



WARWICKSHIRE PROBATION TRUST

EQUALITY REPORT

2010-2011

PUBLISHED 31 JANUARY 2012

**Report on Equalities Compliance for 2010-11 and Proposals in Respect
of Equality and Diversity for 2011-12**

1. INTRODUCTION

This Equality Report refers to the financial year 2010 -2011. It reports on Equality activity during the year and the results of our monitoring for that period. Where more recent information is available it has been included. This report also refers to the Equality Objectives for 2011-2012.

The Warwickshire Probation Summary Annual Report 2010-2011 Part 1, is available on the website, www.warwickshireprobation.org.uk. It gives full details of the activities of Warwickshire Probation during the same period.

In future it is intended to report annually. It is anticipated that the next annual report will be published before October 31st 2012, based on 2011-2012 and will follow the publication of the Annual Report 2011-2012.

2 BACKGROUND AND COMPLIANCE

2.1 Single Equality Scheme

The Warwickshire Probation Trust launched a Single Equality Scheme in March 2009 and published on the Trust website (www.warwickshireprobation.org.uk).

It was reviewed in April 2010 and the Action Plan attached to the scheme has been reviewed further during 2010-2011.

Key elements of the plan implemented during 2010-11 include:

- Offender survey, analysis by race, gender, disability, age
- Implementation of Women in Focus project for women offenders
- Equality Impact Assessments training for key staff
- Equality Impact Assessments completed for a range of new policies, for example: Fraud and Corruption Policy, Confidential Reporting Policy, Redundancy and Early Retirement letter, Staff Learning and Development Plan, Probation Qualifications Framework Strategy, Disciplinary Policy, Grievance Policy, Capability Policy
- Staff Survey includes feedback on diversity issues, and highlights any gaps which are then incorporated into the staff survey action plan
- Significant progress in Estates compliance. Lift installed in Rugby site. Nuneaton and Leamington sites DDA compliant. The only site not fully compliant is Kenilworth Road Approved Premises, McIntyre House Approved Premises has a fully equipped ground floor bedroom

2.2 Equality and Diversity Policy

The Warwickshire Probation Trust has a Diversity and Equality Policy, which was reviewed 2011-2012.

2.3 Equality Act 2010

During 2010-11 all Trust members, managers and staff received Equality Act Training.

The Trust has considered the Equality Objectives and the Equality Duty and has developed a number of equality objectives incorporated into the 2011-12 Annual Plan with a view to developing more comprehensive objectives to be in place by April 2012. Objectives include development of monitoring and action plans to address issues raised by monitoring. The objectives are attached as Appendix 1.

The Warwickshire Probation Trust Recruitment Policy has been reviewed to comply with the Equality Act 2010. Key changes include the withdrawal of questions relating to sickness absence on application forms or at interview. Data collected with regard to recruitment now includes the relevant protected characteristics.

3 DATA MONITORING

3.1 The Equality Act places a requirement upon public authorities to examine how their Equality Policy is working and to put in place Action Plans to address any imbalances. Gathering, monitoring and analysing individual personal information is a key element of an organisation's responsibilities.

An extract of data from the numerous systems operated by the Trust was made as a benchmark as at 31/03/11 and this was compared against the requirements of the Act, thus identifying any potential imbalances. This work was completed in September 2011 and a report was presented to the Executive Team. An action plan was subsequently developed which is currently being actioned and monitored.

The benchmark extract of 31/03/11 focused on two main groups, offenders and staff and compared the data already being collected about these key groups against the new "protected characteristics" The analysis of the data revealed a number of correlations and a number of imbalances. The report clearly shows that there are some strands where data was not being collected and some strands where data was being collected as part of established business processes. The findings of this work are published in the further sections of this report.

4. WORKFORCE

4.1 Staff Profile

A profile of all staff as at 31 March 2011 (Table 1) identifies 177

employees of whom 124 are full time. Due to the numbers of staff in the Trust and low levels of staff turnover some analysis is limited.

