



# Scottish Prison Service Mainstreaming, Gender Pay Gap and Equality Outcomes Progress Report 2017 - 20

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## Introduction

This report sets out the progress we have made with Mainstreaming equality into the Scottish Prison Service (SPS), our Gender Pay Gap and the progress made against our Equality Outcomes under the Scottish specific duty<sup>1</sup>. 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 for 2017 - 20 and progress is monitored via our internal corporate planning processes. Our Equality Outcome plan is for 2017 – 20. This report provides an update on how we are achieving our Equality Outcomes as at April 2019, however there is still much to do.

Our Gender Pay Gap report provides our mean, median and quartile positions taken as a snapshot on 31<sup>st</sup> March 2018, as determined by the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, and outlines the actions we will undertake to improve our current position.

Our mainstreaming report, covering the period 2017 – 2019 sets out in detail the significant progress we have made mainstreaming the equality duty into our day to day activities. It covers the work that we have achieved in the context of SPS as an employer as well as setting all the range of activities that we have undertaken to mainstream equalities into the services we provide for people in our care. The range of activities that we have undertaken follows the 2015 – 17 Mainstreaming Report, reflecting on the continued progress SPS has made during the past two years.

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<sup>1</sup> 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.

## Legal Framework

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 also 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.

We are also subject to the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 that contains specific duties that are designed to help Scottish public authorities meet the general duty:

- Report on mainstreaming the equality duty;
- Publish equality outcomes and report on progress;
- Assess and review policies and practices;
- Gather and use employee information;
- Consider award criteria and conditions in relation to public procurement;
- Publish in a manner that is accessible;
- Publish gender pay gap information;
- Publish statements on equal pay.

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.

This report meets our duties under the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. It outlines:

### **In Part 1 – Mainstreaming Equality in the SPS**

- The progress we have made with mainstreaming our equality duty integral to the exercise of our functions.

### **In Part 2 - Gender Pay Gap**

- SPS's Gender Pay Gap based on the standard methodologies used in the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017, and the actions we are taking to address our current position.

### **In Part 3 – Progress towards our Equality Outcomes**

- The progress we have made towards achieving the SPS' Equality Outcomes 2017-20.

## **Part 1: MAINSTREAMING EQUALITY IN THE SPS**

This is our third progress report on how we continue to mainstream equality into the delivery of our functions. Previous reports, published in 2015 and 2017 are accessible on our website [www.sps.gov.uk](http://www.sps.gov.uk).

This report builds on the 2017 report and sets out the progress we have made over the last two years to integrate and embed the equality duty into all our functions and is divided into separate sections covering our Corporate Commitment and SPS as an Employer.

### ***Our Corporate Commitment***

Our Strategic Outcomes for 2017-20 describe the high priority organisational objectives that we will achieve through our programme of service improvement and development activity. We use a range of evidence sources to assess our performance over the life of the Plan, supported through Annual Delivery Plans (ADP's). These detail the Essential Actions we will undertake in each year to deliver outcomes. During the course of each year performance is managed by our Executive Management Group (EMG) and monitored by our Advisory Board. Our Annual Delivery Plan for 2018-19 outlines our commitment to Equality and Diversity through the inclusion of a Governance Key Success Indicator in which we stated we will have “Discharged our obligations under the Public Sector Equality Duty including the delivery of our Equality Outcomes for 2017/20”, therefore embedding Equality and Diversity into our daily activities.

As an Executive Agency of the Scottish Government (SG), our corporate commitment to equalities is also informed by the Scottish Government's expectations. The Scottish Government is committed to reducing inequality in Scotland and this commitment underpins many of the Government's priorities and success measures. In meeting our public sector equality duties we are also able to meet the Government's expectations of a public body and contribute to a number of Scottish Government initiatives such as Scotland Performs, Scotland's Economic Strategy, the Programme for Government and the Social Impact Pledge.

Our Mainstreaming Report outlines the progress we have made towards delivering our equality duties, our mission, vision and values and our Equality, Diversity and Human Rights statements as detailed below.

### ***SPS Mission, Vision and Values***

#### **Our Vision**

The Scottish Prison Service (SPS) has a Vision of:

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

#### **Our Mission**

The Mission of SPS is:

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

In delivering our Vision and Mission, our Operating Task is:

**Helping to protect the public and reduce reoffending through the delivery of safe and secure custodial services that empower offenders to take responsibility and to fulfil their potential.**

We deliver this through:

**Custody** Managing safe and secure custodial environments;

**Order** Providing stability and order that helps offenders to transform their lives;

**Care** Supporting wellbeing and treating with respect and humanity all in our care; and

**Opportunity** Providing opportunities which develop the potential of our staff, our partnerships and the people in our care.

#### **Our Values are:**

**Belief** We believe that people can change.

**Respect** We have proper regard for individuals, their needs and their human rights.

**Integrity** We apply high ethical, moral and professional standards.

**Openness** We work with others to achieve the best outcomes.

**Courage** We have the courage to care regardless of circumstances.

**Humility** We cannot do this on our own, we recognise we can learn from others.

#### **SPS Equality, Diversity and Human Rights Statement**

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

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

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

SPS will:

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

In 2018 we reviewed the Terms of Reference for the Equality and Diversity Steering Group, to ensure the original Terms, agreed in 2015, continued to meet the requirements and direction for the organisation. The Steering Group continues to be chaired by the Head of Human Resources with senior representation from Operations Directorate, Strategy and Stakeholder Engagement Directorate, Legal Services, Corporate Affairs, Trade Union Side, the SPS College, supported by the HR Business Partner for Engagement and Inclusion. The new Terms of Reference continue to ensure the Steering Group monitor and advise on the SPS' progress against the Public Sector Equality Duties and the SPS' Equality Outcomes. The Group also reviews the actions and progress delivered by the Equality and Diversity Managers Meetings, the quarterly meeting of the managers delegated by Governors in Charge to lead on embedding Equality and Diversity within their establishments.

Since 2016 we have flown the Rainbow flag across the SPS estate and this practice is now incorporated into our annual cycle of activities. Guidance is provided to all establishments at the beginning of each year when the flag should be flown, with the identified dates linking into International Day Against Homophobia, Biphobia and Transphobia, the



beginning of Lesbian, Gay, Bisexual and Transgender (LGBT) history month, Glasgow Pride and Edinburgh Pride.

## **PROCUREMENT**

We consider equality and diversity throughout our procurement activities and ensure our tender processes comply with all legislation, ensuring our approach is open, proportionate and inclusive, reducing barriers to participation. We reported in our 2015-17 Mainstreaming Progress report that in 2016 the Procurement strategy was refreshed following which our Procurement team have embedded the revised processes, ensuring equal treatment and non-discrimination principles in all procurement activities through appropriate specifications, consideration of contract size and use of proportionate documentation to place the minimum burden possible on suppliers and contractors. All staff who join the Procurement function at HQ undertake specific procurement training which incorporates sessions on ensuring tender specifications demonstrate compliance with equality and diversity, supported by the Equality and Diversity team in Headquarters.

## **EQUALITY AND HUMAN RIGHTS IMPACT ASSESSMENTS**

We continue to be committed to developing policies and procedures with full consideration of equality issues and we recognise that Equality and Human Rights Impact Assessments (EHRIA's) are an important mainstreaming tool. In 2017 we sought feedback from key stakeholders and thereafter reviewed and published revised EHRIA documentation and guidance. This enabled managers and those involved with policy development to undertake EHRIA's as an integral part of their policy review processes. We continue to carry out EHRIA's as part of our approach to policy review and development, allowing us to consider how our policies may impact either negatively or positively on groups or individuals in relation to one or more of the protected characteristics. In line with our equality duty, all EHRIA's are published on our external website [www.sps.gov.uk](http://www.sps.gov.uk).

## **EQUALITY AND DIVERSITY KEY STAKEHOLDERS**

We continue to be a Stonewall Diversity Champion and participate in the annual Stonewall Workplace Equality Index, continuing to work towards achieving our aim to become a top 100 organisation within the Index. Colleagues from across the organisation attend the annual Stonewall conference, cascading information and key messages from the conference to their management teams. We consider Stonewall as a key stakeholder with regard to the development of organisational policies and their associated EHRIA's, and colleagues from Stonewall meet with the SPS regularly to discuss how we can take actions that will increase our ranking in the Index and comply with good practice to support our LGBTI colleagues and those in our care.

We continue to build relationships with key stakeholder and third sector organisations and work with the Employers Network for Equality and Inclusion (enei) to help identify good practice in the work we undertake. In 2018 colleagues from enei attended the Equality & Diversity Managers meetings to deliver awareness sessions, promote the work they can assist us with and to give guidance to colleagues across the organisation with regard to the events and activities being undertaken with those in our care.

### MAINSTREAMING EQUALITY AND DIVERSITY WITHIN OUR ESTABLISHMENTS

All SPS establishments have local Equality and Diversity groups which are required to implement local Equality and Diversity action plans which support the wider SPS Equality and Diversity activities. The groups are chaired by the Governor in Charge and include representatives from Human Resources, Trade Union, establishment Equality and Diversity Managers, establishment Equality and Diversity champions and representatives from those in our care. The groups are tasked with holding a number of events and activities for those in our care that are focused on embedding Equality and Diversity within their establishments. Throughout 2018 a wide range of activities have been undertaken across establishments and the activities undertaken by HMP Dumfries and HMP Edinburgh are captured below as a flavour of the work that has been delivered in those establishments:

<p>Ramadan, ‘Eid al-Fitr and ‘Eid al-Adha Festival of ‘Eid</p>	<p>Provisions made to allow those observing the festival to fast and observe prayer and religious service schedules (where operationally viable).</p> <p>Two events held to mark both celebrations and to foster understanding and positive relationships across all cultures and religions.</p> <p>A feast to celebrate ‘Eid al-Fitr replaced the daily menu on the 18<sup>th</sup> June for all prisoners (excluding those with dietary requirements).</p> <p>For the celebration of ‘Eid al-Adha each attendee from the Muslim (Islamic) community within the establishment invited a non-Muslim prisoner to attend alongside them. Chaplaincy members from each faith attended to promote positive relationships between the religious groups.</p>
<p>Suicide Prevention Week – media campaign and Cycle the Globe event</p>	<p>HMP Dumfries cycled 418 miles in total. The aim was to raise awareness and promote action that suicide is preventable. Ties in with Equality Outcome 4 and looks at mental impairments such as depression covered under Disability characteristic.</p>

Recovery Walk	The annual recovery walk held to increase awareness of recovery and reduce stigma for those battling addiction.
Family Days	Family days extend well beyond a day of fun and laughter-there are benefits to staff, prisoners, families and partnership organisations. Family days display Custody, Order, Care and Opportunity. They are an ideal opportunity to promote individual family relationships, staff relationships and joint working with community partner organisations. They encourage integration and better understanding of different roles within a prison. They boost prisoners' morale and rejuvenate both their and their families' spirit.
Trellis Scotland Event – Cultivating Futures	<p>17<sup>th</sup> July 2018</p> <p>HMP Dumfries hosted the event in partnership with Dementia Scotland and SACRO.</p> <p>The Cultivating Futures project enables participants to increase their confidence and self-esteem, improving their social and emotional health through creating exhibits for this event. Prisoners have been fully involved in the planning design and construction of all the exhibits, as well as associated projects such as interviews and articles for in-house magazines, radio and news.</p> <p>HMP Dumfries are working with local dementia groups and NHS to develop their gardening skills and build community links. A poly tunnel built in the gardens allows therapeutic gardening sessions for dementia patients and their carers and/or family members.</p>

Event	How this promotes Diversity and Inclusion:
<b>Holocaust Memorial Day</b>	Discussed the Equality Act in the setting of Holocaust Memorial Day, prison culture and discrimination with a workshop being facilitated by the Equality and Diversity Manager and attended by both staff and those in our care.
<b>Muslim and Christian Peace Meal was held on 14/03/2018</b>	Aimed at promoting Equality & Diversity with guest speakers and sharing food talking about theological concepts and the shared value of peace and respect.

