and diversity and will consolidate our Disability Confident Level 1 and work towards Level 2

What we achieved: We have achieved Disability Confident Levels 1 and 2. In order to continue our development of recruitment activities that enable consolidation of the Level 2 achievement, an action plan has been developed which will enable the SPS to maintain Level 2 with the key actions tabled below:

Action
Advertise vacancies through a range of channels
Get advice and support from Jobcentre plus, Work Programme providers, recruiters and/or your local disabled people's user-led organisations
Review current recruitment processes
Encourage applications from disabled people from offering them an interview, if they meet the minimum criteria for the job (this is the description of the job as set by the employer)
Make sure disabled workers aren't seriously disadvantaged when applying for and doing their jobs
Retaining an employee who has become disabled means keeping their valuable skills and experience and saves on the cost of recruiting a replacement

Table 2: Disability Confident actions

5. Equality Outcome 2: Our flexible working practices enable staff to achieve a good work life balance and also to progress their career.

5.1 We will take action to change the culture of how flexible working is perceived, understood and implemented by staff and managers

What we achieved: SPS is a family friendly organisation and we have developed a range of policies that support staff in achieving work life balance, including flexible working, flexi-time (HQ staff), dependent care leave, parental leave and career breaks. Throughout the reporting period of these Outcomes, we have continued to promote policies that enable our employees to achieve a work life balance.

5.2 We will examine the current future demand and impact of increases in flexible working to determine the critical mass of non-standard working patterns we can accommodate and will seek creative solutions to ensure, where operationally viable, that our standard arrangements for deployment processes are enablers of flexible working

What we achieved: Research and analysis under our 2018 – 23 Workforce Plan will inform how we can determine the critical mass of non-standard working patterns. The SPS College undertook the scoping and consultation for the Workforce Plan, with a programme of establishment and HQ organisational capability workshops facilitated between October 2017 and February 2018, enabling senior managers to review their current and future deployment needs. The outcomes of each workshop were fed back into the Workforce Planning Group, for consideration against the wider deployment of staffing across SPS. We have used the information to inform our Workforce Planning Groups decisions regarding our deployment of full and part time staffing across our estates.

The majority of staff working within our Headquarters do not work a traditional 9 to 5 attendance pattern, with many using flexitime, condensed working hours and varying start and finishing times. All contribute to increased levels of flexibility and comply with our legal requirement of allowing employees with 26 weeks' service the right to apply for flexible working.

To move from a proactive, rather than reactive approach, to flexibility that addresses both the business need and employee aspiration, we commenced a Smart Working pilot, taking a comprehensive and strategic approach to modernising working practices. In 2019, following a review of the initial pilot, Smart Working began to be rolled out across our HQ functions, enabling employees to have a greater flexibility in their working patterns and locations, including working remotely. Due to the lockdown restrictions placed upon the SPS by COVID-19, we have taken the opportunity to roll out Smart Working across a number of functions, both within HQ and across the wider SPS, enabling colleagues to

continue to deliver services whilst working remotely. Feedback from colleagues will be captured as part of the wider research for longer term Smart Working planning.

5.3 In order to understand whether there is equality of access to flexible working and the experiences of staff we will build monitoring capabilities and use the analysis of the data to improve access

What we achieved: In 2018 we rolled out Dashboards for each establishment, providing data with regard to the staffing profile (Operational, Non-Operational, Age and Gender) within the establishments. The dashboards, alongside information from our E-HR system and locally held HR records enable management teams within establishments to balance the staffing requirements against part time working/flexible working requests. Data pulled from the SPS E-HR system as of March 2018 and Table 3 below provides the part time staffing figures.

Employees	Total staffing numbers	Full Time employees	Part Time employees	% of Total Employees working part time
Female	1,374	1,196	178	12.95%
Male	3,175	2,858	317	9.98%

Table 3: SPS Part- time Staffing numbers

Our E-HR reporting system records those staff who work part time but does not have capacity to record those who work a non-standard pattern of working such as compressed hours. Further analysis is required to fully understand the breakdown of staff who fall into that category and how requests for flexible working are considered and managed across SPS. We have continued to review our existing policies and the review of the flexible working policy, being taken forward as part of the HR policy review schedule, will include the development of an IT based system which will capture data across the SPS with regard to flexible working requests. The onset of remote working due to COVID-19 will give us the opportunity to review non-standard patterns of working going forward, alongside feedback from colleagues and business impact.