**Table 1
Staff Profile by Age, Disability, Race, Gender, Marital Status and Maternity**

Age Range	Nos	%
16-19		0.00%
20-25	2	1.13%
26-35	37	20.90%
36-45	37	20.90%
46-55	60	33.90%
56+	41	23.16%
Not Stated		0.00%

Disability	Nos	%
Yes	13	7.34%
No	164	92.66%
Not Stated		0.00%

Origin	Nos	%
White British	140	79.10%
White Irish	4	2.26%
White Other	2	1.13%
Mixed: White and Carribbean	1	0.56%
Mixed: White and African		0.00%
Mixed: White and Asian		0.00%
Mixed: Other		0.00%
Indian	13	7.34%
Pakistani	1	0.56%
Bangladeshi		0.00%
Asian Other	1	0.56%
African	5	2.82%
Carribbean	1	0.56%
Black Other		0.00%
Chinese		0.00%
Other Ethnic		0.00%
Not Stated	9	5.08%

Sex	Nos	%
Male	57	32.20%
Female	120	67.80%
Not Stated		0.00%

Status	Nos	%
Single	38	21.47%
Married	82	46.33%

Divorced	12	6.78%
Living with Partner	1	0.56%
Separated		0.00%
Civil Partner		0.00%
Other		0.00%
Not Stated	44	24.86%

Status	Nos	%
Pregnancy	4	2.25%
Maternity	7	3.95%

The staff profile when compared with the offender profile shows a significant variance on both gender and age, (68% of staff are female and 57% are over 46 years of age). The offender population is predominantly male and younger. Good engagement with offenders may not necessarily be related to age or gender, however the Trust would like a more balanced workforce with regard to gender. There is good representation of other equality strands with 7% of staff reporting a disability and 12% from Black and Minority Ethnic (BME) communities.

4.2 Recruitment

In 2010-2011 there were 10 new members of staff recruited into full-time and part-time roles (Table 2).

Table 2
Recruitment Profile by Age, Disability, Race, Gender, Marital Status and Maternity

Age Range	Nos	%
16-19	0	0
20-25	1	10%
26-35	3	30%
36-45	2	20%
46-55	4	40%
56+	0	0
Not Stated	0	0

Disability	Nos	%
Yes	0	0
No	10	100%
Not Stated	0	0

Origin	Nos	%
White British	7	70%
White Irish	0	0
White Other	0	0
Mixed: White and Carribbean	0	0
Mixed: White and	0	0

African		
Mixed: White and Asian	0	0
Mixed: Other	0	0
Indian	0	0
Pakistani	0	0
Bangladeshi	0	0
Asian Other	1	10%
African	2	20%
Carribbean	0	0
Black Other	0	0
Chinese	0	0
Other Ethnic	0	0
Not Stated	0	0

Sex	Nos	%
Male	1	10%
Female	9	90%
Not Stated	0	0

Status	Nos	%
Single	1	10%
Married	4	40%
Divorced	0	0
Living with Partner	0	0
Separated	0	0
Civil Partner	0	0
Other	0	0
Not Stated	5	50%

Status	Nos	%
Pregnancy	0	0
Maternity	0	0

The recruitment profile for 2010-2011 shows that the gender imbalance has increased and no staff with disabilities were recruited. However 30% of recruits were from BME communities.

4.3 Staff Survey

Warwickshire Probation Trust conducts an annual staff survey. An action plan is developed to address issues raised. In 2010 and 2011 60% of staff responded. In 2010 78% of staff reported positive staff morale, and this increased to 81% in 2011. Within the survey there are questions about whether the Trust deals with, harassment and bullying, and discrimination, effectively. In 2010 19% disagreed that harassment and bullying was dealt with effectively and 14% disagreed that discrimination was dealt with effectively. In 2011 this had reduced to 15% and 10% respectively. There are continued actions in the Staff Survey Action Plan to understand and address these issues further.

Staff satisfaction has been disaggregated as follows in Table 3.

Table 3
Staff Survey 2010. Positive Morale by Gender and Disability

Equality Strand	Positive morale 2010	Positive morale 2011
Males	87%	73%
Females	76%	85%
Disability	54%	73%
Non Disability	82%	82%

Overall staff morale increased in 2011. The lower morale measures for female staff and staff with a disability improved in 2011. However in 2011 staff morale was lower for men and staff with disabilities still had lower morale.

4.4 Grievances and Disciplinary cases

In 2010-2011 there were 5 staff complaints which reached the formal stage. Two were grievances about payments, two were for harassment allegations and one related to age discrimination. The outcomes were that the complaint was upheld in two cases (both grievances relating to payments), partially upheld in 1 case (age discrimination) and not upheld in two cases (harassment and bullying). The profile of the complainants included 2 BME staff and a member of staff with disabilities.

