

SCOTTISH PRISON SERVICE
EQUALITY OUTCOMES
2020 - 2022

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Unlocking Potential - Transforming Lives.

FOREWORD

I am pleased to present the Scottish Prison Services' Equality Outcomes for 2020-2022, published in fulfilment of our duty under the Equality Act 2010 to prepare and publish Equality Outcomes.

Diversity is vital to achieving our vision and we have made a clear commitment to equality and diversity through our Corporate Planning and Performance activities. Our strategic focus for the next 2 years is on our continuous improvement as an organisation and to ensure positive outcomes are delivered for those in our care. In order to deliver better outcomes for those in our care, we recognise the need to improve outcomes for all those who work in and visit Scottish Prisons. These outcomes are, therefore, deliberately designed to impact all those working and living in our establishments. The Outcomes are designed to support the SPS' strategic themes within our Corporate Plan 2019-22.

Our Outcomes have been shaped by consultation, engagement, national research reports and surveys, our own databases and monitoring information, staff associations, equality groups and networks, partner organisations and professional knowledge and experience. Our Outcomes reflect the areas of equality that require the greatest focus from the SPS, set against our commitments and obligations under the Scottish Government's Justice Strategy and the National Performance Framework. While these outcomes highlight the areas that require the greatest focus we acknowledge and actively work towards embedding equality and human rights in all aspects of our work.

I am pleased that these Outcomes will help ensure the Scottish Prison Service continue its commitment to providing a service that is designed around people as individuals ensuring their safety and security in line with our Vision:

Helping to build a safer Scotland – Unlocking Potential – Transforming Lives

A handwritten signature in black ink, appearing to read 'Teresa Medhurst', with a long horizontal line above it.

TERESA MEDHURST

Interim Chief Executive

10 December 2020

INTRODUCTION

The Scottish Prison Service – who we are and what we do

The SPS is responsible for those who are committed to our care by the Courts when a custodial disposal is deemed appropriate, and is accountable to the Scottish Parliament for the delivery of custodial care in accord with The Prisons and Young Offenders Institutions (Scotland) Rules 2011.

Our 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 Outcomes are designed to support SPS' strategic themes and outcomes, including:

- **Development:** We will have the right people, with the right skills, in the right place, at the right time;
- **Impact:** Our services are efficient, effective and provide value for money;
- **Engagement:** Everyone has a voice and contributes meaningfully to our corporate improvement journey;
- **Standards:** Our prisons are safe, healthy and positive places in which to live and work;
- **Collaboration:** Growing and strengthening our stakeholder and partner networks and relationships to achieve better outcomes for those in our care.

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.

In 2019 we refreshed our Corporate Plan, setting out our priorities for 2019 – 22. The Vision and Mission continue to be reflected within the [SPS Corporate Plan 2019/22](#) and Annual Delivery Plans. Our responsibilities under the Public Sector Equality Duties, including reporting on our Outcomes, form part of the strategic theme “Impact” and we publish this report taking cognisance of the organisational revised priorities.

The Equality Act 2010

The Equality Act 2010 imposes the Public Sector Equality Duty (PSED) on public authorities that requires us, both as an employer and as a service provider, to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it, and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

There are 8 Scottish Specific Duties which apply to the SPS, one of which is the duty to publish Equality Outcomes and report progress. In April 2017 we published our second set of Outcomes and these, our third set, continue to build on the work undertaken in our previous Outcomes.

Rights Based Approach

The work we undertake through our Outcomes will take a human rights based approach, making sure that people’s rights are put at the very centre of actions, policies and practices. This will be achieved through applying the PANEL principles:

- **Participation** – people should be involved in decisions that affect their rights;
- **Accountability** – there should be monitoring of how people’s rights are being affected, as well as remedies when things go wrong;
- **Non-Discrimination** – all forms of discrimination must be prohibited, prevented and eliminated. People who face the biggest barriers to realising their rights should be prioritised;
- **Empowerment** – everyone should understand their rights, and be fully supported to take part in developing policy and practices which affect their lives;
- **Legality** – approaches should be grounded in the legal rights that are set out in domestic and international laws.

