

Equality Impact Assessment Tool: Policy, Strategy and Plans

(Please follow the EQIA guidance in completing this form)

1. Name of Strategy, Policy or Plan

Glasgow City Health and Social Partnership , Criminal Justice Services, Glasgow Criminal Justice Framework Tender

Please tick box to indicate if this is: Current Policy, Strategy or Plan New Policy, Strategy or Plan

2. Brief Description – Purpose of the policy; Changes and outcomes; services or activities affected

The Glasgow City HSCP has approved the decision to award a contract by open competitive framework tender for Glasgow Criminal Justice Services. The Community Justice (Scotland) Act 2016 (“the 2016 Act”) established new arrangements for the delivery of Community Justice from 1st April 2017 (previously delivered by 8 Community Justice Authorities). Fundamental to the approach is local planning and delivery of services on a partnership basis by local authority area. The Act also established a new national body, Community Justice Scotland (CJS) to provide an independent professional assurance to Scottish Ministers on the collective achievement of community justice outcomes, and to work towards developing a hub for community justice innovation, learning and development. The Criminal Procedure (Scotland) Act 1995 specifies the statutory duties and obligations of the Council in

relation to criminal justice requirements. The Council has a Statutory Duty to provide supervision, monitoring and ongoing support to people with highly complex and often challenging needs and behavioural profiles involved in the Criminal Justice system. Criminal Justice directly provided and purchased services are delivered in Glasgow under the auspices of the Glasgow City Health and Social Care Partnership (GCHSCP) Social Work Services, governed by the Glasgow City Integrated Joint Board (IJB). Directly provided Criminal Justice services are delivered by Social Work staff in each of the locality areas and also within discrete Prison, Court and city-wide specialist teams. These teams deliver key statutory requirements including supervision and monitoring of individuals, including restrictions where applicable and support individuals to access support services where appropriate. Public Protection is at the forefront of criminal justice services. Teams work to ensure that people, particularly the most vulnerable, are kept safe from harm and that risks to individuals or groups are identified and managed appropriately. Purchased criminal justice services complement and support the Council / IJB in meeting their statutory obligations through the provision of additional support and monitoring services in the community.

3 Lead Reviewer

Jim McBride

4. Please list all participants in carrying out this EQIA:

James Barr (Senior Officer); Pat Coltart (Service Plan & Commissioning Manager)

5. Impact Assessment

A Does the policy explicitly promote equality of opportunity and anti-discrimination and refer to legislative and policy drivers in relation to Equality. This should include the Equality Act 2010, Human Rights Act 1998, the Fairer Scotland Duty and the Child Poverty (Scotland) Act 2017.

The Invitation To Tender is a technical document outlining the tendering process, however, in equality impacting this document, the following specific legislations and policy drivers are relevant: • The Equality Act 2010 (General Duties) • Human Rights Act 1998 and the Equality and Human Rights Commission • Procurement and the public sector equality duty: A guide for public authorities (Scotland) 2013 • The Management of Offenders etc. (Scotland) Act 2005 • The Community Justice (Scotland) Act 2016 • Criminal Procedure (Scotland) Act 1995 • Criminal Justice and Licensing (Scotland) Act 2010 • The Public Bodies (Joint Working)(Scot) Act 2014 The Service Specification for the Criminal Justice Framework Tender, is explicit in its promotion of equality. Service requirements clearly stipulate that: The Provider must have an understanding of the complex needs associated with the majority of service users involved in the criminal justice system, and potential service users who may be subject to compulsion and restriction orders (CORO), who will present with a range of issues and varying levels of support needs, such as: • homelessness • lack of education and employment • unsupported home or family environments • being vulnerable to social isolation, harm or exploitation • pregnancy • affected by gender based violence • issues around gender or sexual orientation • suffering effects of religious, racial, gender based or other discrimination • language support and communication support needs due to literacy or language barriers • mental Health needs • young people, some of whom will have had experience of being looked after and accommodated In particular, in respect of Equalities, the Service Specification specifies that: The Services will be inclusive, culturally appropriate and accessible. Care should be anticipatory to meet the needs of

