

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

Background	
Title of the Policy	Purposeful Activity Project
EHRIA Lead Person	Head of Offender Case Management, Strategy and Innovation
Date EHRIA completed	14/04/2016
Review date and frequency	As per Action plan
Is this a new or revised policy/practice?	New <input type="checkbox"/> Revised <input checked="" type="checkbox"/>

Scoping	
What are the aims of this policy/practice?	<p>To have a better more inclusive policy and practice across the prison system that is person centred and assess based in its approach to case management. This will include oversight of policy, guidance and products to deliver the following:</p> <ul style="list-style-type: none"> • a standardised asset-based approach to case management for all offenders not subject to post-release supervision; • an updated version of the Enhanced Integrated Case Management process aligned with the parole process; • alignment of case management with wider services and procedures in the community e.g. Social Work, NHS and PSPs • agreed routes/pathways into internal and external offender services (such as education, employment, healthcare and mentoring), linking to the role of the Throughcare Support Officer; • agreed routes/pathways into appropriate interventions; • updated roles and responsibilities for prison staff and prison & community based social workers involved in case management; • comprehensive guidance for all staff involved in offender case management;

Scoping	
	<ul style="list-style-type: none"> • comprehensive staff training package for all staff involved in offender case management; • improved ICT functionality to support effective information sharing; and • auditable standards that will provide a solid base for assurance.
WHO did you consult with?	<p>Human Rights and Equality Policy Officer- Scottish Government. SPS HQ Equality Unit and SPS Equality & Diversity Manager (Prisoners). Scottish Disability Equality Forum Scottish Transgender Alliance Families Outside Prisoner Focus Groups</p>
WHAT did you learn?	<p>Human Rights and Equality Officer – Scottish Government is of the opinion that no human rights or equality discrimination could be breached in this process and it is very positive having a comprehensive person – centred case management plan</p> <p>SPS HQ Equality Unit advised that it appeared at this time in the process would help eliminate discrimination and advance equalities by moving towards a target case conference system based on the offenders needs.</p> <p>Scottish Disability Equality Forum, stated that disabilities and reasonable adjustments being considerate were vital for offenders who have declared a disability to the SPS and as this will be included in personal centred planning can only support disabled Offenders in returning to the community.</p> <p>Research associate- Scottish Transgender Alliance, noted this will support the Gender Identity and Gender Reassignment policy that was launched in the SPS in 2013. And support the needs of trans people who are in Prison through personal centre case conferencing.</p>
HOW will this shape your policy/practice?	<p>As this is a national project, the requirement of personal centred case management is bound to ensure that the manner in which we deliver is consistent with Equality and Human Rights. That is consistent with Equality Laws and the protected factors including Age, Disability, Gender Re-Assignment, Pregnancy and Maternity, Race, Religion and Belief, Sex and Sexual Orientation. Specifically:</p>

Scoping

	<p>Age - no impact identified as personal centred approach will consider all ages including the elderly and have pathways to support our ageing population and the Children's and Young People (Scotland) Act 2014 for prisoners under 18.</p> <p>Disability – Reasonable adjustments and support for disabled people in returning to the community will be part of Personal Centred case management.</p> <p>Gender re-assignment – The GI &GR policy will support the needs of trans people and case management will have a joint up approach</p> <ul style="list-style-type: none"> •Pregnancy and Maternity – No impact identified. •Race – No impact identified. •Religion or Belief – No other impacts identified at this stage. Should an impact subsequently come to light this assessment will be reviewed to take account of this. •Sex – Female prisoners could have particular needs that will be identified during case conferences •Sexual Orientation – No impact identified. <p>General Accessibility</p> <p>Language – it is of vital importance that every individual understands the process being applied to them and why. In the case that a prisoner speak little English, the interpreting and translation and transcription services should be used or support from education departments in prisons.</p>
<p>What quantitative and/or qualitative evidence as well as case law relating to equality and human rights have you considered when deciding to develop new or revise current policy/practice?</p>	<p>Prison (Scotland) Rules SPS Organisational review Inquiry into Purposeful activity in Prisons report SPS Purposeful activity review Delivering a strategy for purposeful activity in the SPS Equality Act 2010 Human Rights Act 1998 Children and Young people (Scotland) Act 2014 The Better health , better lives framework</p>

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

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

Positive Impacts
Protected characteristics affected: Age, Race, Gender, Disability, Gender Identity, Religion or Belief, Sexual Orientation, Maternity and Pregnancy, Marriage and Civil Partnerships, Socio-economic groups, Human Rights Compliance
1. Will advance equality of opportunity through improved identification of offenders need by asset- based management plans more effective targeting of resources and improved referrals to both internal and external service providers; 2. Foster good relations by improving engagement by offenders in their case management;

Positive Impacts

3. Foster good relations in developing a revised case management process which will integrate a personal wellbeing plan for each offender, in line with the aim of delivering an integrated, meaningful and tailored plan for each individual
4. Upholds Human Rights Article 8: Right to respect for private & family life. This is done through personal centred case management and involving the offenders family and the introduction of family hubs.
5. Upholds Human Rights Article 14: the Prohibition of Discrimination. This is achieved through ensuring all groups (detailed opposite) are enabled to engage in purposeful activities and planning for the future.
6. Upholds Human Rights Article 4 - Prohibition of slavery & forced labour (e.g. safeguarding vulnerable people) the aim to provide a mixed economy of employability options.

Negative Impacts

Protected characteristics affected: Age, Race, Disability Socio-economic groups

Impact	Mitigation
<p>Employability- the aim to provide a mixed economy of employability options, could be unachievable for offenders who are unable to work because of disabilities, learning difficulties, living in socio- economic areas, Foreign Nationals (non English speaking) or are too old to work.</p> <p>Learning – Appropriate assessment and screening tools will be developed which will assist in the identification of these with learning difficulties and disabilities and inform services required to meet their needs. This could be unfair to offenders who are unable to learn.</p>	<p>Any negative impact related to the purposeful activity project will be related to how an individual in question feels about engaging with purposeful activity or has the ability to engage or wants to engage in purposeful activities.</p> <p>Asset- based approach, assessments and screening tools should identify areas of risk. Development of this project should look to develop outcome that will not disadvantage offenders who have not got the ability to engage.</p> <p>Prison staff are trained to support offenders; they understand the needs of our diverse prison population.</p> <p>They are trained in Equality and Human Rights issues.</p> <p>Prison staff are trained to encourage Offenders to engage.</p> <p>Prison staff will be trained to support and continue assess- based plan in the community.</p>

Recommended course of action

Outcome 1: Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified.



Recommended course of action

Outcome 2: Proceed with adjustments to remove barriers identified for discrimination, advancement of equality of opportunity and fostering good relations or breach of human rights articles.	<input type="checkbox"/>
Outcome 3: Continue despite having identified some potential for adverse impact or missed opportunity to advance equality and human rights (justification to be clearly set out).	<input type="checkbox"/>
Outcome 4: Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified.	<input type="checkbox"/>

Summary of Outcome decision and Recommendations

Proceed - no potential for unlawful discrimination or adverse impact or breach of human rights have been identified,
The project will develop a case management approach which fully support the principles of an asset based approach and is desistance focused,
The negative impact related to the purposeful activity project will be related to how an individual in question feels about engaging with purposeful activity or has the ability to engage or wants to engage in purposeful activities will be addressed by the Project team.

Next steps

Review negative impacts at the project board
Review with comments from the stakeholder engagement
Review after implementation
Review if a formal complaint is received by an Offender if it is linked to a protect characteristic

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