6. Equality Outcome 3: Employees and people in custody are treated fairly with dignity and respect and according to their needs in an environment which is free of discrimination, harassment or victimisation.

6.1 We will develop a “whole prison approach” to tackling bullying, including prejudice-based bullying, with a comprehensive programme of training and awareness for staff and prisoners across the SPS

What we achieved: In 2017 we conducted a biennial round of prisoner surveys across the whole prisoner population. The prisoner survey asks various questions which enable us to understand whether they feel they are treated with respect and dignity and to provide the organisation with data. The findings show that:

- Of the 46% of those who completed the survey 34% participants indicated they had a disability, an increase of 8% from the 2015 survey in which 26% individuals advised they had a disability;
- 16% of participants said they had experienced bullying in the last month an increase of 4% from the 2015 survey response;
- 85% of participants advised they were able to practice their religion/belief, 83% felt their religion/belief was respected by staff, an increase of 5% from the 2015 result of 78%;
- 82% indicated they believed their religion/belief was respected by other prisoners, an increase of 7% from the 2015 survey in which 75% indicated their religion/belief was respected by other prisoners;
- 16% of those who advised they experienced bullying reported it, an increase of 4% from the 2015 survey in which 12% reported experiencing bullying.

The SPS is committed to building a safer Scotland and *Unlocking Potential – Transforming Lives*. Having identified a need for a revised corporate approach to the management of bullying behaviours, we have developed *Think Twice: the SPS’ strategic approach to encouraging respectful behaviour in prison*. This focuses on identifying and recognising when bullying occurs with a view to managing appropriately the behaviour of the person bullying and providing support to the person experiencing the bullying behaviour. The

strategy applies to those in our care, their children, families and visitors in all areas of the SPS, and was launched across all SPS in May 2018.

All staff undertake Equality and Diversity training, including tackling bullying as part of their core training within the SPS, and for all new Operational colleagues it forms part of their Officer Foundation Programme. In 2018 the SPS College delivered a number of additional Equality and Diversity training courses aimed at those who had not completed the course and those employees who wished to undertake refresher training alongside developing a new Equality and Diversity eLearning course, with 2,100 employees having completed the course as part of their Continuing Professional Development. The number of employees with no recorded Equality and Diversity training halved between 2017 and 2019 from 14% to 7% (circa. 330).

Following a review of external products available, as part of developing a tiered approach, in Sept 2017 an ILM 4 Award in Managing Equality and Diversity qualification was delivered at SPS College to members of employees from across HR. This included SPS College staff responsible for training managers, HR, and prison based Equality and Diversity staff. A further course was delivered in March 2019, with participants being from across the HR function, primarily from local HR teams to increase their learning and understanding with a view to their taking a greater role in tackling bullying.

6.2 We will take action to understand and remedy on the causes of discrimination experienced by employees and prisoners. We will implement measures which increase understanding of hate crime, tackle prejudice and promote understanding and which raise awareness amongst employees and prisoners about their equality and diversity roles and responsibilities and the need for respect and dignity and to challenge and address unacceptable behaviours and attitudes. Engagement with staff networks and external criminal justice and third sector partners will be a feature of the delivery of this work where possible.

What we achieved: Our anti-bullying strategy “*Think Twice*” was developed in partnership with respectme Scotland’s Anti-Bullying Service funded by the Scottish Government and managed by the Scottish Association for Mental Health (SAMH) and LGBT Scotland. Our establishments undertake quarterly Equality and Diversity meetings to agree events and activities that will focus on challenging attitudes, reducing discrimination and tackling hate crime.

In November 2019 we undertook a series of focus groups with those in our care. Of those who participated, 18% advised they had a good understanding of the Think Twice strategy, with a further 27% advising they were aware of the strategy. Of those who participated only 5% indicated that they were unaware of the strategy.

In 2018 our annual Civil Service People Survey theme of Inclusion and Fair Treatment, which assesses individual feelings of being treated equitably and with respect at work, showed a decrease of 4% from 62% to 58%, however there was an increase in 3% in staff understanding our policies on Equality and Diversity, indicating our staff have a greater knowledge of what constitutes unacceptable behaviours and attitudes. Our 2019 Inclusion and Fair Treatment theme results showed an improvement of 4%, taking our overall result to 62%, with an increase of 16% of staff advising they would report and tackle bullying behaviours.

