

SPS SEXUAL ORIENTATION EQUALITY POLICY STATEMENT

Statement of Policy

The Scottish Prison Service is committed to a policy of equality in the area of sexual orientation and to the elimination of discrimination in all aspects of its work. It is opposed to any display within any part of the SPS of prejudice on the grounds of sexual orientation, either by word or conduct, by any person in his or her dealings with any other person.

Sexual orientation can be defined as orientation towards persons of:

- **Same sex**
- **Opposite sex**
- **Same sex and opposite sex.**

Sexual orientation does not extend to sexual preferences and practices.

Equality in the area of sexual orientation concerns everyone in the Scottish Prison Service. It is the responsibility of everyone to ensure that the Service's policy is carried out throughout the SPS estate. This also extends to social occasions and outhoused training courses etc.

Everyone shall be treated equally, fairly and impartially, with humanity, respect and dignity without discrimination on grounds of their actual or perceived sexual orientation. Insulting, abusive or derogatory language or actions towards any person are unacceptable. No group from one particular sexual orientation shall be allowed to dominate any activity in any part of the SPS to the exclusion of others.

Everyone shall have equal access to all facilities provided and opportunities, including jobs, offered by the Scottish Prison Service regardless of their sexual orientation.

The Scottish Prison Service Sexual Orientation Equality Policy Statement will be monitored and evaluated regularly and will be amended as necessary in line with alterations to the terms of the Employment Equality (Sexual Orientation) Regulations 2003.

The overarching principles, which this policy statement reflects, are contained within the booklet "How to Challenge and Change Unacceptable Behaviour in the SPS", available from your Local HR Department.



SPS

Fully committed to Equality & Diversity

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Further Information

If you would like any further information on the SPS Sexual Orientation Equality Policy Statement or any of the policies referred to in the statement, you may wish to contact any of the following for advice or guidance:

**Confidential SPS Employee
Assistance Programme:**

Freephone: 0800 854 562

**SPS Equality
and Diversity Team:**

Tel: 0131 244 8594

*You may also wish to contact your local HR
Department or a Trade Union Representative.*



Challenging and Changing Sexual Orientation Discrimination in the SPS

By challenging discrimination on the grounds of sexual orientation in the SPS, we will be improving the integrity, diversity, openness and fairness of the Service, thereby contributing more effectively to our Mission Statement.

We aim to achieve a Service in which we all:

- **Promote the values of the SPS with regard to sexual orientation equality;**
- **Understand the issues faced by gay, lesbian and bisexual employees within the Service;**
- **Value the benefits that a diverse workforce brings to the Service;**
- **Commit ourselves to our mission; and**
- **Work together to achieve our goals.**



Types of Unacceptable Behaviour

There are types of behaviour which are forms of, or which may lead to discrimination, victimisation, harassment or bullying.

Discrimination- being treated differently on the basis of actual or perceived sexual orientation.

Victimisation- being treated differently or unfairly because of a previous complaint of discrimination or having given evidence for another employee in a discrimination case. Victimisation is also often the label put on behaviour the recipient feels when they are being singled out or picked on.

Harassment- being regularly or persistently subjected to:

- **Innuendo, mockery, derogatory name-calling or stereotypical jokes;**
- **Unwarranted, intrusive or persistent questioning about a person's marital status, sexual interests or orientation;**
- **Anonymous telephone calls or letters; or**
- **Offensive behaviour.**

Bullying- being subjected to persistent, offensive, abusive, intimidating, malicious or insulting behaviour, which amounts to an abuse which makes the recipient feel upset, threatened, humiliated or vulnerable.

What to do if you think you have suffered discrimination or harassment

If you think you are being harassed or discriminated against you should make it clear to the person who is harassing you that their behaviour is unwelcome and that you want it to stop. However, you do not have to do this, particularly if you are feeling bullied or intimidated. Individuals may find it helpful to ask a friend, colleague or trade union representative to be with them when they speak to the person in question.

You are strongly advised to keep a diary of events detailing the following:

- **Date of every separate incident.**
- **Time of every separate incident.**
- **Place of every separate incident.**
- **A full description of every separate incident.**
- **A list of everyone who was involved in the incident.**
- **All witnesses to the incident, and statements from them whenever possible for every separate incident.**

You can also contact your Local HR Manager, Line Manager or Trade Union Representative for advice and support. Alternatively you can contact the Equality and Diversity Team at Headquarters or the confidential Employee Assistance Provider, Focus.

You may wish to consider mediation as this could resolve the matter quickly and informally. It is often the case that discriminatory behaviour can be based on a lack of awareness by the perpetrator. Mediation can be a successful tool in helping perpetrators of inappropriate behaviour become aware of the impact of their actions on others. Details of this service are contained in the ***“SPS Guide to Mediation”*** booklet, which is available from your HR department.

If use of informal actions listed above have not been effective then you may wish to consider making a formal complaint. Full details of this procedure are explained in ***“How to Challenge and Change Unacceptable Behaviour in the SPS”***. Booklets are available from your HR department.

As indicated throughout the procedure within the policy ***“How to Challenge and Change Unacceptable Behaviour in the SPS”***, there are certain types of behaviour and treatment, which as a single one-off incident, or as a systemic and persistent pattern, are wholly unacceptable and represent a serious breach of the SPS Values and Standards of Behaviour. ***These will be serious enough to warrant direct and immediate entry into the Employee Code of Conduct.***