5. SERVICES

5.1 Offender Profile

The data monitoring shows that the typical profile of an offender in Warwickshire to be male, White British, aged between 26 and 35. 32% are under 25, 16% report a disability 10% are from BME communities, 3% are White Other, and 12% are female.

Table 4
Offender Profile by Age, Disability, Race and Gender

Age Range	Nos	%
16-19	57	3.20%
20-25	516	28.97%

36-45	392	22.01%
46-55	198	11.12%
56+	100	5.61%
Not Stated	0	0.00%

Disability	Nos	%
Yes	289	16.23%
No	1451	81.47%
Not Stated	41	2.30%

Origin	Nos	%
White British	1497	84.05%
White Irish	24	1.35%
White Other	57	3.20%
Mixed: White and Carribbean	34	1.91%
Mixed: White and African	1	0.06%
Mixed: White and Asian	4	0.22%
Mixed: Other	12	0.67%
Indian	31	1.74%
Pakistani	6	0.34%
Bangladeshi	2	0.11%
Asian Other	17	0.95%
African	32	1.80%
Carribbean	6	0.34%
Black Other	14	0.79%
Chinese	0	0.00%
Other Ethnic	10	0.56%
Not Stated	34	1.91%

Sex	Nos	%
Male	1564	87.82%
Female	217	12.18%
Not Stated	0	0.00%

5.2 Offender Performance – Successful Completion

Statistical comparisons between the caseload of all offenders and those who completed their order successfully revealed no significant variances.

**Table 5
Offender Successful Completions by Age, Disability, Race and Gender**

Age Range	Nos	%
16-19	13	1.12%
20-25	366	31.42%
26-35	351	30.13%
36-45	258	22.15%

46-55	136	11.67%
56+	41	3.52%
Not Stated	0	0.00%

Disability	Nos	%
Yes	201	17.25%
No	944	81.03%
Not Stated	20	1.72%

Origin	Nos	%
White British	983	84.38%
White Irish	6	0.52%
White Other	53	4.55%
Mixed: White and Carribbean	20	1.72%
Mixed: White and African	0	0.00%
Mixed: White and Asian	4	0.34%
Mixed: Other	7	0.60%
Indian	23	1.97%
Pakistani	2	0.17%
Bangladeshi	1	0.09%
Asian Other	12	1.03%
African	19	1.63%
Carribbean	8	0.69%
Black Other	3	0.26%
Chinese	0	0.00%
Other Ethnic	6	0.52%
Not Stated	18	1.55%

Sex	Nos	%
Male	985	84.55%
Female	180	15.45%
Not Stated	0	0.00%

5.3 Offender Survey

Warwickshire Probation Trust conducts an annual offender survey. It is a snapshot of cases reporting over a set period. In 2010 and 2011, 230 and 308 offenders were surveyed respectively. In 2010 76% of offenders responded positively, and this increased to 79% in 2011.

Table 6
Offender Survey 2010. Positive responses by Race, Gender, Age and Disability

These are the baseline positive figures for each report.

Equality Strand	Positive responses	Positive responses
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	2010	2011
Males	73%	77%
Females	87%	86%
Race-White	75%	80%
Race BME	87%	70%
Age – Under 25	67%	81%
Age over 25	81%	77%
Disability	59%	70%
Non Disability	79%	80%

Of note is the variation of scores for individuals by disability and age. However these had improved in 2011.

5.4 Complaints

There were 2 formal complaints from offenders in 2010-2011. Both offenders and staff were White British.

5.5 Deaths

Nine offenders, out of a total of 1,700 on the caseload died whilst under Probation supervision. 7 were men and 2 were women. They were all white British. None of the cases were residents in the Approved Premises.

6. ENGAGEMENT AND ANALYSIS

6.1 Staff Engagement

All staff have diversity objectives included in their appraisals and Personal Performance Development Plans.

There is a Staff Diversity and Equality Group which meets 4 times a year, reporting to the Executive Team and Trust Committee.

There are 2 staff support groups, representing Black, Asian and Minority Ethnic Staff (BAME), Lesbian, Gay, Bisexual and Transgender Group (LAGIP). A third staff group for staff with disabilities is due to be established.

6.2 Contracts and Sub-Contracts

The Warwickshire Justice Centre has policies agreed by all partner agencies which cover Managing Disability and Statement of Commitment to Equality and Diversity and Human Rights. This refers to Equality Act 2010 duties.