6.3 We will develop an SPS policy on tackling Violence Against Women and Girls and implement parts of the national action plan in partnership with partners in, and beyond, the justice system

What we achieved: Equally Safe: Scotland's strategy for the eradication of Violence Against Women and Girls (VAW) was launched by the Scottish Government in 2017, providing a clear strategic vision to create a Scotland within which women and girls are free from all forms of abuse. The SPS condemns all forms of violence and abuse and we recognise that particular forms of violence are disproportionately experienced by one gender. We are therefore committed to Equally Safe's national objectives towards the prevention and eradication of VAW as part of our mission of helping to transform the lives of people in custody, allowing them to fulfil their potential and become responsible citizens.

In October 2018 we published the [SPS Framework for Reducing Violence Against Women](#) and in July 2019 we published the SPS Stakeholder Engagement Strategy for Women in Custody enabling the SPS to work in partnership with various organisations to provide a holistic person centred gender specific package of services for women in our care.

We will take forward our on-going work around the support and development of women's needs as part of our 2019-22 Corporate Plan activities through which we will look to implement a new model of custody focused on the needs of women in our care.

7. Equality Outcome 4: Absence due to mental ill-health is reduced and we create a culture of support within the workplace where employees can talk about mental health without stigma and are supported appropriately.

7.1 To ensure visible leadership and senior buy-in in tackling mental health stigma, we will appoint a senior champion for Mental Health. We will then implement Healthy Working Lives' "Work Positive" process and deliver Mental Health First Aid Training to line managers and trade union (TUS) representatives.

What we achieved: In 2018 the EMG approved the Maximising Attendance Strategy and action plan with the aim of improving employee wellbeing and driving down absence across the SPS. The Director of Corporate Services is the Senior Champion for all aspects of diversity within the SPS and the EMG lead for the work being undertaken promoting positive mental health and challenging the cultural stigma around mental ill-health.

In February 2019 the EMG agreed the roll out of the NHS accredited "Mentally Healthy Workplaces for Managers" programme to all line managers in SPS. This is scheduled over a three year roll-out period. To date 35% of SPS managers have completed this programme.

Mental Health First Aid Training has been delivered to groups of TUS and HR staff to improve their ability to support positive mental well-being in the workplace.

The findings of the 2019 Chartered Institute of Personal and Development (CIPD) [Health and Wellbeing at Work Survey](#) reports absence due to mental ill-health continues to rise across both the public and private sectors, with mental ill health and stress remaining the top causes of long-term absence at 44% of work-related ill health. In 2016 41% of absences related to mental ill health. This figure had risen to 55% in 2018. The results indicate that public sector organisations are more likely to report an increase in mental health conditions compared with the private or non-profit sectors with larger organisations with more than 250 employees indicating a continued increase. The findings of this Survey are borne out by Health and Safety Executive 2019 statistics on work-related stress, anxiety and depression, which indicates that 12.8 million working days, equating to 54% or 0.6 million cases, were lost in 2018/19 due to work-related stress, depression or anxiety. Their [Labour Force Survey](#), published October 2019 records a higher than average rate of stress, depression or anxiety for workers within Public sector and defence roles with public

service professionals showing higher levels of stress compared to all jobs with a rate of 2,500 per 100,000 workers.

The continued increase in absence levels due to mental ill health across the public sector is reflected within the SPS' absence rates. Since 2017 the SPS working days lost due to mental ill health within the SPS has increased by 10.25%, rising from 25.88% to 36.13%, slightly less than the 11% national rise recorded by the CIPD.

7.2 We will hold awareness sessions raising activities to increase understanding and break down the stigma of mental ill-health and we will review our Managing Attendance and Absence Policy and Procedure (MAAPP) to ensure it supports this outcome.

What we achieved: In 2017, in conjunction with our Trade Union (TUS) colleagues, we developed the SPS Employee Wellbeing Policy, published in May 2018. The policy provides the framework through which we support colleagues who are experiencing mental ill-health.

As well as delivering Mental Health First Aid training, we have delivered Mentally Healthy Workplace for managers, designed to equip managers with a range of tools that enable them to support employees and promote a positive culture of mental wellbeing. Staff have access to a wider range of Continuing Professional Development training to support their own development in mental health. These cover a wide range of topics from personal resilience to relaxation techniques.

Throughout 2019 we have continued to take steps to increase understanding of mental ill-health through a range of activities including:

- Local establishments working towards Healthy Working lives awards with activities designed to increase employees overall wellbeing;
- Mentally Healthy Workplace Training for managers with 25% of all managers across the SPS having completed the training;
- Mental Health First Aid training;
- Promotion of the Employee Assistance Programme (EAP) offering a free 24hr service providing specialist support, counselling and information for employees and their immediate family. EAP also provides guidance to managers to enable them to undertake supportive conversations with colleagues experiencing mental ill health;

- Promotion of stress risk assessments and early interventions to support employees who are experiencing mental ill-health.