<p><b>Easter Events, (A range of services and guest speakers were conducted.</b></p>	<p>To promote the Christian festival and an understanding of the Christian faith to those of all faiths and none.</p>
<p><b>International Women’s day</b></p>	<p>A discussion and focus groups to raise awareness, followed by a quiz with prizes to inform and educate on Women’s Rights.</p>  <p><b>I will be bold and forge women’s advancement.</b></p> <p><b>BeBoldForChange</b></p>
<p><b>Child Safety Event with Barnardo’s and third sector partners.</b></p>	<p>As part of the SPS’ actions under the Scottish Government’s Year of the young person a session was held with the families of those in our care, community and staff.</p>  <p>We invite you to our drop in - Child Safety Event on <b>Thursday June 7<sup>th</sup> from 12 noon to 16:00. At the Visitor Centre on Stenhouse Road, Edinburgh.</b> Please drop by at any time to learn from a range of partners dedicated to Child Safety. 2018 is the year of the young person and we are on hand to discuss a range of innovations, safe practices and supports. Refreshments will be available.</p> 
<p><b>Ramadan ongoing and Eid</b></p>	<p>To ensure that the wider establishment has a clear understanding of Ramadan and Eid by joining in on Eid</p>

<p><b>celebration planned</b></p>	<p>celebrations and changing the menu for this alongside a poster campaign.</p>
<p><b>Suffragettes event 1 with Women and colleagues across agencies</b></p>	<p>Women shared a morning with colleagues from the SPS and partner agencies to celebrate women’s rights and the women who live in the establishment as well as the career successes of those who work within and with the establishment.</p> 
<p><b>Recovery Walk</b></p>	<p>The annual recovery walk was held to increase awareness of recovery and reduce stigma for those battling addiction.</p>
<p><b>International Book Festival Event on Women’s suffrage</b></p>	<p>Internationally Famous illustrator David Roberts met with men within our care alongside their children and created a range of suffrage cardboard cut outs alongside a large sculpture representing the suffrage movement in order to celebrate and reflect on women’s rights.</p>



*“Unveiling the Sculpture”*



*“The Suffragette”*

<p><b>Suicide Prevention Awareness</b></p>	<p>The establishment wide initiative saw those in our care and staff cycle a combined 2,500 miles to raise awareness for Suicide Prevention awareness alongside poster and leaflet campaign.</p>
<p><b>Dad’s and Football event</b></p>	<p>An event to celebrate paternity and the year of the young person by having an event inside the prison walls where dads could engage in football activities with their children.</p>
<p><b>Trauma Week</b></p>	<p>A week of activities took place in October. This included guest speakers as well as:</p>

	<ul style="list-style-type: none"> <li>• Guest speakers to motivate and give hope. (recovery café)</li> <li>• Trauma Sensitive Yoga</li> <li>• Trauma Week (week of events for discussing all aspects of trauma. Film shown and group discussions with internal and external supports and SPS staff and senior management)</li> <li>• Theatre Performance</li> <li>• Resilience Video screening. Focus group to follow.</li> </ul>
<p><b>Prisoners Week (celebrating faiths and Churches together)</b></p>	<p>A multi faith based week focusing on stigma and the power of labels. This included an Art innovation, guest speakers and film screening events.</p>
<p><b>Christmas Services</b></p>	<p>The Salvation Army led a festive celebration and carols at HMP Edinburgh</p>



**Street Soccer Event (to combat sport gender stereotypes)**



*“A man’s a man for au that” dignity and respect session*

## **PRISONER SURVEY**

We continue to undertake the biannual Prisoner Survey with the latest Survey being undertaken in 2017. The Survey has a number of objectives:

- to make use of prisoners’ perceptions of service-delivery and service-quality in business planning;
- to provide people in custody with an opportunity to comment on a range of issues that impact on their experience in prison;
- to allow staff to get a better understanding of how the halls they manage compare to equivalent halls and in so doing to provide a tangible way to help share items of ‘best practice’; and
- to allow the SPS, through repetition of the same questions, to track progress across the various dimensions that are included in the Survey.

The Survey is designed to help inform and shape change in the SPS and is directed at improving the quality of service delivery in every prison. This approach is predicated on the well-established belief that for change to be effective it is imperative that the views of those in our care are factored into the planning equation. The Prisoner Survey provides a unique insight into life in Scottish prisons from the perspective of those who are in our custodial care; it furnishes a meaningful channel for the “user voice” to be heard. The Survey informs, shapes and drives change by contributing to establishment and corporate business plans to improve service delivery.

“User voice” is becoming increasingly important in both understanding and promoting self-reflective behavioural change in those who offend and our Prisoner Survey represents a self-reported snapshot which offers a unique opportunity for people in custody to express their point of view on matters of importance to them. Of the 46% who responded to the Survey the responses provided the following information regarding complaints and through care services offered:



- 65% of the 79% of those who worked in prison said the work had helped them to learn new skills, and 59% advised it had taught them to work with other people;
- 71% felt programmes helped to address issues relating to their offending;
- 58% said prison rules and complaints were explained in a way they understood and 77% understood how to access the Complaints Procedure.

The Survey asks specific questions in relation to the prisoner experience of Equality and Diversity and in 2017 34% of the 46% who completed the Survey advised they had a disability, an increase of 8% from the 2015 response. A breakdown of the Equality and Diversity responses are outlined as follows:



## OUR COMMUNICATIONS

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](http://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 people in prison establishments 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 prisoner populations understanding of equality and human rights. Throughout 2017 and 2018 Easy Read posters have been displayed across SPS establishments in for visitors and those within custody.

Guidance documents have been developed into Easy Read formats to ensure we met our equality, diversity and human rights commitments. The SPS worked with other criminal justice partners to develop an Easy Read guidance poster (Figure 1 below) 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. The Governor and Managers action notice provided guidance to inform staff and managers on how to legally support disabled visitors and the promotion of reasonable adjustments to take positive steps to ensure that disabled people can access our services.

In 2018 HMP Perth delivered a five week British Sign Language course to staff across the establishment, enabling staff to assist colleagues, those in our care and visitors who have a hearing impairment with their requirements.



Figure 1 Easy Read partnership poster

## THE SPS AS AN EMPLOYER

We are committed to understanding and supporting equality of opportunity and diversity within the SPS by continuing to work in partnership with our TUS colleagues and through engaging with our staff networks.

### EMPLOYEE INFORMATION

We encourage staff to disclose diversity information to help us monitor our practices, and collect and monitor staffing information to check our employment practices are not discriminatory. We have a duty to report specific information about our staff and in 2018 with the implementation in May 2018 of the Data Protection Act 2018 and General Data Protection Regulations, we communicated to all staff the revised policies and reporting requirements.

In 2017 we undertook an internal campaign to aim to increase employee e-HR completion rates. This has so far consisted of building a dedicated SharePoint site with guidance on

monitoring, SPS reports and FAQ's; developing a short video to encourage diversity declaration; developing promotional materials in conjunction with HMP Shotts' education department; issuing a Notice to Staff about the campaign and issuing a series of Latest News articles. Between April 2017 and April 2018 there was a slight increase in the numbers of staff completing their diversity monitoring information across each diversity type as recorded on the SPS E-HR system.

Diversity Type	Completion Rate'17		Completion Rate'18		17-18 Percentage point change
Belief	22.93%	1044	24.90%	1130	↑ 2.0%
Ethnicity	45.74%	2082	48.72%	2211	↑ 3.0%
Nationality	43.08%	1961	45.22%	2052	↑ 2.1%
Relationship	40.07%	1824	42.40%	1924	↑ 2.3%
Religion	44.62%	2031	47.25%	2394	↑ 2.6%
Sexual Orientation	36.40%	1657	38.89%	1765	↑ 2.5%
Transgender	22.98%	1046	25.30%	1148	↑ 2.3%
Disability	8.72%	397	10.95%	497	↑ 2.2%

## RECRUITMENT

Ensuring equality of opportunity is key to our recruitment practices and in line with our requirements under the Civil Service Recruitment policy we ensure our recruitment practices are open, fair and transparent. In striving to achieve these aims we welcome applications from all suitably-qualified people, in particular those that are currently under-represented in our organisation. We are aware however that constrained resources have limited our opportunities to increase diversity through recruitment and have resulted in less progress towards this than we would have hoped, in particular in attracting disabled applicants and those from a minority ethnic background. Nonetheless, where we have opportunities, we continue to promote the diversity message in our standard job advertisement template and do what we can to ensure that those opportunities that do arise are promoted effectively and that through "Positive Action" we do our best to attract and support those from under-represented groups.

We test how far diverse needs are met through our recruitment process by requesting and monitoring diversity information from all candidates. We use this information, which is held separately and accessible to a very limited number of colleagues, both to help ensure that our resourcing policy and procedures have no discriminatory impact on any groups of applicants and to assess the effectiveness of different recruitment campaigns for applicants from particular diversity groups to ensure equality of opportunity for all.

In 2018 we delivered the successful implementation of Name-blind recruitment across all recruitment activities undertaken by the organisation. In 2017 we held Disability Confident Level 1 and in 2018 we successfully achieved the Disability Confident Level 2 award. Throughout 2017 and 2018 we have worked with TMP, an external partner, to develop

recruitment campaigns that would reach a wider diverse audience, and members of the Resourcing team attended PRIDE events to promote SPS recruitment activities.

In October 2018 we worked in partnership with Inclusion Scotland to introduce an Internship.

The successful candidate spent 12 weeks working within the Equality and Diversity team in our HQ function, dividing her time between undertaking research, meeting colleagues across both the SPS and SG while providing support on a number of key pieces of work including:



- Research and Review Equality and Human Rights Impact Assessments
- Design and Publish an Equality and Diversity Newsletter
- Redesign New SharePoint Site
- Writing Reports
- Create an Equality and Diversity Calendar
- Equality and Diversity Related Projects
- Horizon Scanning

## **OUR POLICIES AND PRACTICES**

We recognise the need to ensure that our policies and activities are not discriminatory and to fully consider Diversity and Equality issues when developing new policies, or when we significantly change existing policies. We aim to ensure that all our strategies, policies and procedures are inclusive and that our equality is embedded in the behaviour, actions and decision-making of our staff. Our Human Resources team oversee our employee policies including an overarching Equality and Diversity policy, a Code of Conduct and a suite of more detailed policies on specific issues including flexible working, Dignity at Work and family friendly policies. Working in partnership with TUS colleagues, we continue to review and revise our employee policies, with the development of EHRIA's and consultation with a range of stakeholders, including our staff networks, built into the review process.

## **STAFF NETWORKS**

We have 3 active staff networks in SPS: INSPIRE, our network for disabled staff or those who care for disabled people; Prism, our network for lesbian, gay, bisexual and

transgender staff; and Women in SPS (WiSPS). Consultation is an important part of the role the SPS staff networks play and all draft policies and EHRIA's are sent to networks for members to comment and contribute.

INSPIRE is the SPS network for disabled employees and employees who care for disabled people. Throughout 2017 – 18 those involved within INSPIRE continued to work with the SPS in providing feedback as a key stakeholder in the EHRIA process that the SPS undertakes for all products and activities that may have an impact on employees, those in our care and those who the SPS has contact with.



