Equality and Human Rights Impact Assessment Publication Document

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	SPS Family Virtual Visits
EHRIA Lead (role)	SPS Family Policy Manager
Date EHRIA completed	10/10/2018
Review date and frequency	Pilot eight months period from Nov 18 to June 19
Is this a new or revised policy/practice?	New ☒ Revised ☐

Scoping

What are the aims of this policy/practice?

- To run a six month pilot at HMP Inverness Visitor Centre due to testing innovation on family visits and supporting HMP Inverness displaced population.
- More innovation and technology used to support family visits.
- Possible research to support further role out of virtual visits.

WHO did you consult with?
- Relevant staff and Managers from HQ cross directorates.
- HMP Inverness for information regarding current process and future involvement in pilot.
- Subject matter experts (ISS, HQ Agents project leads, Prison Visitor Centre Groups)
- Equality & Diversity Advisor SPS

WHAT did you learn?
- Current Apex Model for virtual visits has a good level of uptake and supports families with people in custody to maintain contact.
- Stan McLeod previous lead for Apex Model Virtual Visits.
- Helps families with mobility issues for travelling etc and reducing costs to families.
- PR2 shows 180 displaced prisoners from the highlands area.
- Inverness visitor centre are aware of a number of families that would benefit from the pilot.

HOW will this shape your policy/practice?
- This will ensure we do what is right for the child and the child safety
- Improve access for families with prisoners displaced from the highlands area.
- Clear guidance for staff and visitors created.
- Policy agreed and supported in our delivery by partner agencies (Action for Children)

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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?
National Child Protection Guidance Scotland 2014
Children and Young People (Scotland) Act 2014
A Guide to implementing 'Getting it right for every child': Scottish Government (2012)
Getting it Right for Every Child Wellbeing Indicators
Getting it Right for Every Child Practice Briefings
Equality & Human Rights Act
SPS Family Strategy
Digital Strategy group (ISS)
APEX Virtual Visits Group (Aberdeen)

Impact
Will the impact and outcomes of the new/revised policy/practice:

Contribute to eliminating discrimination, harassment and victimisation? E.g. - 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 ☒
	NO EFFECT: It will have no effect on discrimination, harassment and victimisation ☐
	NEGATIVE: It will make discrimination, harassment and victimisation worse ☐
Advance equality of opportunity between those who share a protected characteristic and those who do not? E.g. - 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 ☒
	NO EFFECT: It will have no effect on equality of opportunity ☐
	NEGATIVE: It will reduce equality of opportunity ☐
Foster good relations between those who share a protected characteristic and those who do not? E.g. - Tackle prejudice - Promote understanding	**POSITIVE:** It will foster good relations ☒
	NO EFFECT: It will have no effect on good relations ☐
	NEGATIVE: It will cause good relations to deteriorate ☐
Ensure Human Rights Compliance?	It will uphold human rights articles. ☒
	It will breach human rights articles. ☐

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

1. Upholds - **United Nations Convention on the Rights of the Child (UNCRC),**
   - *Article 3* '*In all actions concerning children, the best interests of the child shall be a primary consideration*'
   - *Article 4* *(implementation of the Convention)*
     '*Governments must do all they can to make sure every child can enjoy their rights by creating systems and passing laws that promote and protect children's rights*'.

2. *Complying with 'Getting it right for every child' government policy;*
3. *Support the SPS Family strategy in that 'Families are safe and well'; Encourage Family Contact.*
4. *Supporting access of virtual visits to allow people to maintain family contact whilst reducing the cost and travel times.*
5. *Helping low income families maintain family contact while reducing travel and cost.*
6. Human Rights Article 8 – rights to respect to a private and family life**.**

Inclusive Communications
Promotion will be in an easy read poster format and also Visitor centre and Family contact officers will promote verbally to families and prisoners.

Protected characteristics affected:

Age (e.g. older people or younger people): Provide less travel solutions to young children and older people that find the travel distance difficult.
Disability (e.g. people with visible or non-visible disabilities, physical impairments): People with disabilities that struggle with long journeys can use the virtual visits to support seeing family in our care. Also the visitor centre has disabled access.
Marriage and civil partnership: Provide further opportunity for family visits without added travel or cost.
Socio-economic groups: Assist low income families to make family contact with less coat and travel implications.

Negative Impacts
Protected characteristics affected:

No negative impacts identified

Impact	Mitigation

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.	☐
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).	☐
Outcome 4: Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified.	☐

Summary of Outcome decision and Recommendations

The Equality and Human Rights Impact Assessment (EHRIA) has shown that this supports having a family life by providing a wider access for family visits to take place.

Central to the review was the recognition that the rights of the child are paramount and the prisoner's right to a family life under ECHR.

The policy will support the SPS Family strategy in that **'We will actively support and encourage family contact" and the policy will 'support staff to enable them to be able to identify and respond to wellbeing needs of people in our care and their children'.**

In line with Scottish Government policy, Getting it Right for Every Child (GIRFEC) is at the heart of strategy, policy and practice affecting people in our care, children, young people and their families in order to promote wellbeing and positive life outcomes for children in Scotland.

A GMA supporting the implementation and outcomes for the pilot will be put in place. Guidance has been created to ensure a fair and consistent application of access to virtual visits. The posters and leaflets will be in easy read and there will be a contact number to get further information for those with difficulties reading or understanding the pilot.

Next steps

What:	Monitor for discrimination throughout pilot
Why:	Ensure fair and transparent access to families
Who:	Family Policy Lead
When:	Continuous
What:	Provide a clear GMA regarding new pilot, consultation undertaken & Monitor through Inverness and HQ project team.
Why:	To ensure pilot is implemented correctly
Who:	Family Policy Lead
When:	Continuous
What:	Continue to review Pilot
Why:	To improve staff awareness and understanding and practices & check for any areas of discrimination.

Next steps		
Who:	Family Policy Lead	
When:	Continuous	
Name of lead:	SPS Family Policy Manager	
Date:	01/08/18	

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