Our review of MAAPP has commenced in conjunction with our TUS colleagues and the revised policy, alongside associated guidance and training for managers, was scheduled to be launched in 2020. Due to COVID-19 the launch of our new Attendance policy has been delayed, and we have taken the opportunity to continue to work with our TUS colleagues to develop a number of packages of support for employees.

8. Equality Outcome 5: Our services are delivered in person-centred ways which meet the needs of people in custody.

8.1 We are committed to delivering the Government’s vision for women in custody, building a national facility for women and “Community Custody Units” decommissioning existing units over time when numbers allow.

What we achieved: On 11th July 2017 the then Justice Secretary Michael Matheson officially commenced the demolition process for HMP&YOI Cornton Vale and in September 2017 it was announced that the first 2 Community Custody Units (CCU’s) will be built in Maryhill in Glasgow and Our Lady’s School in Dundee.

The new estate will comprise of a new small prison based on the existing site of HMP&YOI Cornton Vale with 5 smaller CCU’s located across Scotland. Demolition and clearance work at the site of the Glasgow CCU in Maryhill was completed in 2018, during which time Public information events were held in both Glasgow and Dundee.

Construction on the Women’s National Facility construction commenced in the Spring of 2020 with the CCU’s construction scheduled to commence in 2020.

8.2 We will develop a strategy on social care provision in prisons

What we achieved: We know the prison population is changing, and becoming more complex with an increased number of older people coming into custody and more health and social care need within the population. We recognise we cannot respond alone to this complexity and are working with colleagues in the Scottish Government (SG) to develop a

long-term, evidence based population management strategy that will provide improved clarity on how we will respond to the changing prison population in the years ahead. We have held a series of knowledge exchanges with partners and stakeholders around some of the big issues in order to explore the options for the future. In 2018 the Scottish Government announced the creation of an improvement fund for joint prison and NHS health and social care improvement projects, encouraging local innovation and small projects where NHS and prison staff work together at an operational level to improve the health and wellbeing of people in their care. Fourteen establishments submitted bids and 13 projects have been funded, with a good practice sharing event to be undertaken in the Spring/Summer.

In 2018 the Scottish Government established the Health and Social Care in Prisons Programme Board to facilitate the removal of structural barriers to the delivery of better health and social care to the prison population focussing on 4 areas under separate work streams:

- Health and Social Care Integration
- Leadership and Governance
- Quality, Outcomes and Improvement
- IT

The Health and Social Care Integration Work stream, which aims to develop models for health and social care integration in prison settings, continues to progress. Scottish Government and Social Work Scotland, in conjunction with local Health and Social Care partnerships (HSCPs) are undertaking tests of change in a number of prisons throughout Scotland for a 6-month period. Following the evaluation of this stage final recommendations on a model for Health and Social Care in prisons is proposed to be put to Ministers in September 2020.

Alongside the work being delivered in conjunction with key stakeholders and through partnerships we have developed guidance for staff with regard to the provision of care needs for those in our care. This includes guidance on the procurement of social care support from care agencies in September 2017 and guidance on the definitions and examples of Intimate and Personal Care and the appropriate steps to support for those in our care who require either Intimate or Personal Care.

Alongside our work on social care within our establishments we have undertaken a range of activities focusing on our social work requirements. In April 2018 a joint letter from SPS and SWS senior management was issued to all service managers advising them that governance of prison-based social work would now be undertaken through a

Memorandum of Understanding (MOU), moving towards a more partnership-based approach for future working. The creation of the MOU is an interim stage in the move towards future service design. It describes how the service will be run but also sets out how SPS and social work will work together.

We have committed to partnership working to improve outcomes for those in our custody and at a strategic level we have been working closely with Social Work Scotland (SWS) and the Scottish Government to re-define what a modern social work service may look like and how that service could best serve those in our care and those transitioning back into the community.

SPS and social work continue to collaborate on a day to day basis in the joint delivery of services and support for those in our care, both during time in custody and upon their return to communities including: the implementation of the review into Purposeful Activity, development of case management and the Multi-Agency Public Protection Arrangements (MAPPA).