PRISM is the Lesbian, Gay, Bi-sexual and Transgender (LGBT) network for the SPS, and undertake a range of internal and external activities that support our mainstreaming requirements, including attendance at external events such as Glasgow Pride, Edinburgh Pride and Grampian Pride. In 2018 PRISM members marched in uniform for Glasgow Pride alongside the Army, Navy,

Ambulance and the Scottish Fire and Rescue Service (SFRS), supporting the submission of the Stonewall Index application, and have developed co-working with the SFRS to share good working practices for the PRISM network. The network consults with a number of external agencies raising the awareness of the SPS as a supporter of the LGBT work who creates a supportive organisation for anyone who identifies as LGBT. PRISM is not just for staff who identify as LGBT, and the network has a number of allies and friends from across the SPS that support our LGBT colleagues and attend/promote events.

In 2018 both the Chair and Vice-Chair of PRISM were nominated for Uniformed ICON of the year in the ICON awards, which seek to reward any Diversity and Inclusion person who has changed the culture towards diversity in the workplace, with the Vice-Chair reaching the final nominations.

WOMEN IN SPS is the SPS network aimed to develop women in the SPS and advance equality for women staff, developing and maximising the contribution of women and recognising the development and contribution women make throughout the workplace and their ability to provide a legacy of successful role models. Throughout 2017 – 18 WOMEN IN SPS has been invited to provide feedback as a key stakeholder in the EHRIA process that the SPS undertakes for all products and activities that may have an impact on employees, those in our care and those who the SPS has contact with.



In November 2018 HR colleagues met with Carer Scotland, to progress in its application to be a Carer Confident employer, ensuring that all policies and processes take cognisance of the impact of those who undertake a caring responsibility and ensuring that the SPS undertakes no actions that have a direct, or indirect, negative implication for carers. In line with our requirements to consider flexible working requests, we have a range of policies that support flexible working as a requirement for carer support, and we consider all requests for a non-standard working pattern from carers through the same policy and practices as for those requesting due to childcare or other individual circumstances.

## **LEARNING AND DEVELOPMENT**

We are committed to the development of our staff. As such we recognise that individuals have differing learning styles and requirements and, as such, we offer a range of learning opportunities including face to face classroom sessions, coaching, experiential and e-learning. On our e-learning site there are over 150 learning materials on a variety of relevant workplace topics which all staff have access to. All staff are required to undertake Equality and Diversity training. The number of staff with have not attended Equality and Diversity training has halved over the past two years from 14% to 7% (circa. 330), and it is expected that the introduction of a standard non-operational induction programme to be rolled out across the summer of 2019 will reduce further the percentage of none attendance. The SPS' standard one-day classroom Equality and Diversity course was revised in 2017 and 558 learners have attended the new programme. A new e-learning package is now available for all staff to access which builds on their knowledge gained from the classroom-based course, with 2,100 staff having completed the course. In 2018 an Un-conscious bias e-learning package was created, with the course being available to all staff and is now a requirement for recruitment assessors to complete as part of their assessor training package.

Following research and analysis of learners attending the SPS College we have identified a need to support learners who show traits associated with learning difficulties such as dyslexia, ADHD, dyspraxia, dyscalculia and social and communication challenges. We are intending to undertake a pilot of a screening and support tool for learners. This pilot will inform how we support learners in the future and in future this may include offering screening tools to all learners at SPS College.

## **EMPLOYEE SURVEY**

We continue to participate in the annual Civil Service People Survey which takes place each October. In 2017 our People Survey Group met three times in order to champion and monitor employee activities throughout the SPS estate. 'Our 5' action plans, resulting from the key themes of the People Survey continue to create positive actions to grow engagement and drive cultural and behavioural change, and are embedded in local

business planning throughout the service. The SPS has continued to listen to our staff and to identify ways in which we can further improve our employee engagement and in 2018 the Executive Management Group commissioned the Leith Agency to undertake a series of workshops with colleagues, the outcomes of which will form the basis for development of a staff engagement strategy. Our People Survey responses for the 2018 survey indicate an increase of 4% with regard to colleagues understanding our policies on Equality and Diversity.

## **EMPLOYEE WELLBEING**

We continue to undertake reviews of the policies that impact upon our employees and throughout 2017 - 2018 we worked in partnership with TUS colleagues to develop and publish the new Employee Wellbeing Policy. This pulled together a number of previous policies – Alcohol and Substance Misuse, Blood Borne Viruses, Critical Incident Response, Smoking, Stress at Work – under one policy and procedure that focused on the wellbeing of our staff, including the promotion of Positive Mental Health. With mental ill health accounting for 11% of short term and 37% of long term absence across the SPS in 2017 – 18 (10% and 33% respectively in 2016 – 17) we have created a dedicated intranet site that signposts staff to a range of organisations alongside campaigns that support positive mental health and overall well-being. In 2017 we ran a number of Mindfulness taster sessions in HQ with staff from across HQ, SPS Central Stores and SPS College in attendance. We have also taken steps to raise employee awareness of the SPS Employee Assistance Programme which offers a free confidential 24 hour service providing specialist support and information for employees and their immediate family on health and personal matters.



## Part 2: GENDER PAY GAP

In 2017 the Government introduced world-leading legislation that made it statutory for organisations with 250 or more employees to report on their Gender Pay Gap under the Equality Act 2010 (Specific Duties) Regulations which came into force in April 2017. These regulations underpin the Public Sector Equality Duty and require relevant organisations to publish their gender pay gap.

The information relating to the gender pay gap in this report is based on the pay and gender data extracted in line with the UK Government's reporting regulations and include the required mean and median gender pay gaps; the mean and median gender bonus gaps (if applicable); the proportion of male and female staff who received bonuses (if applicable) and the proportions of male and female employees in each pay quartile.

Both mean and median gaps are calculated as the percentage difference in female pay compared to male pay. The mean is the total salary of males/females divided by the number of males/females. The median is the salary of the middle ranked female compared to the middle ranked male.

The data set is drawn from "Relevant" employees under the UK regulations. These are active employees in receipt of a non-reduced salary. It assumes that all workers not on the Scottish Prison Service (SPS) payroll are employed via an Employment Agency and are therefore not reportable. It excludes employees who are not considered to be "full time relevant employees" i.e. employees being paid a reduced or nil rate due to being on leave (sick leave, annual leave, maternity, paternity, shared parental, adoption leave).

In the calculations pay is based on the total salary paid but excluding expenses and overtime. All gender pay gap analysis is based on gross hourly rate in the pay period containing the relevant date. Gross hourly rate is calculated as follows:

**Total Period Amount x 12 = Annual Rate**

**Annual Rate/52.2 = Weekly Rate**

**Weekly Rate/Hours Payable = Hourly Rate**

The report also presents the proportion of men and women by quartile, with each quartile containing the same number of employees.

The gender pay gap shows the difference in the average pay between all male and female staff in a workforce. If a workforce has a particularly high gender pay gap, this can indicate there may be a number of issues to address, and the individual calculations may help to identify what those issues are.

The gender pay gap is different to equal pay. Equal pay deals with the pay differences between men and women who carry out the same jobs, similar jobs or work of equal value. It is unlawful to pay people unequally because they are a man or a woman. The SPS supports the fair treatment and reward of all staff irrespective of gender. As outlined in the SPS Equality, Diversity and Human Rights Statement we are committed to ensuring our people are treated fairly, with dignity and to foster a workplace where our diverse working population has equal access to all employment opportunities.

The relevant date used is 31<sup>st</sup> March 2018.

The number of Relevant Employees was as below:

Female Relevant Headcount	1,371	30.17%
Male Relevant Headcount	3,174	69.83%
Total	4,545	100%

Mean pay is defined as the sum of all values divided by the number of relevant employees. The mean pay gap is the difference between the average hourly earnings of female and male staff. The average hourly rate for a female was £13.80. For a male the rate was £15.02.

**The SPS has a Mean gender pay gap in Hourly Pay of £1.22, which equates to 8.1%.**

Median is defined as the middle value in the list of amounts when in ascending order. The median pay gap is the difference between the midpoints in the ranges of hourly earnings of female and male staff. The median hourly rate for females was £11.75. The median hourly rate for males was £15.26.

**The SPS has a Median gender pay gap in Hourly Pay of £3.51, which equates to 23%.**

Figure 2 – Mean and Median Hourly Pay Gap

Gender	Mean Hourly Pay	Median Hourly Pay
Female	£13.80	£11.75
Male	£15.02	£15.26
Percentage	8.1%	23%

The last Gender Pay Gap information reported by the SPS in 2017 utilising data as of December 2016 reported a mean difference of 7.8%. We did not report on the Median

difference. We have also calculated the mean pay gap by quartile, as outlined below, through dividing the workforce into four equal parts, sorting the hourly rates by lowest to highest rate and recording the number of females and males in each quartile. The table illustrates the ratio of females to males according to their hourly rate of pay and it can be seen that there are pay gaps across each quartile in favour of male employees.

Quartile Information	Female	Male
Upper Quartile	23.10%	76.90%
Upper Mid Quartile	20.41%	79.59%
Lower Mid Quartile	30.24%	69.76%
Lower Quartile	45.76%	54.24%

Historically the SPS had a male-dominated Operational staff group, which reflected the wider cultural position across Scotland of “typical” male employment, however in recent years the positive actions that the SPS has undertaken has seen an increase in the numbers of female candidates applying to work for the organisation and, as societies views and expectations change, it is expected that the numbers of female candidates will continue to increase as the role of the prison officer ceases to be considered as a stereotypical “male” occupation. For legal reasons related to same-sex searching, we have a requirement for an increased proportion of male Operational staff in prisons which accommodate male prisoners, and vice-versa. Given that there is significantly higher numbers of men in custody than women, it is reasonable to expect there to be a higher proportion of male Operational employees and our median pay gap is larger than average because it reflects both the historical and current constitution of our workforce. The majority of our new appointments are at the lowest Operational salary band, and we have historically focused our promotion criteria based on demonstrating competency and experience through each Salary Band rather than direct appointment into higher salary bandings. In recent years the number of female recruits into the Operational roles has increased and this is reflected in the lowest quartile which demonstrates the closest representation.

## Our Actions

The vast majority of organisations have a gender pay gap. The Civil Service average cited by the Office of National Statistics in the Annual Civil Service statistics for 2018 was a mean pay gap of 9.8% and a median gap of 12.2%. We are determined to reduce our gender pay gap and will take action through a number of initiatives and interventions:

- We will continue to ensure all roles are created through the usage of a systematic role analysis job evaluation scheme which incorporates the principles of equal pay;

- We will continue to work in partnership with our Trade Union representatives to ensure equality in pay and recruitment processes;
- We are committed to raising awareness and encouraging the uptake of a range of family friendly policies to promote the benefits of flexible working and will take all opportunities to enable employees who wish to progress their careers through promotion to balance their work/life requirements;
- We will report on an annual basis on our Gender Pay gap to enable closer scrutiny and monitoring our progression;
- Our Workforce Plan 2018 -23 will enable us to review our “critical mass” requirements for our staffing profile of male and female operational colleagues and our recruitment activities will reflect our requirements;
- We will continue to review our recruitment and promotion activities and will review our current attraction strategies to identify areas where there have been particularly high or low numbers of female applicants, to understand what the reasons for this may be and inform further action.

## **Our Declaration**

We confirm that data reported by the Scottish Prison Service is accurate and has been calculated according to the requirements and methodology set out in the Equality Act 2010 (Specific Public Authorities) Regulations 2017.

## **PART 3: PROGRESS AGAINST OUR EQUALITY OUTCOMES**

Equality is vital to achieving our vision and we have made a clear commitment to equality and diversity through our Corporate Planning and Performance activities. 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 2017 – 20 outcomes progress report is published, as required, under the Equality Act (2010) (Specific Duties) (Scotland) Regulations 2012.