OUR OUTCOMES

We have identified three Outcomes to achieve by April 2022. They represent key results that we need to achieve in order to meet each of the three “needs” associated with the PSED and are designed to encompass all protected characteristics. The Outcomes have been designed to align and service the lifespan of our refreshed 2019 – 22 Corporate Plan, to enable progress reporting through our existing business planning processes.

Our Outcomes 2017 – 20 were underpinned by resources and suggested measures to enable us to demonstrate progress and impact, and we will underpin our new Outcomes with an equalities work plan and diversity action plan which will enable us to ensure the activities undertaken as part of the plan are embedded in our key strategies and organisational priorities. Our new Outcomes reflect the resource we have to deliver work under both our Outcomes, as well as other corporate priorities. The response to the Covid-19 pandemic has shown the need to be able to respond to changing circumstance while retaining a focus on equality and rights. We have also, therefore, built in capacity to respond to changes in priorities driven externally.

SPS recognises improving diversity across an organisation takes time, we recognise the good work that has been done while also acknowledging there is still considerable work to be done. We accept that to achieve lasting results, the culture of our organisation has to change. Those from diverse backgrounds need to have the confidence that they have access to the same opportunities. We acknowledge that, from initial recruitment, to the support an individual gets and their progression opportunities, processes need to be transparent and fair.

Taking account of the current scrutiny of diversity within public bodies, and acknowledging there is more work to do, we will focus our diversity activities taking cognisance of the recommendations outlined in McGregor-Smith's 2017 Review of Race in the Workplace. These recommendations, which form the basis of our Diversity Action plan will underpin and enhance the activities detailed in these Outcomes, alongside our wider PSED work. As an organisation we recognise that, while the McGregor-Smith report is related to ethnicity, these actions can be applied to all areas of diversity, and we will ensure our actions reflect our wider diversity activities.

Equality Outcome 1: The SPS' employee profile will be reflective of the wider Scottish society.

Our recruitment and employee development work aligns to the Civil Service Commission's Recruitment Principles and stated priorities, published in 2018, including:

- **Diversity** – support the Civil Service in enhancing the diversity of appointees, particularly those from a BAME background or people with a disability and at the most senior levels.
- **Life Chances** – work with Ministers and the Civil Service to find opportunities and remove barriers for a diverse group of entrants.

In order to help inform our activities, we will commission research to review:

- Experience of under-represented groups who work in SPS.
- Perception of SPS as an employer within under-represented groups.
- Analysis of selection process.

The roll out of values based recruitment will continue and remains the organisations primary recruitment principle. Reviewing the improvements achieved through our values based recruitment, initial research was undertaken in relation to our Prison Officer recruitment activities. The analysis indicated there was no adverse impact across the majority of protected characteristics, however more research will be undertaken to fully understand any adverse impact and this will include:

- Analysis of the first measurement of socio-economic background of applicant and appointment pool;
- Assessing positive impact of removal of qualification requirements;
- Consultation with relevant experts, and employees with lived experience;
- Assessing the usage of relevant and appropriate language in job specifications;
- Assessing impact of changes to Prisoner Officer recruitment, attraction and selection.

This research will be then used to review recruitment processes to ensure selection processes, as far as possible, have removed any barriers to appointing a diverse workforce. Initial analysis of our recruitment journey indicates it is at the selection stage where our rates are not reflective of the

wider Scottish population, and to tackle this we will invite individuals from differing backgrounds, alongside external organisations, to form part of our interview panels to help eliminate bias.

In 2019 we introduced unconscious bias training to our recruitment assessors, and we will now build on this through:

- The development and roll-out of mandatory unconscious bias training for all employees;
- Inviting relevant external experts to undertake diversity and bias workshops for our executive team and senior managers;
- Further roll-out of enhanced assessor training for those with a role to play in the recruitment process.