8.3 We will support young people in custody to increase their participation in learning activities

What we achieved: The 2017 Prisoner Survey identified that over half of young people in custody (58%) said they attended a learning centre in prison, compared with 56% of adults. 47% advised they had attended literacy and numeracy classes, 27% attended art classes and 50% attended IT classes. 17% reported difficulty in writing, 22% difficulty in reading and 14% difficulty with numbers compared to adult prisoners (15%, 12% and 13% respectively).

There has been substantial investment to improve the learning facilities within HMYOI Polmont to enable the young people to participate in a broader range of relevant activities and gain skills for both work and life. HMYOI Polmont was one of 3 prison establishments involved in a trial of voluntary screening for indication of a learning difficulty or disability (LDD) with care plans and additional support provided to assist with learning. Following the successful trials HMYOI Polmont embedded LDD screening into the services designed to support young people's learning. The figures below detail the numbers of those within HMYOI Polmont as of November 2019 who have been identified and referred for LDD support.

Establishment	Invited	Complete	No. of persons flagged red for literacy	No. of persons red flagged for LDD	No. referred for learning support
Polmont Female Adult	208	76	6	35	35
Polmont Female Young Offender	22	11	4	10	10
Polmont Mainstream	178	121	5	35	35
Total	408	208	15	80	80

HMYOI Polmont LDD Screening and referral rates.

Staff training has been undertaken in a range of areas of priority such as emotional wellbeing, understanding adolescent development and behaviours, learning difficulties and the impact of trauma and bereavement. This is helping young people in custody develop skills for life and to prepare them for a positive future, aligned to Scottish Governments priorities including the Whole System Approach, Getting it Right for Every Child and Young People (Scotland) Act 2014, alongside the Curriculum for Excellence for young people in custody – Confident Individual – Responsible Citizen – Successful Learner – Effective Contributor.

8.4 We will explore the utility of voluntary screening of those in our care for the possible indication of a learning difficulty or disability (LDD). This will be undertaken at 3 SPS establishments from the autumn of 2017 for one year in partnership with our learning providers and Forth Valley NHS. We will take forward specific actions in relation to people in custody which support the delivery of Scottish Government’s plan for a fairer Scotland for disabled people

What we achieved: Trials within HMP Glenochil, HMYOI Polmont and HMP&YOI Cornton Vale commenced in November 2017, incorporating the design of associated pathways, screening tool and associated training. In December 2018 our EMG committed to the continuation of the screening within the 3 trial establishments, and further to these trials, to the national roll out across all other SPS establishments.

In 2019 we undertook the roll out with 11 of the 13 public prisons now utilising the screening tool. It is anticipated that the remaining 2 establishments will also implement the screening tool by the summer of 2020.

Train the Trainers courses were developed and delivered to support staff awareness and recognition of LDD conditions and to enable the public prisons to utilise the screening tool.

In 2020 we commenced discussions with Forth Valley NHS on an SPS Strategy for LDD. The intention is to draft a document that provides clear information and direction to all SPS establishment while simultaneously providing links to wider strategies and policies where appropriate. This work will be taken forward under our corporate planning activities 2019 – 22.

8.5 We will review our policy on managing transgender prisoners in line with legislative changes.

What we achieved: In November 2018 we committed to undertaking a review of the transgender prisoner policy, to be undertaken in consultation with a range of external stakeholders and partner organisations. In 2019 the SPS college research team completed their research pertaining to the lived experiences of transgender individuals in custody. The outcomes of this research, alongside their research into the experiences of women and men in custody, provided the SPS with analysis to inform the policy review commencing in 2020.

8.6 The needs of people who share protected characteristics should inform the design and delivery of our services, and to complement this we will improve staff knowledge on supporting those needs, in particular identifying and implementing reasonable adjustments

What we achieved: In 2017 we developed training on reasonable adjustments which was delivered to Equality and Diversity managers and local HR teams to enable them to effectively support managers and staff undertake reasonable adjustments. In 2018 we revised the Prisoner Records Audit procedures to incorporate reasonable adjustment requirements, with each establishments Equality and Diversity managers now undertaking routine audits to ensure compliance. In 2017 awareness sessions were run within

establishments to provide staff with increased understanding of how to support Transgender prisoners.

In February 2019 we ran a series of focus groups with differing prisoner populations, seeking their views on how we support those who require reasonable adjustments. Of the 70 individuals interviewed all indicated that they believed they were well supported on an individual basis. Themes of additional training for working with specific populations, mainly young people in our care and our older population, were raised as suggestions to assist with their specific requirements. These suggestions will be considered as part of the on-going diversity training delivered across the SPS in 2020, alongside being taken forward under the SPS' Public Sector Equality Mainstreaming duties.