This progress report focuses on the achievements and progress the SPS has made with regard to our Equality Outcomes over the past 24 months. We acknowledge there is more to be done, and we will continue to focus our priorities on engagement with those in our and our staff over the next 12 months prior to the publication of our final Outcomes report for 2017 – 20.

Over the past two 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.

Positive outcomes include significant progress in our recruitment activities, with the introduction of the SPS Workforce Plan providing the SPS with an agreed structure and plan for the development of our employees over a 5 year period, the introduction of Name-blind recruitment and a revised Recruitment policy with Equality and Diversity running as an integral thread throughout.

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

**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.**

**Our Progress so far:** 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 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.

Working with an external partner, TMP, a job analysis exercise was undertaken at HMP Edinburgh and HMYOI Polmont in September 2018. This included interviews with Prison Officers, Line Managers and those in custody, job shadowing and a senior stakeholder workshop to understand what positive values and behaviours look like in the role of a Prison Officer. The information gathered during these exercises will inform the design of a bank of scenarios and responses that will be included in the values-based assessment. A group of subject matter experts (SMEs) will now review the scenarios and responses developed to ensure that they are reflective of the demands of the Prison Officer role.

Equality and Diversity elements have been included in revised Success Factors framework which will ensure these elements are tested throughout recruitment to our senior management roles.

**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.**

**Our Progress so far:** 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 have 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 will monitor completion rates across the SPS and local HR teams will continue to raise promote awareness of the course to new and potential assessors and recruitment managers.

In 2017 – 18 we received 129 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. The below provides a breakdown of male, female and self-declared disability appointments. In the year 2016 – 17 the numbers of applicants successfully being appointed was less than 5 therefore an actual figure could not be recorded. In 2017 – 18 the number of applicants with a self-declared disability was recorded as 5, which indicates an increase between the two reporting years of at least 1. For recruitment of males and females it can be seen that there was an increase of both male and female appointments, however the number of female appointments has risen more than male appointments, albeit by a notional number.

Year	Male	Female	Disability
2016 - 17	85	86	<5
2017 - 18	123	123	5

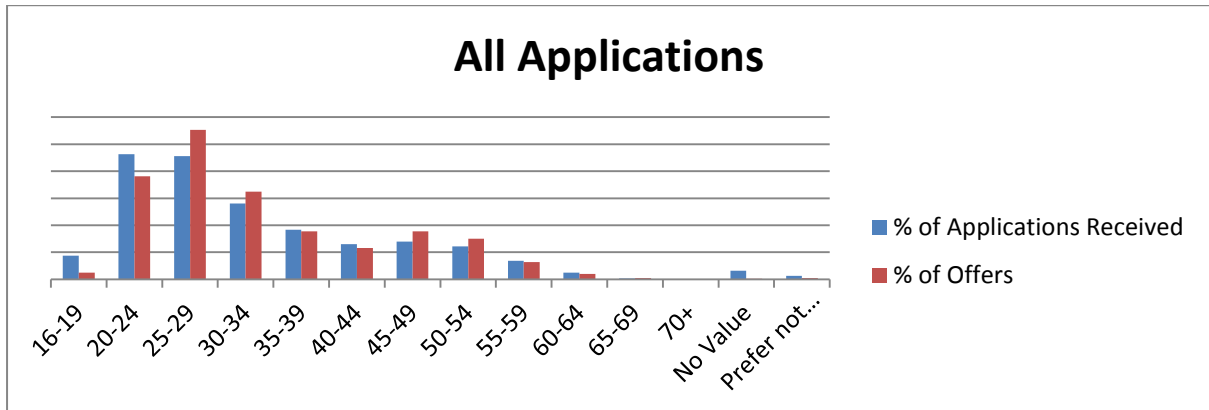
Of the existing employees who were promoted during the same period referenced above there was an increase of 1.18% of the number of staff promoted. In 2016-17 there were 51 females promoted across SPS however in 2017-18 the number of females promoted had dropped by 7.84% with 47 female staff being promoted.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

A breakdown of all applications (internal and external) submitted between April 2017 and January 2019 are detailed below, broken down into Age, Disability, Gender, Ethnicity, Sexual Orientation and Religion/Belief.

## Applications by Age

### All Applications

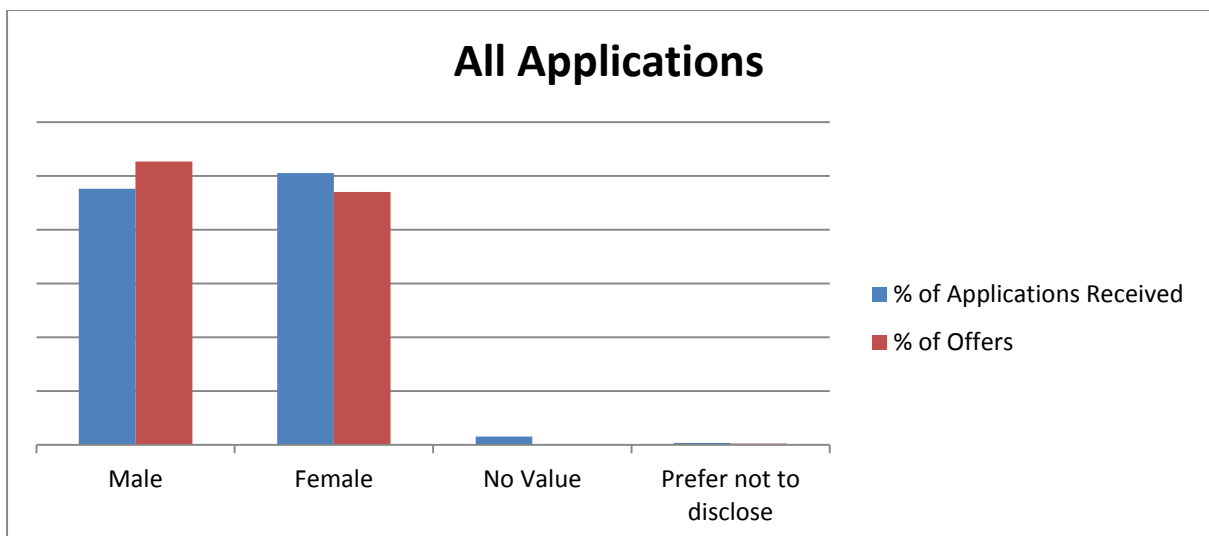
Age Group	16-19	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	70+	No Value	Prefer not to disclose
% of Applications Received	4%	23%	23%	14%	9%	7%	7%	6%	3%	1%	0%	0%	2%	1%
% of Offers	1%	19%	28%	16%	9%	6%	9%	8%	3%	1%	0%	0%	0%	0%



## Applications by Gender

### All Applications

Gender	Male	Female	No Value	Prefer not to disclose
% of Applications Received	48%	51%	1%	0%
% of Offers	53%	47%	0%	0%

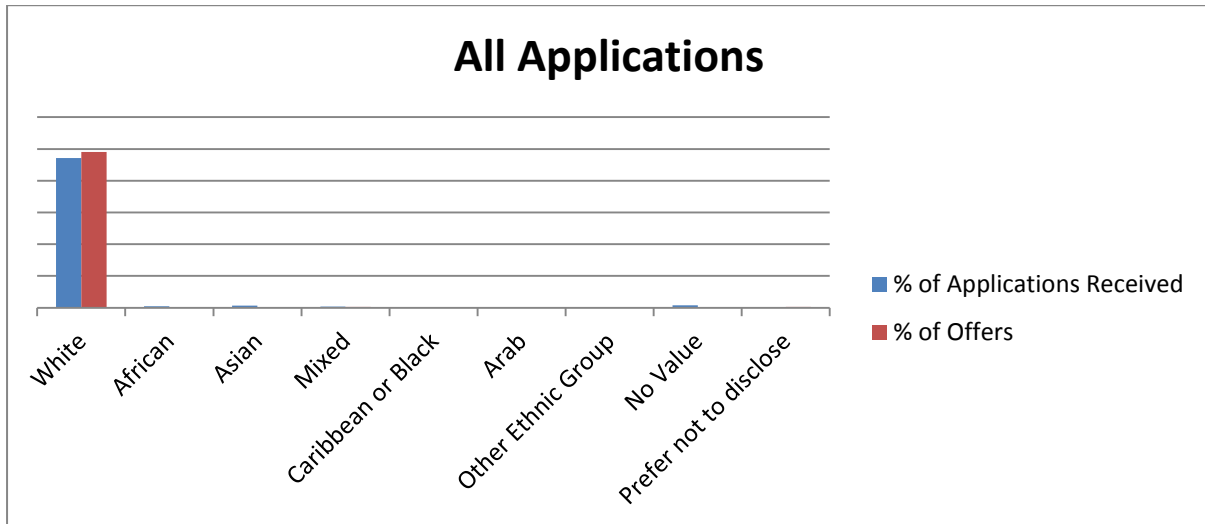




## Applications by Ethnicity

### All Applications

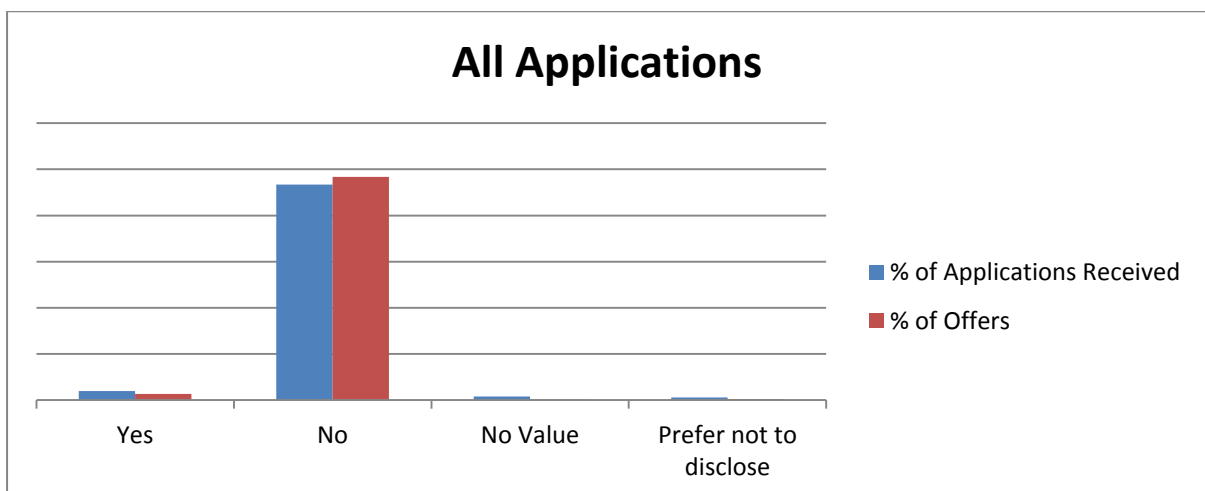
Ethnicity	White	African	Asian	Mixed	Caribbean or Black	Arab	Other Ethnic Group	No Value	Prefer not to disclose
% of Applications Received	94%	1%	1%	1%	0%	0%	0%	2%	1%
% of Offers	98%	0%	0%	1%	0%	0%	0%	0%	1%