those with protected characteristics (defined within the Equality Act 2010) rather than reactive. There will be clear processes outlining how the Services will be delivered to service users with additional needs, such as, physical, sensory or learning disabilities and service users who do not speak or read English, including access to interpreting services when required. Activity and materials used to promote the Services will be appropriate for those from protected characteristic groups. Specific needs due to protected characteristics will be identified by the Provider and they will make appropriate adjustments to the delivery of the Services. This will include developing strategies to engage specific groups of service users, such as, women, pregnant women, individuals from black and minority ethnic communities, LGBT communities, and individuals with disabilities. Monitoring of the uptake of specific groups of service users will be in line with the requirements of the Equality Act 2010.

B What is known about the issues for people with protected characteristics in relation to the services or activities affected by the policy?

		Source
All	All people with protected characteristics are involved in the Criminal Justice System. Those who engage with services delivered on behalf of the HSCP will have equal access to the service, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. The purpose of this Tender was to deliver modern, fit for purpose purchased services that reflect the changing criminal justice environment and progress made to date in addressing criminal behaviours and reducing reoffending. The tender has also anticipated	Service Specification

	<p>the shift in criminal justice legislative and policy approaches that will result in more people supported through community based disposals than custodial responses. It was recognised that there was a need to promote innovation and deliver revised / improved service models and approaches to better reflect changing needs and service priorities. The Service Specification has designated that: Specific needs due to protected characteristics will be identified by the Provider and they will make appropriate adjustments to the delivery of the Services. This will include developing strategies to engage specific groups of service users, such as, women, pregnant women, individuals from black and minority ethnic communities, LGBT communities, and individuals with disabilities. Monitoring of the uptake of specific groups of service users will be in line with the requirements of the Equality Act 2010.</p>	
<p>Sex</p>	<p>Both men and women are impacted upon by the Criminal Justice system. For example in 2016 – 2017, 14% of Community Payback Orders in Glasgow, were being undertaken by women. In 2016 – 2017 there were 8,888 recorded incidents of domestic abuse recorded in Glasgow. For figures in Scotland as a whole, where gender was recorded, 79% of incidents had a female victim and a male accused. The services being developed will have a focus on equality that will include developing strategies to engage specific groups of service users, such as, women.</p>	<p>Criminal Justice Social Work Statistics in Scotland: 2016-17 and Service Specification</p>

<p>Gender Reassignment</p>	<p>Transgender people are one of the most marginalised protected characteristic groups in the UK. Transgender people are likely to experience abuse at various point throughout their lives. In a study by Scottish Transgender Alliance (2008) 25% of respondents said they had to move from a family home due to family responses. This often results in homelessness, 46% had experienced transphobic abuse in relationships and 62% had experienced transphobic abuse from strangers in public places.</p>	<p>Scottish Transgender Alliance - Transgender experiences in Scotland 2008</p>
<p>Race</p>	<p>These Criminal Justice Services are being delivered on a city-wide basis and accordingly will reflect the population of the city as a whole. Glasgow has the largest percentage of ethnic minority groups (12%) of all Scottish cities. The Service Specification has clearly outlined that: There will be clear processes outlining how the Services will be delivered to service users with additional needs, such as, physical, sensory or learning disabilities and service users who do not speak or read English, including access to interpreting services when required. This will include developing strategies to engage specific groups of service users, such as individuals from black and minority ethnic communities</p>	<p>Scottish Census 2011 and Service Specification</p>

<p>Disability</p>	<p>According to the Scottish census in 2011, 23% of Glaswegians (of all ages) report being limited by a long-term health problem or disability in their day-to-day activities, either 'a little' or 'a lot'. There is a higher percentage of people with a disability in Glasgow than in other Scottish cities and, than the Scottish average (20%). The Service Specification has clearly outlined that: This will include developing strategies to engage specific groups of service users, such as individuals with disabilities.</p>	<p>Scottish Census 2011 and Service Specification</p>
<p>Sexual Orientation</p>	<p>The Service Specification requires that: Specific needs due to protected characteristics will be identified by the Provider and they will make appropriate adjustments to the delivery of the Services. This will include developing strategies to engage specific groups of service users, such as, LGBT communities. Monitoring of the uptake of specific groups of service users will be in line with the requirements of the Equality Act 2010</p>	<p>Sources in text</p>
<p>Religion and Belief</p>	<p>These Criminal Justice Services have been designed to meet the needs of all, regardless of faith and/or belief.</p>	
<p>Age</p>	<p>The Service Specification notes that: The Prisons Inspectorate in Scotland has reported on the challenge for the prison service of an ageing profile of the prison population (HMS Inspector of Prison, 2014) - providers should therefore should develop services to meet the needs of the significant numbers of older people who come into contact with the criminal justice system.</p>	<p>Service Specification</p>