9. Equality Outcome 6: Our communications are inclusive and enable everyone to participate fully in the delivery of our services and employment practices. In particular, our communications approach empowers prisoners.

9.1 We will develop an Inclusive Communications strategy which enables meaningful participatory communication between SPS and everyone we engage with. Specifically this will help us fulfil our obligations under the British Sign Language National Plan.

What we achieved: SPS Accessible communications are key to delivering our services, and we are committed to providing material that is accessible to all. All our corporate publications are available in alternative formats upon request and are published externally on the SPS website www.sps.gov.uk.

To support accessible communications for those in our custody we have a framework agreement that covers interpreting, translation and transcription services, and includes a process to translate information into Easy Read to support those in our care who have learning disabilities or difficulties. Each establishment has an Equality and Diversity manager, who is the establishment lead for ensuring the publication and signposting for communications that enhance the understanding of those in our care of equality and human rights. Since 2017 Easy Read posters have been displayed across SPS establishments for visitors and those within our care.

Guidance documents have been developed into Easy Read formats to ensure we met our equality, diversity and human rights commitments. In 2018 SPS worked with other criminal

justice partners to develop an Easy Read guidance poster for visitors which is displayed across all prison establishments, the SPS College, the SPS Headquarters (HQ) and in a range of other justice partner organisations.

In 2018 we delivered British Sign Language training to staff to enhance our capabilities to support our staff, those in our care and those who come into contact with us as an organisation, who require translation through sign language.

9.2 Recognising the importance of knowledge in fulfilling rights, we will raise awareness amongst prisoners about how to make a complaint and capacity to do so, including specifically on the grounds of prejudice or hate, and increase staff skill and knowledge in responding appropriately to such complaints.

What we achieved: In the 2017 Prisoner Survey 77% of those who participated advised they understood the process of accessing the Complaints Procedure and 76% believed staff had dealt with their complaint fairly, the same percentage as recorded in the 2015 Prisoner Survey. 58% said prison rules and complaints are explained to them in a way in which they understood, whilst 36% advised they had difficulties accessing a copy of the Prison Rules.

Establishments undertake a range of activities across the reporting year to promote awareness within those in our custody of how to make a complaint. PR2 requirements ensure that staff understand their role in responding appropriately with Equality and Diversity managers in establishments undertaking local audits and reporting compliance at quarterly establishment E&D meetings. The revised e-Learning Prisoner Complaints package, rolled out in 2019, includes learning on supporting and taking action on complaints raised by those in custody, including identifying complaints that incorporate prejudice or hate crime.

10. Equality Outcome 7: Everyone understands and advances the SPS vision for equality, diversity and human rights.

10.1 Having identified our training needs, we will implement a training strategy and training products, supported by appropriate guidance, that ensure all staff receive the knowledge they need to deliver SPS's vision for equality, diversity and human rights.

What we achieved: We continue to embed Equality and Diversity throughout the work undertaken by staff, including the creation of an Equality and Diversity Core to Role Outcome for all staff within the SPS annual Performance Appraisal system. All new employees receive Equality and Diversity training and in 2017 a new eLearning package was rolled out across the organisation. In April 2019, this eLearning product was made compulsory learning for SPS to be completed by all staff every two years. This product is then regularly updated allowing effective communication of any legislative or practice changes to the SPS staff group.

SPS undertakes the annual Civil Service People Survey, with the results of the survey informing how well we are achieving our aim to ensure all staff receive the knowledge they need to deliver our vision for equality, diversity and human rights. The results of the 2018 People Survey inform us that 76% of those who completed the Survey understand our policies on Equality and Diversity, and in 2019 59% of respondents advised they believe the SPS respects individual differences (culture, working styles, backgrounds and ideals).

10.2 Our policies on disability and gender identity equality are due for review and we will do this, along with developing supporting guidance and awareness for all.

What we achieved: As part of the wider policy review work the SPS Joint Programme Board agreed a review of the existing gender identity staff policy. The policy review team was established in December 2018, comprising of both staff and TUS representatives, and research findings were compiled in 2019. Our staff networks, alongside external partnership organisations including Stonewall and the Scottish Equality Network will support the policy review and we will seek their views through consultation as part of the review.