## Applications by Disability

### All Applications

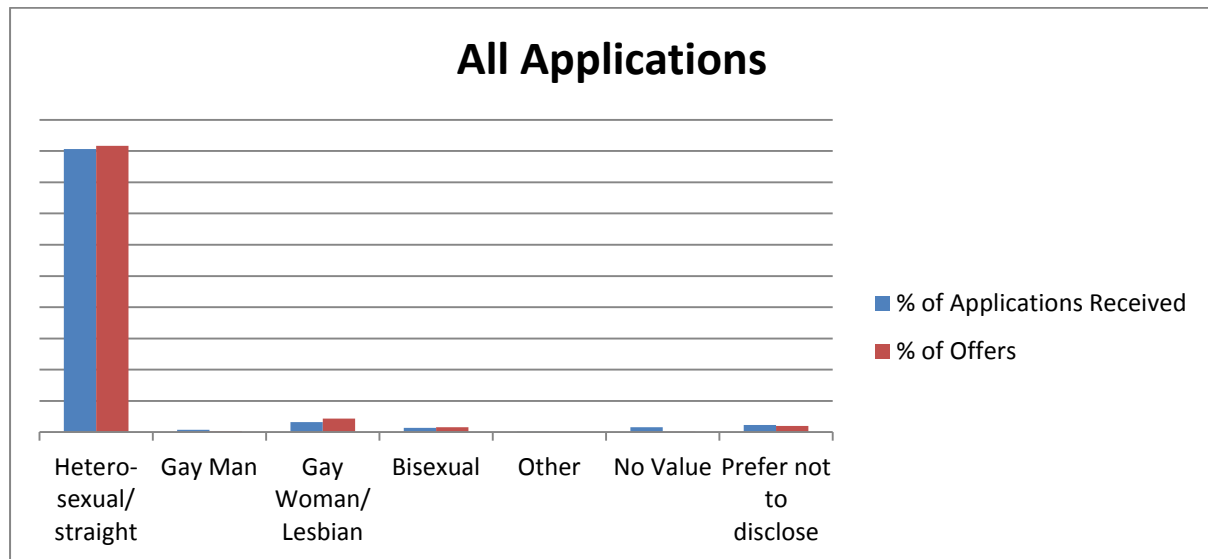
Does applicant consider self to have disability?	Yes	No	No Value	Prefer not to disclose
% of Applications Received	4%	93%	2%	1%
% of Offers	3%	97%	0%	0%



## Applications by Sexual Orientation

### All Applications

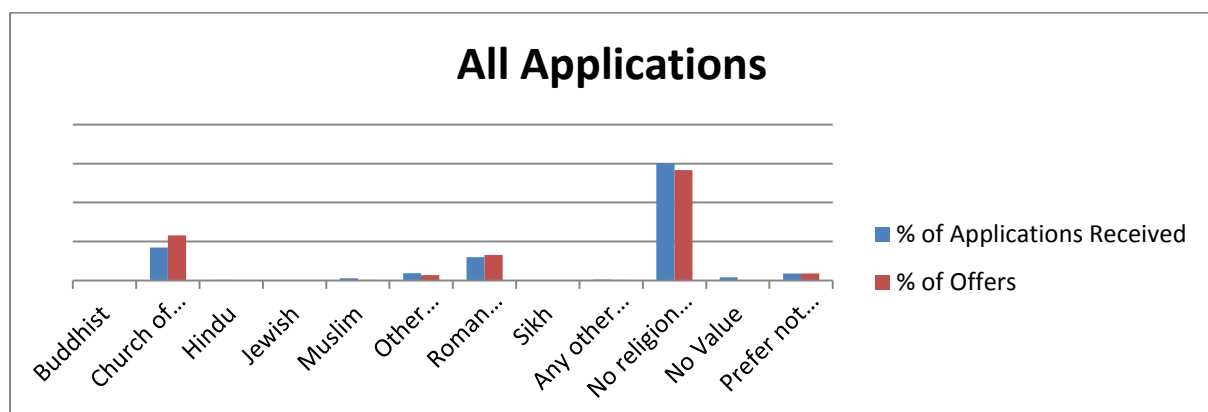
Sexual Orientation	Hetero- sexual/ straight	Gay Man	Gay Woman/ Lesbian	Bisexual	Other	No Value	Prefer not to disclose
% of Applications Received	91%	1%	3%	1%	0%	2%	2%
% of Offers	92%	0%	4%	2%	0%	0%	2%



## Applications by Religion/Belief

### All Applications

Religion / Belief	Buddhist	Church of Scotland	Hindu	Jewish	Muslim	Other Christian	Roman Catholic	Sikh	Any other religion	No religion or	No Value	Prefer not to disclose
% of Applications Received	0%	17%	0%	0%	1%	4%	12%	0%	0%	60%	2%	4%
% of Offers	0%	23%	0%	0%	0%	3%	13%	0%	0%	57%	0%	4%



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

**Our Progress so far:** We have achieved Disability Confident Level 1 and level 2. Systems updates have been completed with further guidance to be shared with HR teams. In order to continue our development of recruitment activities that enable consolidation of the Level 2 achievement, we have created an action plan 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

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

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

**Our Progress so far:** SPS is a family friendly organisation and we have 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. In April 2018, we published the revised Maternity and Paternity policy, Shared Parental Leave policy, and Voluntary Lateral Transfer policy. In 2018 we published the SPS Employee Wellbeing policy and developed a new Wellbeing SharePoint site, which provides staff with information pertaining to the various SPS policies that support a work life balance, and also signposts staff to other organisations and SPS benefits.

**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.**

**Our Progress so far:** 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. The Workforce Planning Group is the agreed SPS Group for consideration of deployment of Operational Staffing C – E Bands, and provide an organisational steer to inform discussions at the most senior level with regard to organisational wide resourcing requirements. We have used the information from the organisational capability 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 have commenced a Smart Working pilot, taking a comprehensive and strategic approach to modernising working practices.

**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.**

**Our Progress so far:** 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. Currently our E-HR reporting 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. Data pulled from the SPS E-HR system as of March 2018 provides the following 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%

### **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.**

**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.**

**Our Progress so far:** 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. 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. Analysis of the next Prisoner Survey results will provide us with key indicators as to the impact and success of this strategy, and actions will be taken in accordance with those results. It is anticipated that the numbers of those in our care advising they have been subject to bullying may rise, which in itself can be considered a positive outcome.

All staff are required to undertake Equality and Diversity training as part of their core training within the SPS, and for all new Operational colleagues it forms part of their Officer Foundation Programme. The number of employees with no recorded Equality and Diversity training has halved over the past two years from 14% to 7% (circa. 330), and 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. As of December 2018 2,100 employees had completed a new Equality and Diversity eLearning product as part of their Continuing Professional Development, aimed to give colleagues additional understanding of Equality and Diversity.

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 delivery, HR, and Equality and Diversity staff and 9 employees were awarded this qualification. A further course was delivered in March 2019, with participants being from across the HR function, but primarily from local HR teams to increase their learning and understanding with a view to their taking a greater role in advising on Equality and Diversity matters as part of the SPS' mainstreaming Equality and Diversity activities.

**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.**

**Our Progress so far:** 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. The objectives of *Think Twice* are that staff and prisoners are aware the prison has a strategy to address bullying; staff understand the strategy and procedures; prisoners are provided with information on the strategy and its procedures; incidents of

bullying behaviours are documented with evidence; and information obtained during an investigation of bullying is used to develop and inform further strategies. This information, alongside analysis of the 2019 Prisoner Survey results will inform SPS' performance against the strategy outcomes in 2020 and beyond. 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. Our focus groups held with 70 individuals in our care which asked questions regarding their experiences of hate crime indicated that their experiences of hate crime had reduced but they believed there was still more to be done, and it was suggested that more posters and campaigns could be undertaken to show a zero tolerance position.

We have revisited our existing employment policies in conjunction with our TUS representatives and in consultation with internal and external stakeholders and our staff networks, and in 2018 we published our Employee Wellbeing policy. This focuses on the promotion of positive mental health, ensuring our staff feel comfortable to talk about mental health without stigma, prejudice or bullying. Training was delivered to our staff to ensure they are confident in supporting both colleagues and those in our care who have experienced discrimination. Our annual 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.

**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.**

**Our Progress so far:** 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 our actions taken so far include:

- Advice on the corporate approach to tackling VAW including designated VAW Coordinators working in partnership with local authorities;
- Secondment of SPS staff member to Police Scotland Domestic Abuse Task Force;

- Development by our Public Protection Unit of national Standard Operating Procedures (SOP's) to support our establishments in monitoring and applying conditions specified in bail orders and non-harassment orders;
- Re-issue of guidance and SOP on prevention of unwanted contact between prisoners and members of the public;
- SPS access to the Scottish Courts website to secure additional information on short term VAW perpetrators, allowing improved case work in such cases;
- Provision to SPS by Scottish Courts and Tribunal Services (SCTS) of electronic copies of criminal non-harassment orders issued in domestic abuse cases;
- Agreement with justice colleagues on the purpose and use of Additional Electronic monitoring;
- Ensuring establishments raise awareness in prison visitor centres and waiting rooms of appropriate community services for women;
- Encouraging those in our care to access services which reduce harm resulting from e.g. substance misuse which has a strong link to VAW;
- Signposting appropriate services to women and young adults who have disclosed that they are survivors of VAW;
- Increasing understanding of our staff of the nature and drivers of gender based violence and its impact on women and children;
- Supporting those convicted of sexual offences to change their behaviour via participation in interventions such as the Moving Forward: Making Changes programme.

**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.**

**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.**

**Our Progress so far:** In 2017, in partnership with TUS colleagues, we developed the SPS Employee Wellbeing Policy, published in May 2018, which incorporates SPS' policy and guidance regarding supporting employee's experiencing mental ill health. The Employee Wellbeing Policy was supported by a new SharePoint site which provided guidance to both managers and staff alongside signposting to a range of other organisations who can



support those experiencing Mental Ill Health. Figure 2 below provides a snapshot of the absence levels due to Mental Ill Health since the publication of the Employee Wellbeing Policy and the creation of the SharePoint site. The figures indicate a rise of absence due to Mental Ill Health, which could be anticipated following the promotion of the policy and the engagement of managers to support colleagues who are experiencing Mental Ill Health. The percentage of absences due to Mental Ill health in November 2017 was 16.44%, thus demonstrating an increase in Mental Ill Health absences in November 18 compared with the previous year. Between February 2018 and December 2018, the Scottish Prison Service College (SPSC) ran a number of Mental Health First Aid Training courses, with a total of 19 TUS representatives and managers in attendance.

Figure 2: Mental Health Absence trends since May 2018

	<b>Total No. absence instances in month</b>	<b>No. Mental Health Absence instances in month</b>	<b>% Absences instances in month due to Mental Health</b>	<b>No Mental Health Absence Days in month</b>	<b>% Absence Days in month due to Mental Health</b>
Nov-18	761	152	19.97%	3290	33.86%
Oct-18	729	134	18.38%	3043	30.37%
Sep-18	684	138	20.18%	2804	30.29%
Aug-18	670	145	21.64%	2990	32.73%
Jul-18	656	144	21.95%	2999	34.43%
Jun-18	668	140	20.96%	2770	32.99%
May-18	672	136	20.24%	2624	31.56%
% differential between May 18 & Nov 18	13.24% increase	11.76% increase	-1.31% decrease	25.38% increase	7.28% increase

In 2018 the EMG approved the Maximising Attendance Strategy, comprising of a governance structure and draft action plan with the aim of improving employee wellbeing and driving down absence across SPS. The Director of Corporate Services is the Senior Champion for Equality and Diversity within the SPS and the EMG lead for the Maximising Attendance Strategy.

We continue to work with the NHS Healthy Working Lives programme to explore additional support for employees experiencing Mental Ill Health. We participate in the Healthy Working Lives Award programme, supporting health promotion within the workplace, and as of December 2018 seven SPS establishments held the Gold award, four held Silver and three either held the Bronze or were working towards it.