We have committed to improving our outreach work, and this will include a range of activities outlined in the SPS' Workforce Plan 2018 – 23:

- A review of advertising approaches;
- Developing our community engagement strategies;
- Enhancing and developing the SPS employer brand, highlighting career opportunities and raising awareness of our work through improved school, college and university engagement, and wider public engagement.

We will take opportunities to challenge recruitment and selection bias, and create work experience opportunities for everyone, not just those from specific educational backgrounds by:

- Seeking out opportunities to provide work experience to a more diverse group of individuals through developing an Apprenticeship Framework in key business areas;
- The removal of minimum qualification requirements where unnecessary;
- Introducing external recruitment routes to middle and senior operational management roles;
- Reviewing and rejecting non-diverse lists of potential candidates put forward through our Agency Framework.

Equality Outcome 1: The SPS employee profile will be reflective of the wider Scottish Society	
Strategic Outcome	<p>Development: We will have the right people, with the right skills, in the right place, at the right time.</p> <p>Impact: Our services are efficient, effective and provide value for money.</p>
General equality duty	<p>Eliminate discrimination.</p> <p>Advancing equality of opportunity.</p> <p>Foster good relations.</p>
Protected characteristics	All.
Measures of success	<ul style="list-style-type: none"> • A review of our recruitment processes to ensure selection processes, as far as possible, have removed any barriers to appointing a diverse workforce; • Analysis of the first measurement of socio-economic background of applicant and appointment pool; • Analysis of the impact of removal of qualification requirements; • Analysis of the impact of changes to Prisoner Officer recruitment to attraction and selection; • The creation of an Apprenticeship Framework in key business areas; • The introduction of external recruitment routes to middle and senior operational management roles.

Equality Outcome 2: We actively promote and support the Mental Health and wellbeing of our employees, those in our care and those who come into contact with the SPS.

We will consider the mental health and wellbeing of all those who live in, work within and visit Scottish Prisons when introducing new policies, processes and practices. We will also work to deliver specific actions that improve the mental health and wellbeing of our staff and those in custody.

The SPS Delivery Plan details a commitment to develop a Mental Health Strategy as one of a number of specific health-related policy areas. Discussions held in early 2020 with key stakeholders including; lead practitioners in mental health, Scottish Government, Police Scotland and third sector organisations, confirmed the requirement for a multi-agency evidence led, rights based strategy, which was trauma informed and inclusive of the needs of distinct populations such as women and young people. This aligns with the Scottish Government Vision of *“a Scotland where people can get the right help at the right time, expect recovery and fully enjoy their rights, free from discrimination and stigma”* (Mental Health Strategy 2017 – 2027, Scottish Government).

We will focus our activities on developing the following:

- An over-arching Health and Wellbeing Framework, incorporating;
 - An inclusive Mental Health Strategy for those in our care, and;
 - A bespoke component of the Mental Health Strategy for Young People in our care.

A draft of the strategy, reflecting the experience and expertise of Scottish Government colleagues, NHS partners and wider stakeholders, is being developed and we will undertake further consultation and engagement thereafter.

We also recognise we have a duty to support good mental health amongst those who work in Scottish Prisons. We will take steps to support our employees who are experiencing mental ill-health while also supporting wellbeing, including mental wellbeing, amongst our wider staff group. SPS will develop a strategy which promotes employee voice, opportunity, wellbeing, equalities and respect, fulfilment, employment security and benefits. As part of this, we will publish a revised Wellbeing Action Plan for our staff encompassing a wide-range of actions to support positive mental health, improved wellbeing and tackle any stigma associated with mental health.

In the interim, we will continue to undertake actions to create a culture of support within the workplace. Alongside developing unconscious bias training for all employees, we will:

- Publish our new employee Attendance Management policy and guidance;
- Promote the Employee Assistance Programme (EAP), ensuring all our employees are aware of, and can access, the support available;
- Equip our managers to support employees, and themselves, through the continued roll out of the NHS accredited Mentally Healthy Workplace training;
- We will ensure our Occupational Health provision supports the needs of the business;
- We will take opportunities, where business needs allow, for employees to undertake flexible working designed to support home and work life balance.