10.3 Our staff networks are well-positioned to impact on workplace culture and we will enhance the offering from networks and their ability to effect change in the workplace

What we achieved: We have 3 staff networks pertaining to LGBT, Disability and Women, with all employees having access to the wider Scottish Government employee networks. Consultation is an integral part of the role that the staff networks undertake and we consider them to be fundamental key stakeholders to the development of our Equality and Human Rights Impact Assessments (EHRIA's) as well as providing support and feedback

to our policy review process. In 2018 and 2019 the Chair of Prism and the Equality and Diversity Manager for Prisons jointly developed the SPS Stonewall Index submissions and supported a range of recruitment activities including attendance at Glasgow, Edinburgh, Dundee and Highland Pride events during which they promoted the SPS as an LGBT positive organisation. In addition to our internal staff networks, all SPS staff are able to access the Scottish Government employee networks.

10.4 We will build on effective communication in Equality Outcome 6 by empowering prisoners to understand their rights and responsibilities in relation to equality and human rights

What we achieved: Our Prison Standards require us to ensure those in our care are treated fairly with humanity and dignity. All prison establishments are required to include Equality and Diversity within their Annual Planning, hold quarterly Equality and Diversity meetings and ensure a number of events are undertaken each year to support understanding of equality and human rights. Each establishment has an Equality and Diversity manager who ensures the establishment meets their audit requirements and leads on the promotion of equality and human rights activities. Equality and Diversity managers meet on a quarterly basis, sharing good practice, updating their learning and guidance regarding legislation and working together to ensure activities and events undertaken across the SPS are shared with all. Colleagues from a range of organisations are invited to the meetings and these have included Scottish Trans Alliance, Stonewall and ENEI. This learning is taken back into their establishments to their Equality meetings, and incorporated into the educational activities and processes within the establishments. In 2017 and 2019 focus groups have been undertaken with those in our care to ascertain their understanding of their rights and responsibilities, and the information from the latest round of focus groups, undertaken with 70 of the prisoner population from across a number of establishments will inform activities and priorities for the next 12 months.

Across 2017-18 establishments have run a range of activities, supported by the Equality and Diversity team at the SPS HQ. Events have included art events to celebrate Black History Month, Mental Health Awareness at HQ, International Women's day at HMP Edinburgh, Dementia Awareness at HMP Shotts, and LGBT Day across the SPS. This included the flying of the Rainbow flag across all establishments and HQ, an annual event incorporated into SPS's annual flag flying guidance. All activities are aimed to increase understanding of diversity, equality and individuals' rights within legislation, and establishments undertake

routine audits with regard to complaints received and whether they have an equality element within them. We will continue this work as part of our on-going mainstreaming diversity activities.

11. Equality Outcome 8: Everyone understands why we collect monitoring data and is confident in providing it. We use accurate equality data to develop our policies and test the appropriateness of our decisions.

11.1 We will take action to raise awareness amongst employees and prisoners of why we collect equality monitoring data, how it is used and protected and also how to use it during policy development. Staff networks will play an important role in achieving this

What we achieved: Since May 2018 all organisations in the UK have to comply with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). The Data Protection Act 2018 applies to the processing of personal data of individuals held in custody; whilst the GDPR applies to the processing of employees' personal data. Both require organisations to keep individuals' personal data secure, only share it on a need-to-know basis and keep it only as long as there is a business need. To ensure employees' and those in our care were aware of the changes we developed data protection policies and guidance communicating them through Notices to Staff, developed Privacy Notices and made them available through a variety of media, and developed Records of Processing Activities. Employees are required to undertake an e-learning Cabinet Office course on protecting information that provides awareness to employees why we collect monitoring information.

We want our employees to provide diversity information because they want to, rather than it being seen as a tick box exercise. This has resulted in our approach of taking actions focused on building trust and understanding rather than a compulsory compliance approach. We acknowledge that this will mean progress may be slower but this approach will hopefully lead to higher levels of buy-in and engagement.

We continue to ensure those in our care provide diversity information and ensure our staff understand the need for accurate recording on the PR2 system when inputting the information. Of those who participated in the prisoner focus groups in November 2019, the majority (68%) either agreed or strongly agreed that the SPS collected diversity data

to make the experiences of those in our care better/safer with 66% of participants agreeing that data collection was important (Table 5).