**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.**

**Our Progress so far:** In June 2018 we commenced a review of MAAPP. This will be supported by research to understand the reasons for organisational increases in absence levels, to ascertain key drivers for positive and negative trends, and factors, both internal to the organisation, and external that may have an influence on absence within the organisation.

Throughout 2018 SPS has taken steps to raise employee awareness of the Employee Assistance Programme (EAP) which offers a free 24hr service providing specialist support and information for employees and their immediate family. Awareness sessions through the delivery of a number of Mentally Healthy Workplace for Managers courses. Between December 2017 and January 2019, a total of 88 employees attended the training sessions with a further 13 sessions scheduled to run throughout 2019. Employees also have access to the Healthy Working Lives e-learning package with over 100 having completed the package and a further 170 having started it. Local HR teams continue to work in partnership with TUS representatives to promote the EAP, encourage attendance on the Mentally Healthy Workplace for Managers courses and to signpost employees to the Employee Well-being webpage.

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

**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.**

**Our Progress so far:** On 11<sup>th</sup> 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 has now been completed. Public information events have been held in May and June in Dundee and the invitation to tender for contractors to undertake the National facility has been issued.

**We will develop a strategy on social care provision in prisons.**

**Our Progress so far:** 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 and has four primary work streams:

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

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.

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.

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.

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).

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

**Our Progress so far:** 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 adult prisoners. 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. 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.

**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.**

**Our Progress so far:** 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 LDD screening within the 3 trial establishments, and further to these trials, to the national roll out across all other SPS establishments.

Train the Trainers courses have been delivered to support staff awareness and recognition of LDD conditions with 21 staff from across SPS in attendance with a view to rolling out further training within our establishments across 2019.

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

**Our Progress so far:** 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. Initial planning and methodology of research has commenced.

**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.**

**Our Progress so far:** In 2017 additional training on reasonable adjustments was developed by the Equality and Diversity team in HQ. Revised PR2 Audit procedures were approved in 2018 which incorporated reasonable adjustment requirements. Establishment Equality and Diversity managers undertake routine audits to ensure compliance with reasonable adjustment audit requirements.

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, however the 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.

**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.**

**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.**

**Our Progress so far:** 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](http://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. Throughout 2017 and 2018 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.

**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.**

**Our Progress so far:** 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.

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

**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.**

**Our Progress so far:** 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 E-Learning package was rolled out across the organisation, supporting the revised employee Dignity at Work policy.

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 54% advising they believe the SPS respects individual differences (culture, working styles, backgrounds and ideals).

**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.**

**Our Progress so far:** In November 2018 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 initial research findings were compiled in February 2019 with a view to the initial policy draft being completed in April 2019. Our staff networks will support the policy review and we will seek their views through consultation as part of the review.

**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.**

**Our Progress so far:** We have 3 staff networks and in November 2018 HR colleagues met with Carer Scotland with discussions underway for SPS to be a Carer Confident employer. 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 August 2018 the Chair of Prism and the Equality and Diversity Manager for Prisons jointly developed the 2018 SPS Stonewall Index submission and supported a range of recruitment activities including attendance at Pride events.

**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.**

**Our Progress so far:** 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.

### **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.**

**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.**

**Our Progress so far:** 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 data.

In 2017 we launched an internal campaign to aim to increase employee e-HR completion rates. This consisted of building a dedicated SharePoint site with guidance on monitoring, SPS reports and FAQ's; developing a short video to encourage diversity declaration; developing promotional materials in conjunction with HMP Shotts' education department;



issuing staff notices about the campaign and issuing a series of Latest News articles. As of February 2019 the completion rates between 2017 and 2019 were as follows:

#### Completion Rates '17 '19

Diversity Type	Completion Rate'17		Completion Rate'19		17-18 Percentage point change	
Belief	22.93%	1044	25.41%	1144	↑	2.5%
Ethnicity	45.74%	2082	48.11%	2166	↑	2.4%
Nationality	43.08%	1961	44.96%	2024	↑	1.9%
Relationship	40.07%	1824	42.20%	1900	↑	2.1%
Religion	44.62%	2031	46.73%	2104	↑	2.1%
Sexual Orientation	36.40%	1657	38.72%	1743	↑	2.3%
Transgender	22.98%	1046	25.70%	1157	↑	2.7%
Disability	8.72%	397	10.84%	488	↑	2.1%

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. Reports are run on a monthly basis to provide a breakdown of the diversity profile of the prisoner population, with the information being used by establishments to inform a range of activities and events within their establishment. All 70 of those involved in the 10 prisoner focus groups run between January and March 2019 advised they understood the requirement to provide data.

**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.**

**Our Progress so far:** 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.

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.

## Part 4: EMPLOYEE INFORMATION

### WORKFORCE PROFILE

The tables below show the employee diversity statistics for the Scottish Prison Service as of 30 March 2019. It also includes a summary of the 2017 and 2018 employee information, for comparison against the 2019 figures.

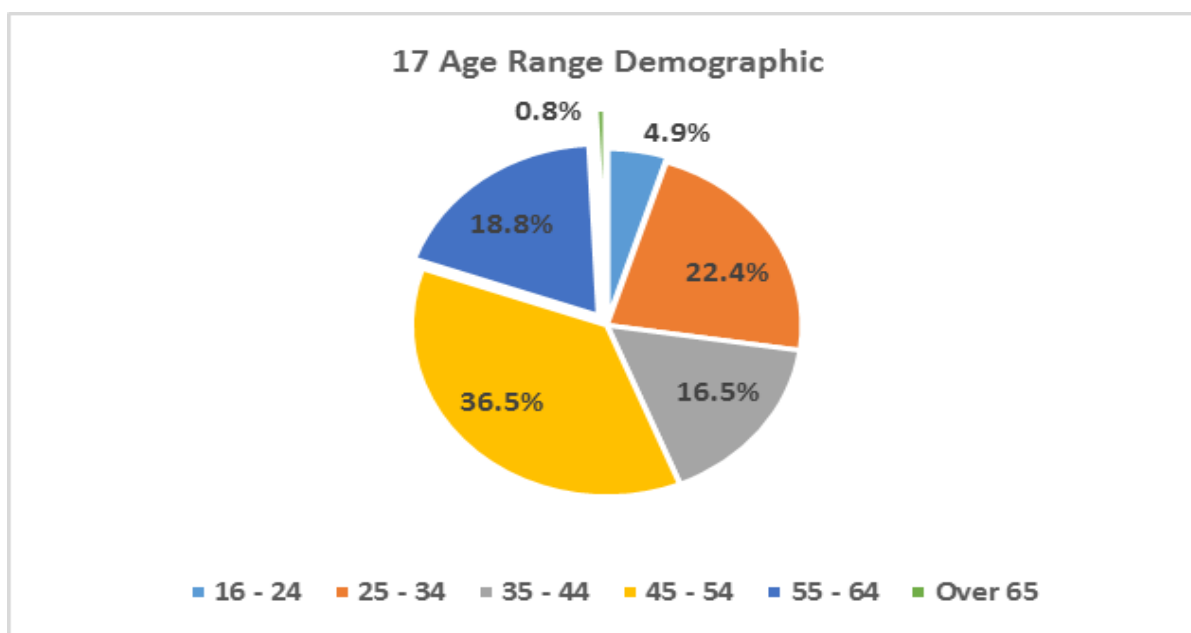
To avoid the possible disclosure of information about individual members of staff, data suppression has been necessary to for counts of less than 5 and have been shown as \* to prevent the possible disclosure of individuals.

### COMPARISON BETWEEN 2017, 2018 and 2019

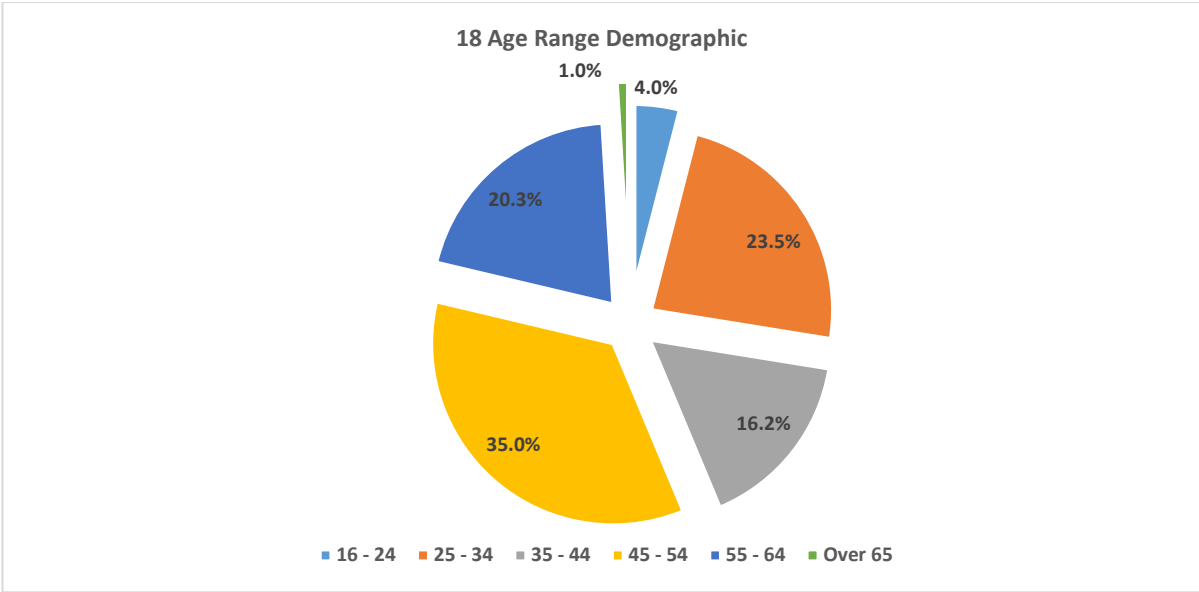
The charts below demonstrate our employee diversity, comparing 2017, 2018 and 2019 figures.

#### STAFF NUMBERS BY AGE 2017 – 19

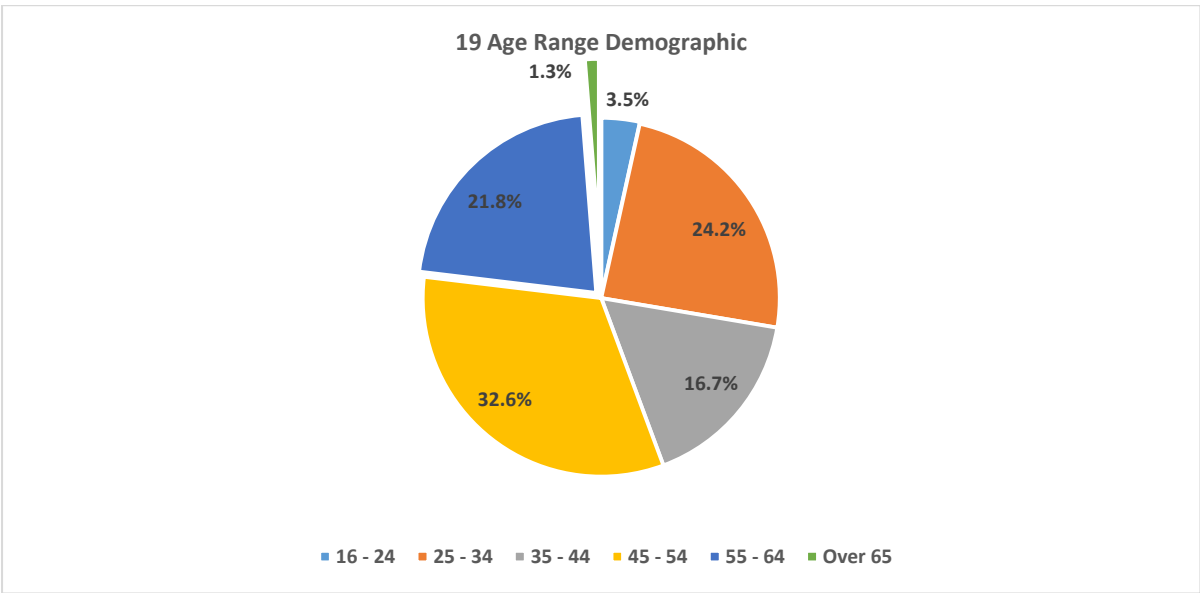
The age demographic across the 3 years remains similar with the highest numbers of employees being within the 45 – 54 age group. The number of employees within the over 65 age group has increased between 2017 - 2019 (0.8% in 2017, 1.3% in 2019) and this reflects the organisations ability to provide increasing numbers of roles for employees who request partial retirement.