Equality Outcome 2: We actively promote and support the Mental Health and Wellbeing of our employees, those in our care and those who come into contact with the SPS.	
Strategic Outcomes	<p>Engagement: Everyone has a voice and contributes meaningfully to our corporate improvement journey;</p> <p>Impact: Our services are efficient, effective and provide value for money;</p> <p>Standards: Our prisons are safe, healthy and positive places in which to live and work.</p> <p>Collaboration: Growing and strengthening our stakeholder and partner networks and relationships to achieve better outcomes for those in our care.</p>
General equality duty	<p>Eliminate discrimination.</p> <p>Advancing equality of opportunity.</p> <p>Foster good relations.</p>
Protected characteristics	All.
Measure of success	<ul style="list-style-type: none"> • Developing and embedding an over-arching Health and Wellbeing Framework, incorporating; <ul style="list-style-type: none"> ○ An inclusive Mental Health Strategy for those in our care, and; ○ A bespoke component of the Mental Health Strategy for Young People in our care. • We will establish a rolling, externally available action plan which will support delivery of these strategies. • SPS will develop a strategy which promotes employee voice, opportunity, wellbeing, equalities and respect, fulfilment, employment security and benefits incorporating; <ul style="list-style-type: none"> ○ A revised Wellbeing Action Plan for our staff encompassing a wide-range of actions to support positive mental health, improved wellbeing and tackle any stigma associated with mental health.

Equality Outcome 3: Both our diverse workforce and those in our care understand why we collect equality and diversity monitoring information and the impact of this in helping us manage and deliver our business.

This Equality Outcome was identified in our previous Outcomes and we consider that there is still work to be undertaken to ensure that both our employees and those in our care understand why we ask for this information. We recognise the need to improve our data sources to ensure that we capture both quantitative and evidence-based data, thus ensuring the lived experiences of both our employees and those in our care are used to form our actions, policies and practices.

We accept that we cannot say we are improving the diversity of our workforce unless we know our starting point and we can monitor our success over time. To increase our self-reporting rates for our employees, we have to consider whether we can be clearer as to why we collect data, how it will be used to measure against our published intent to increase employee diversity, and the wider importance of diversity to the SPS.

The benefits of a more inclusive and diverse workforce, including bringing diverse skills, talents and experiences, are well researched and documented, and we will publish our intent to work towards our workforce becoming reflective of the wider Scottish society as outlined in Outcome 1.

In line with Civil Service guidance and our requirements under the Fairer Scotland Action Plan we will:

- Develop socio-economic background monitoring questions for employees;
- Undertake research into why our employees do not self-report their diversity information;
- Publish our employee diversity information in line with our PSED timeframes;
- Review our existing diversity monitoring questions in conjunction with key stakeholders;
- Ensure we routinely promote self-diversity completion and enable all those who wish to provide their data have the accessibility and opportunities to do so.

Equality Outcome 3: Both our diverse workforce and those in our care understand why we collect equality and diversity monitoring information and the impact of this in helping us manage and deliver our business.	
Strategic Outcome	<p>Engagement: Everyone has a voice and contributes meaningfully to our corporate improvement journey.</p> <p>Impact: Our services are efficient, effective and provide value for money.</p>
General equality duty	<p>Eliminate discrimination.</p> <p>Advancing equality of opportunity.</p> <p>Foster good relations.</p>
Protected characteristics	All.
Measure of success	<ul style="list-style-type: none"> • A bank of research data/publications capturing the lived experiences of all those who are employed by, or come into contact with, the SPS; • Increased number of employees completing all sections of diversity monitoring; • A reduction in numbers of employees recording “prefer not to say” throughout their diversity monitoring data; • Introduction of socio-economic background monitoring data for employees; • An Increase in the number of responses within bi-annual Prisoner Survey with regard to the collection of diversity monitoring data.