Pregnancy and Maternity	Not appropriate for this assessment	
Marriage and Civil Partnership	Not appropriate for this assessment	
Social and Economic Status Other marginalised groups (homeless, addictions, asylum seekers/refugees, travellers, ex-offenders)	<p>Whilst not a protected characteristic, the marginalised groups listed are disproportionately impacted through involvement in the Criminal Justice Service. In 2016 – 2017, 72.3% of those undertaking Community Payback Orders, were Unemployed, or Economically Inactive.</p> <p>The Service Specification has The Provider will evidence the outcomes that are being achieved by service users. The Provider will deliver and report on the following outcomes which are linked to Community Justice Glasgow’s Plan:</p> <ul style="list-style-type: none"> • staff are able to support service users with complex issues, independently, and where required, in partnership with other specialist services • service users are effectively complying with court orders • service user are completing counselling and behaviour courses • service users have improved life skills • physical, mental and emotional health and wellbeing is improved for 	Criminal Justice Social Work Statistics in Scotland: 2016-17

	service users and they are engaged in healthy activities, attending relevant health appointments and managing their health conditions • service users are engaged in meaningful activities, including, social activities and where appropriate, pre-employment and employment activity • the number of service users reoffending is reduced year on year		
C Do you expect the policy to have any positive impact on people with protected characteristics?			
	Highly Likely	Probable	Possible
General	N/A	Improved access to services that have a strategy in place to meet the needs of people with protected characteristics	N/A
Sex	N/A	Improved access to services that have a strategy in place to meet the needs of people with protected characteristics	N/A

Gender Reassignment	N/A	N/A	Improved access to services that have a strategy in place to meet the needs of people with protected characteristics
Race	N/A	Improved access to services that have a strategy in place to meet the needs of people with protected characteristics.	N/A
Disability	N/A	Improved access to services that have a strategy in place to meet the needs of people with protected characteristics. Support and signposting into generic and specialist health services. E.g Mental health services.	N/A
Sexual Orientation	N/A	N/A	Improved access to services that have a strategy in place to meet the needs of people with protected characteristics.
Religion and Belief	N/A	N/A	N/A

Age	N/A	Improved access to services that have a strategy in place to meet the needs of people with protected characteristics.	N/A
Marriage and Civil Partnership	N/A	N/A	N/A
Pregnancy and Maternity	N/A	N/A	N/A
Social and Economic Status	Improved access to services that have a strategy in place to meet the needs of people with protected characteristics. Including skills and health based inputs, that will offer support to employability and improved health.	N/A	N/A
Other marginalised groups	Improved access to services that have a strategy in place to meet	N/A	N/A

(homeless, addictions, asylum seekers/refugees, travellers, ex-offenders	the needs of people with protected characteristics. Including skills and health based inputs, that will offer support to employability and improved health.		
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D Do you expect the policy to have any negative impact on people with protected characteristics?			
	Highly Likely	Probable	Possible
General	None	None	None
Sex	None	None	None

Gender Reassignment	None	None	None
Race	None	None	No disproportionate impact
Disability	None	None	None
Sexual Orientation	N/A	N/A	No negative impact perceived
Religion and Belief	None	None	None
Age	None	None	None

Marriage and Civil Partnership	None	None	None
Pregnancy and Maternity	None	None	None
Social and Economic Status	None	None	None
Other marginalised groups (homeless, addictions, asylum seekers/refugees, travellers, ex-offenders)	None	None	None