2017 Age Breakdown



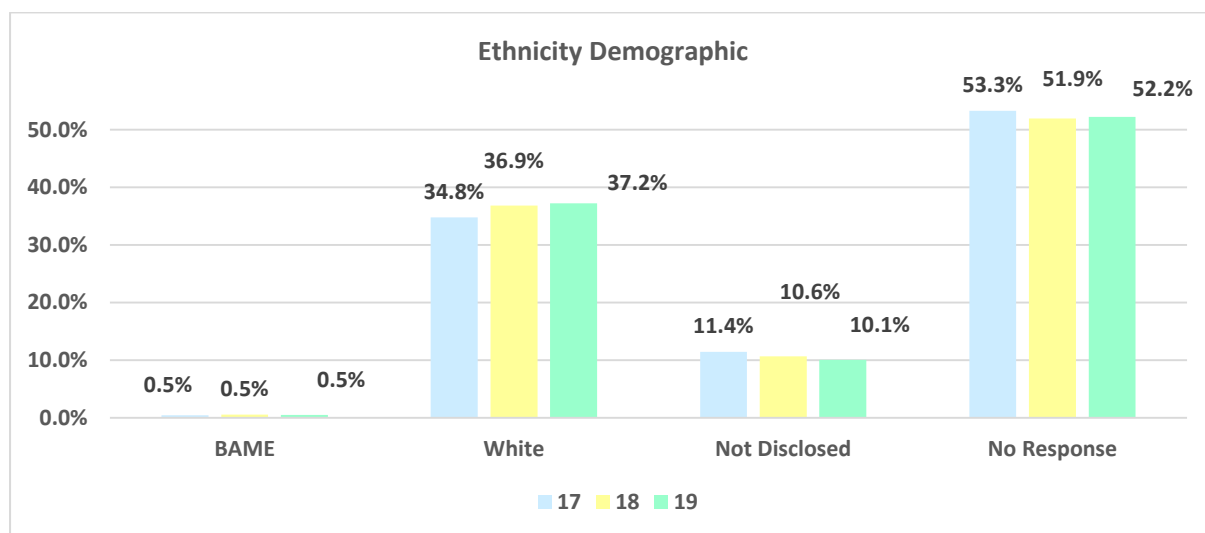
2018 Age Breakdown



2019 Age Breakdown

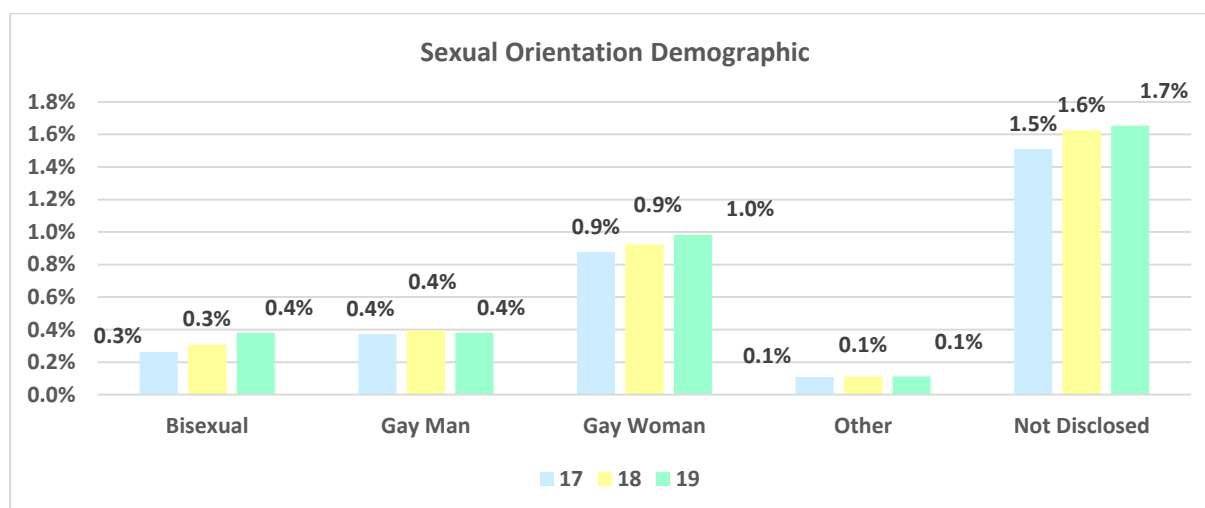
### STAFF NUMBERS BY ETHNIC GROUP 2017 – 19

The numbers of employees reporting their ethnicity has remained consistent over the last 3 years. There continues to be a high number of employees who have not provided their ethnic group and this figure has remained at approximately 50% of the workforce. The numbers of employees reporting their ethnic status as BAME has remained constant at less than 1% of the workforce population.



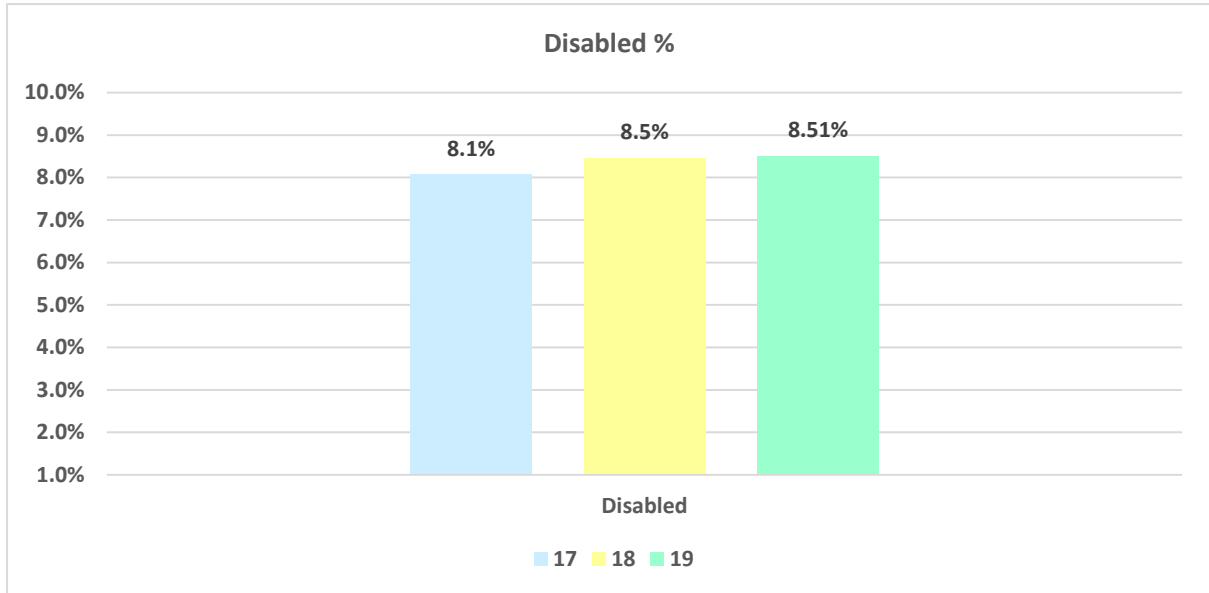
### STAFF NUMBERS BY SEXUAL ORIENTATION 2017 – 19

The below table provides the picture for bisexual, gay, lesbian and other employee diversity data. Of the staffing group who have provided their data the overwhelming numbers report as heterosexual/straight at 35% of the workforce. The numbers of employees who have not provided their data has reduced slightly from 63.8% in 2017 to 61.3% in 2019.



### STAFF NUMBERS BY DISABILITY 2017 – 19

The below table provides the comparison of the numbers of employees who have declared a self-declared a disability. It can be seen from the percentage figures that there has been little movement in the numbers between 2017 – 19.



## STAFF PROFILE 2019

The tables below show the employee diversity statistics for the Scottish Prison Service as of 30 March 2019

### STAFF NUMBERS BY GENDER

Overall there is a higher proportion of males than females employed within the Scottish Prison Service. The higher proportion of males can be accounted for in part by a large singular group of employees being significantly higher in the number of males – those within the D Band. We recruit our Operational employees at the C Band role with promotion into the higher grades, rather than direct entry into higher grades. Historically the numbers of females working in the Operational pay bands has been low, however recruitment and promotion activities are providing opportunities for females to progress.

Row Labels	B	C	D	E	F	G	H	I	NONS	SCS	Grand Total
<b>F</b>	148	559	493	82	68	32	11	*	*	*	<b>1403</b>
<b>M</b>	107	806	1562	353	146	67	17	10	*	*	<b>3074</b>
	<b>255</b>	<b>1365</b>	<b>2055</b>	<b>435</b>	<b>214</b>	<b>99</b>	<b>28</b>	<b>16</b>	<b>*</b>	<b>*</b>	<b>4477</b>

### STAFF NUMBERS BY PART TIME WORKERS

There are higher numbers of male part time workers, due in part to the workforce profile that demonstrates significantly higher numbers of males employed within the Scottish Prison Service. Further analysis indicates that the numbers of males who work part time are within the higher age bracket and are reducing their hours to undertake partial retirement, whereas the majority of females who work part time do so for caring responsibilities.

Row Labels	B	C	D	E	F	G	H	I	NONS	SCS	Grand Total
<b>F</b>	<b>148</b>	<b>559</b>	<b>493</b>	<b>82</b>	<b>68</b>	<b>32</b>	<b>11</b>	<b>6</b>	<b>*</b>	<b>*</b>	<b>1403</b>
Full time	107	494	436	72	52	29	10	6		*	1208
Part Time	41	65	57	10	16	*	*		*		195
<b>M</b>	<b>107</b>	<b>806</b>	<b>1562</b>	<b>353</b>	<b>146</b>	<b>67</b>	<b>17</b>	<b>10</b>	<b>*</b>	<b>*</b>	<b>3074</b>
Full time	93	775	1392	280	101	58	17	10		*	2728
Part Time	14	31	170	73	45	9			*		346
	<b>255</b>	<b>1365</b>	<b>2055</b>	<b>435</b>	<b>214</b>	<b>99</b>	<b>28</b>	<b>16</b>	<b>*</b>	<b>*</b>	<b>4477</b>

### STAFF NUMBERS BY AGE

Overall the largest numbers of our employees are in the 45-54 age group, with the lowest numbers being in the over 65 age group. This differs for females with the highest numbers being in the 25-34 age range and less than 5 being employed in the over 65 age group.