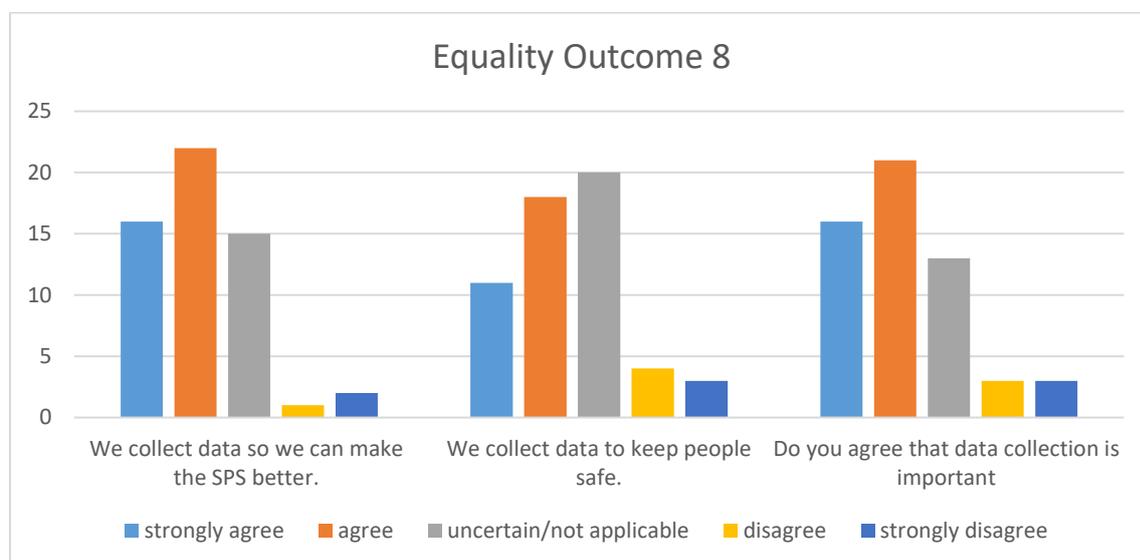


Table 5: Data collection prisoner recording results

11.2 We will develop enhanced monitoring and analysis capabilities across different data sources (surveys, PR2 monitoring, e-HR data etc.) and employment or service delivery area

What we achieved: Existing monitoring and analysis capabilities across SPS enable a wide range of data to be captured which inform SPS reporting requirements. Our analysis capabilities include our on-line recruitment system, our HR and Payroll systems and our PR2 system all of which enable us to extract data and produce a range of reports. We monitor prisoner equality data on a monthly basis to ensure accurate information for reporting purposes as our prison population changes on a daily basis with new admissions and releases. The launch of a revised learning platform – MyLO – in 2019 allows for more accurate monitoring of training statistics and reports on compliance in this area. In 2019 we developed recruitment monitoring to incorporate socio-economic questions and we will reflect this in our staff monitoring systems.

The below table provides a comparison of completion rates of our staff diversity monitoring information between 2018 – 2020. Whilst the numbers of staff completing their data has increased with regard to a number of areas, the completion rates for religion

and ethnicity have consistently demonstrated a decline and we will continue to analyse our monitoring activities to determine the causes for this.

Diversity Type	18-19 difference	18-20 difference	19-20 difference	18-19 change	18-20 change	19-20 change
Belief 	0.51%	 1.3%	 0.8%	 2.05%	 5.4%	 3.2%
Ethnicity 	-0.61%	 -0.7%	 -0.1%	 -1.25%	 -1.4%	 -0.1%
Nationality 	-0.26%	 0.2%	 0.5%	 -0.58%	 0.5%	 1.1%
Relationship 	-0.19%	 0.4%	 0.6%	 -0.46%	 1.0%	 1.5%
Religion 	-0.51%	 -0.7%	 -0.2%	 -1.08%	 -1.6%	 -0.5%
Sexual Orientation 	-0.18%	 0.5%	 0.7%	 -0.46%	 1.3%	 1.7%
Transgender 	0.40%	 1.4%	 1.0%	 1.59%	 5.4%	 3.8%
Disability 	-0.11%	 0.0%	 0.1%	 -1.03%	 0.0%	 1.0%
Completion Rate Average	-0.1%	0.3%	0.4%	-0.2%	1.3%	1.5%
Completion Rate Total	-1.0%	2.4%	3.4%	-1.2%	10.6%	11.7%

We acknowledge that there is still work that could be undertaken to increase our reporting measures, and continue to review our existing capabilities, including the development of info path on-line forms and revising the existing IT capacity within the organisation to gauge where additional reporting could be undertaken.

We remain committed to increasing the number of employees and those in our care disclosing their protected characteristics, therefore we will continue our focus on diversity monitoring in our Equality Outcomes 2020 – 22.