Warwickshire Trust has a Service Level Agreement with the Warwickshire

Race Equality Partnership to provide support in engaging with BME communities in Warwickshire, as well as information and support to the Trust on Equality matters. This contains a clause regarding compliance with Equality legislation.

Major contracts, such as the contract with Manchester College (ESF OnTrak) include clauses covering Discrimination Legislation.

Under Clause 21.4, Warwickshire Probation Trust and the Authority have not yet agreed a form of wording to be included in contractual arrangements between the Trust and any sub-contractor. It is intended that this wording will be agreed with the Authority as soon as possible and will be incorporated into all new contracts in 2011-12.

7. EQUALITY OBJECTIVES 2011-12 and 2012-2013

The Annual Plan 2011-12 includes Equality Objectives for 2011-12 which are given in Appendix 1.

A revised Equality Questionnaire covering all equality strands will be introduced from April 2012. This will enable deeper analysis against the protected characteristics under the Equality Act 2010, when the annual Equality Report is published in October 2012.

In summary the equality objectives for 2011-2012 are to ensure the Trust monitoring systems cover the relevant equality strands for both staff and offenders and to use information available to develop objectives for 2012-2013. There are also specific objectives relating to women offenders, interpreting and translating services and policy reviews and responding to the staff survey. Some of the objectives in retrospect were over ambitious particularly in the level of disaggregation possible in a small organisation with less than 180 staff including full time and part time employees.

8. OTHER ISSUES FOR CONSIDERATION

8.1 Employment Tribunal

During 2010-2011 Warwickshire Probation finalised an outstanding claim relating to an employee who left the service in 2006. This related to compensation following a finding of constructive dismissal, discrimination, failure to make reasonable adjustments for disability and victimisation. An action plan to address issues was prepared in 2008. The action plan has now been closed with outstanding actions incorporated into the annual plan.

9. ACCESS TO THIS REPORT

This report is published on the Warwickshire Probation Trust website www.warwickshireprobation.org.uk in pdf format. (Under Probation Work/Publications.)

If you require this report in alternative formats or in translation please contact Cathy I'Anson on 01926 68 2281.

Warwickshire Probation Trust Action Plan 2011-12

Ref	Strategic Objectives
	Equality and Diversity
6.1	To monitor staff employment outcomes by equality strands and develop objectives and action plans to address any identified inequalities
	To develop monitoring (adjusting to NOMS requirements as necessary) of <ul style="list-style-type: none"> • staff profile (to also include by Band and reasonable adjustments) • applications, short listing, appointments, by gender, race, age and disability. • To report to the Trust annually and publish
	To develop an action plan and implement to address inequalities identified. To include actions to address staff gender imbalance in the context of equality outcomes.
	To respond to staff survey issues by addressing dissatisfaction among staff who work part time through focus group, Training for all staff in Diversity and Equality, addressing issues of poor behaviour/discrimination seeking to resolve issues informally where appropriate, and in a timely fashion..
	To consult with Unions, staff diversity groups and WREP on staffing equality objectives
6.2	To monitor Court outcomes and sentence delivery for fairness or adverse outcomes and to develop objectives and action plans to address any identified inequalities
	To set targets for diversion from custody. To reduce custodial admissions of women through more responsive community options.
	To develop monitoring (adjusting to NOMS requirements as necessary) of <ul style="list-style-type: none"> • PSR proposals and disposals, • successful completions overall, • successful completions of programmes, • victim contact, • accommodation, • employment and • reoffending by race, gender, disability, age, faith, rurality • To report to the Trust Annually and publish.
	To analyse offender survey by race, gender, disability, age and develop an action plan.
	To consult with Unions, staff diversity groups and WREP on service delivery equality objectives
	To review and commission interpreting and translating services
6.3	To maintain a programme of policy review and training to address employment law issues
	To review Equality and Diversity Policy and Single Equality scheme in context of the Equality Act 2010.

Ref	Strategic Objectives
	To review Reasonable Adjustment Policy
	To implement 360 degree appraisal for all managers by 2012-13 with introduction into PPRD in 2011-2012.
6.4	To ensure partnerships are established fairly and with organisations that can demonstrate commitment to equality outcomes
	To review all contracts and Service Level Agreements with partners to ensure clarity regarding equality outcomes.