Row Labels	B	C	D	E	F	G	H	I	NONS	SCS	Grand Total
<b>F</b>	<b>148</b>	<b>559</b>	<b>493</b>	<b>82</b>	<b>68</b>	<b>32</b>	<b>11</b>	<b>6</b>	*	*	<b>1403</b>
16-24	23	59*									85
25-34	47	244	197	9	22*						522
35-44	18	112	117	26	20	14*				*	310
45-54	30	99	139	35	14	10*		*	*	*	338
55-64	29	44	36	12	10*		*	*	*	*	143
Over 65	*	*	*		*						5
<b>M</b>	<b>107</b>	<b>806</b>	<b>1562</b>	<b>353</b>	<b>146</b>	<b>67</b>	<b>17</b>	<b>10</b>	*	*	<b>3074</b>
16-24	15	49	6								70
25-34	19	290	232	12	6*						561
35-44	15	160	208	25	16	10*		*			437
45-54	21	180	652	166	58	30	6	6		*	1120
55-64	33	115	443	149	59	22	8*	*	*	*	835
Over 65	*	12	21*		7*		*		*		51
	<b>255</b>	<b>1365</b>	<b>2055</b>	<b>435</b>	<b>214</b>	<b>99</b>	<b>28</b>	<b>16</b>	<b>6</b>	*	<b>4477</b>

## STAFF NUMBERS BY ETHNIC GROUP

Nearly half of our employees have not provided any information on ethnic origin. Of those whose ethnic origin has been recorded, the highest proportion indicate their ethnicity to be White Scottish. Overall less than 70 employees have advised they are from an ethnic background, however with the numbers of “Not Advised” and “Prefer Not to Disclose” representing a significantly large proportion of the staff group, we are unable to confirm exact numbers of employees from an ethnic background.

Row Labels	B	C	D	E	F	G	H	I	NONS	SCS	Grand Total
Asian Other			*								*
Black African		*	*		*						*
Black Caribbean			*								*
Black Other		*	*								*
British African		*									*
British Asian Other					*	*					*
British Pakistani		*									*
Indian		*									*
Mixed White and Asian		*	*		*						*
Not Advised	181	815	1038	145	94	41	12*		6*		2338
Other Ethnic Group			*								*
Pakistani					*						*
Prefer not to Disclose	14	107	242	50	21	14		*		*	450
Scottish Pakistani		*	*								*
White	14	128	195	65	32	14	6*			*	461
White English	*	31	33*	*	*	*		*			84
White Gypsy Traveller		*	*								*
White Irish	*		6*		*						12
White Northern Irish	*		7*		*						14
White Other	*	*	*	*	*						10
White Polish		*									*
White Scottish	40	262	519	161	57	22	10*				1075
White Southern Irish		*									1
White Welsh		*	*	*	*						6
	<b>249</b>	<b>1343</b>	<b>2040</b>	<b>421</b>	<b>204</b>	<b>91</b>	<b>28</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>4451</b>

## STAFF NUMBERS BY SEXUAL ORIENTATION

Over 50% of our employees have not provided any information on sexual orientation. Of those whose sexual orientation has been recorded the majority are heterosexual/straight. There are less than 80 employees who have recorded gay, lesbian, bisexual or other, which equates to less than 2% of the overall workforce. This is a larger percentage than the percentages reported in national statistics. The Scottish Household Survey 2014 indicated that 1% of the Scottish population stated they were gay, lesbian, bisexual or other.

Row Labels	B	C	D	E	F	G	H	I	NONS	SCS	Grand Total
Bisexual		6	8*	*							17
Choose not to Disclose	*	19	37	8*	*	*	*	*			74
Gay man	*	7	7*	*							17
Gay women / Lesbian	*	15	23*	*			*				44
Heterosexual / straight	54	396	735	233	91	42	14	9		*	1576
Not Advised	195	920	1242	188	119	54	12	6	6*		2744
Other		*	*								*
	255	1365	2055	435	214	99	28	16	6*		4477

## STAFF NUMBERS BY RELIGION/BELIEF

53% of employees have not provided any information on religion or belief. Approximately 10% have advised they have no religion or belief, however it should be noted that 14% have chosen not to disclose their religion or belief. Scotland's 2011 Census reported that more than half (54%) of the Scottish population stated their religion as Christian, whilst 37% stated they had no religion.

Row Labels	B	C	D	E	F	G	H	I	NONS	SCS	Grand Total
Baptist		*	*	*	*	*					6
Buddist		*	6*	*	*						9
Chose not to disclose	15	168	308	73	25	22*	*	*		*	619
Christian	*	39	79	23	13*	*	*	*			168
Church of England	*	7	14*	*	*						28
Church of Scotland	20	94	265	100	34	9	7*				533
Episcopalian	*		*								*
Hindu			*								*
Jewish			*								*
Mormon			*								*
Muslim		*	*		*	*					7
No Affiliation	19	152	181	40	25	11*	*	*			431
No Response	*	10	9*	*	*	*					29
Not Advised	183	831	1052	149	92	40	13*	*	6*		2372
Other	*	6	12*	*	*	*					22
Other Christian	*	*	6*	*	*	*					13
Roman Catholic	7	49	113	36	15	6*				*	229
Scottish Episcopal		*	*								*
Sikh		*	*								*
	255	1365	2055	435	214	99	28	16	6*		4477



## STAFF NUMBERS BY MARITAL/CIVIL PARTNERSHIP STATUS

58% of our employees have not provided any information on marital status. Of those who have provided information 26% have declared they are Married/Civil Partnership, compared with the Scottish 2011 Census in which 43% declared they were married.

Row Labels	B	C	D	E	F	G	H	I	NONS	SCS	Grand Total
Civil Partnership		*	*								6
Co-habitation with Partner	10	66	99	24	11*						212
Common Law		8	18	7*							34
Divorced	*	21	34	8*	*	*					74
Married / Civil Partnership	36	232	557	210	72	38	12	8		*	1167
Not Advised	187	885	1172	162	108	51	12	6	6*		2591
Not Disclosed	*	13	20*	*				*			40
Separated	*	16	36	6	6*	*					67
Single	17	116	107	11	10*	*					265
Single-Married Resps		*	*	*		*		*			10
Widowed		*	*	*	*						11
	255	1365	2055	435	214	99	28	16	6*		4477

## STAFF NUMBERS BY DISABILITY

More than 80% of our employees have not provided any information on disability status. Of those whose disability category has been recorded, approximately 9% of our employees have self-declared a disability. This is significantly lower than the proportion of people in Scotland with a long-term activity-limiting health problem or disability which stands at 20% (Scottish 2011 Census).

Row Labels	B	C	D	E	F	G	H	I	NONS	SCS	Grand Total
Blind or partial sight loss		*	7*								9
Cardiac/Circulatory		*	*	*	*						9
Chronic Fatigue Syndrome		*			*						*
Deaf or Partial Hearing Loss	*	*	14	5*							23
Deafness, Speech OK			*								*
Disabling Diseases		*	*								*
Disease Of Blood			*	*							6
Hearing Impair Plus			*	*							*
Impair Of Lower Limb		*	*								*
Learning Difficult		10	9*	*	*						23
Learning Disability	*	*	*	*							*
Loss Body Parts		*									*
Mental health condition	*	11	18	8*	*						41
Mental Illness Plus			*								*
Mobil Impair Plus			*	*							*
Mobility Impairment	*	9	12*	*							30
Non Disabled	7	12	20	12	6	15*		*			75
Not Advised	238	1262	1832	363	185	79	25	14	6*		4008
Other Disability	*	15	36	9*	*						69
Physical Co-ord Diff		*	*	*							8
Physical Co-ord plus			*								*
Prefer not to disclose			*								*
Progressive Condition	*	6	13*	*							25
Reduce Phys Cap Plus		*									*
Reduced Physical Cap	*	16	47	15*	*	*					86
Respiratory Diseases		*	*	*	*						13
Severe Disfigurement			*								*
Status Not Declared		*	6	*							11
Visual Impair Plus		*	8*								10
	255	1365	2055	435	214	99	28	16	6*		4477

## STAFF PROMOTIONS 2018 - 19

The below tables provide an overview of the staff promotions 2018 – 19 by gender, age, ethnicity, sexual orientation, religion/belief, marital/civil partnership and disability. Due to the small figures it is not possible to provide a breakdown by Maternity/Pregnancy or Gender Reassignment.

### PROMOTIONS BY GENDER

Gender	Total	Full time	Part Time
Female	50.00%	47.58%	2.42%
Male	50.00%	50.00%	0.00%

### PROMOTIONS BY AGE

Age Range	16-24	25-34	35-44	45-54	55-64	Over 65
	6.5%	60.5%	18.5%	11.3%	3.2%	0.0%

### PROMOTIONS BY ETHNIC GROUP

Ethnicity	Number	Percentage
White	42	33.9%
Not Disclosed	10	8.1%
No Response	72	58.1%

### PROMOTIONS BY SEXUAL ORIENTATION

Sexual Orientation	Number	Percentage
Bisexual	*	*
Gay Woman	*	*
Heterosexual	36	29.0%
Not Disclosed	*	*
No Response	83	66.9%

### PROMOTIONS BY RELIGION/BELIEF

Religion	Number	Percentage
Buddist	*	*
Christian	17	13.7%
No Affiliation	13	10.5%
Not Disclosed	20	16.1%
No Response	73	58.9%

### PROMOTIONS BY MARITAL/CIVIL PARTNERSHIP STATUS

Marital Status	Number	Percentage
Civil Partnership	*	*
Co-habitation with Partner	14	4.4%
Common Law	*	*
Divorced	8	2.5%
Married / Civil Partnership	70	21.8%
Separated	*	*
Single	17	5.3%
Single-Married Resps	*	*
No Response	203	63.2%

### PROMOTIONS BY DISABILITY

Disabled	Number	Percentage
Disabled	33	10.3%
Not Disabled	*	*
Not Disclosed	*	*
No Response	281	87.5%

## STAFF LEAVERS 2018 - 19

The below tables provide an overview of the staff leavers 2018 – 19 by gender, age, ethnicity, sexual orientation, religion/belief, marital/civil partnership and disability. Due to the small figures it is not possible to provide a breakdown by Maternity/Pregnancy or Gender Reassignment.

### LEAVERS BY GENDER

Gender	Total	Full time	Part Time
Female	30.53%	23.99%	6.54%
Male	69.47%	58.26%	11.21%

### LEAVERS BY AGE

Age Range	16-24	25-34	35-44	45-54	55-64	Over 65
	5.6%	25.5%	12.1%	19.0%	31.8%	5.9%

### LEAVERS BY ETHNIC GROUP

Ethnicity	Number	Percentage
BAME	6	1.9%
White	103	32.1%
Not Disclosed	27	8.4%
No Response	185	57.6%

### LEAVERS BY SEXUAL ORIENTATION

Sexual Orientation	Number	Percentage
Bisexual	*	*
Gay Woman	*	*
Heterosexual	101	31.5%
Not Disclosed	*	*
No Response	211	65.7%

### LEAVERS BY RELIGION/BELIEF

Religion	Number	Percentage
Christian	66	20.6%
Muslim	*	*
Other	*	*
No Affiliation	27	8.4%
Not Disclosed	31	9.7%
No Response	193	60.1%

## LEAVERS BY MARITAL/CIVIL PARTNERSHIP STATUS

Marital Status	Number	Percentage
Civil Partnership	*	*
Co-habitation with Partner	14	4.4%
Common Law	*	*
Divorced	8	2.5%
Married / Civil Partnership	70	21.8%
Separated	*	*
Single	17	5.3%
Single-Married Resps	*	*
No Response	203	63.2%

## CONCLUSION

Our employee information shows that our staffing profile does not yet fully reflect the composition of the wider Scottish population. Our data has significant gaps, making it difficult to understand and address issues in these particular areas. We recognise that good equality data is essential and are committed to improving the collection, collation and use of equality data.