



## **CESHIRE PROBATION TRUST EQUALITIES ANNUAL REPORT**

### **INCLUDES REVIEW OF SINGLE EQUALITY SCHEME 2009-2012: SECOND YEAR: April 2010 - March 2011**

#### **1. INTRODUCTION**

- 1.1 This report is the annual review of the progress that Cheshire Probation Trust (CPT) has made in achieving the actions set out in the second year action plan of its three-year Single Equality Scheme (SES). This report also demonstrates CPT's work to comply with equality legislation and specifically the general duty in the Equality Act 2010, which requires public bodies to have due regard<sup>1</sup> to the need to:
- eliminate discrimination
  - advance equality of opportunity between people from different groups
  - foster good relations between people from different groups
- 1.2 The duty requires public bodies to consider the needs of all individuals in their day-to-day work in developing policy, delivering services and in relation to their own employees, thus conducting Equality Impact Assessments (EIAs) is critical to identify and address where there may be an unfair impact.
- 1.3 The general duty will in future be supported by specific duties which have not yet come into force. It is anticipated that these will include requirements to:
- publish information annually to demonstrate compliance with the general equality duty
  - in particular publish information relating to employees and others affected by policies and practices (such as service users)
  - set equality objective/s by April 2012
- 1.4 Although these specific duties have not as yet come into force, the following is a review on how CPT is working towards meeting the broad requirements of the Act. As stated above, this report also reviews CPT's progress made during the second year (2010-11) of the three-year Single Equality Scheme (SES) and thus should be read in conjunction with the completed action plan at Appendix 1 that shows the full-year progress of each specific action. This review highlights the significant achievements made during 2010/11 from the 25 objectives identified in the SES action plan. It also highlights data and analysis

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<sup>1</sup> due regard means consciously thinking about the three aims as part of the process of all decision-making

across service delivery and employment practice that demonstrates how CPT is working to ensure protection across all the protected characteristics. In addition, this also includes where actions have not yet been completed, making clear why this is, and showing how and by when those actions will be completed. This review also indicates what actions will be carried out during 2011/12 and the action plan covering the key priorities for 2011/12 is attached at Appendix 2.

## 2. KEY ACHIEVEMENTS IN 2010/11

### 2.1 Overview

The majority of the actions from Year 2 were completed and the implementation of those actions will continue to affect and improve both service delivery and employment practice into the future. A number of actions were not completed on schedule for various reasons and all of these can be seen to have been taken forward into the 2011/12 action plan at Appendix 2.

### 2.2 Diversity and Equality Audit

A green rating was awarded to CPT in the recent audit carried out by NOMS audit team in relation to Diversity and Equality practice. This highlighted that CPT has effective structures and processes in place. This green rating reflected CPT's equality accountability structure which includes the tracking of progress quarterly and annually of the SES and monitors performance, highlights inequalities and seeks ways to address these for both service delivery and employment practice. The accountability structure operates at three levels; operational, Strategic Management Team (SMT) and at Board level. The structure has representation at all levels of CPT, including the staff support networks and unions. This ensures that achievements and concerns in relation to equality, both in service delivery and employment practice, can be identified and addressed.

2.3 CPT's Equality and Diversity Action Group (EDAG) is at the first level and is chaired by the Assistant Chief Executive (ACE) (Interventions and Equality). It has representation from all of the functions across CPT including the Diversity Manager and representation from the disability and Lesbian, Gay, Bisexual (LGB) staff networks as well as from Black, Asian and Minority Ethnic (BAME) staff. EDAG reviews and monitors the progress of the SES action plan, the Women Offenders' Action Plan and reviews and analyses monitoring data in relation to service delivery and employment practice across the protected characteristics.

2.4 EDAG reports to the Strategic Management Team (SMT) making recommendations following analysis and review and implementing any additional SMT directed actions.

2.5 The Diversity Panel is chaired by a Board member and provides governance by ensuring that there are systems in place to maintain the equality focus and links to the strategic aim endorsed by the Board. It looks at the priorities and how they impact on practice and reviews the progress of the SES action plan. The Panel provides oversight and progress is reported to the wider Board at Board meetings.

- 2.6 In addition, CPT is committed to contributing to the National Equalities Development Group through the membership of its Diversity Manager. This group provides a platform for discussion on aspects of diversity and equality and their relevance and impact on the organisation's work; facilitates the sharing of good practice through networking; provides a platform for wider reflection; maximises collaborative working on diversity and equality activity; and, facilitates the development of knowledge and expertise in addressing disproportionality
- 2.7 Equality Impact Assessments (EIA)  
All policies have an EIA conducted on them when they are reviewed or when a new one is being drafted. During this year the template that assists staff to conduct EIAs has been changed to reflect the need to consider the implications arising from both the Equality Act 2010 and the Human Rights Act 1998. The new template is now in use by staff conducting EIAs. CPT is preparing detailed information that will provide additional assistance to staff so they are able to understand how the Human Rights Act links to the work of CPT. Once the guidance is completed EIA templates will be re-launched, to reinforce confidence in this work. This will be completed in the first half of 2011/12.
- 2.8 Equality Act 2010  
Early in 2010 CPT developed an action plan to ensure that it could implement the requirements of the Equality Act 2010. These actions have now been taken to ensure that CPT can comply with the legislation. In addition, CPT improved the monitoring systems in place, so as to understand and be able to address where there are unfair outcomes in employment and service delivery across the different protected characteristics. A significant amount of work has been carried out to prepare to implement the Equality Act 2010 and CPT remains responsive to further implementing details once clarified and disseminated.
- 2.9 Employment monitoring  
Training requests and outcomes for all CPT staff are being monitored for the first time due to the use of a newly improved database implemented this year. This database now enables CPT to monitor whether there is any disproportionality across ethnicity, disability, sex and now age in relation to key employment monitoring elements as set out originally in the Race Relations Amendment Act Regulations. In addition monitoring across job roles is now possible which provides the details as to progress in the organisation for different groups. Monitoring across the age groups has provided useful information in understanding outcomes in relation to this protected characteristic. CPT can now analyse this data to identify if there is any disproportionality across and between the age groups. In addition, monitoring to identify sexual orientation and the faith of staff is planned. Once this data is collected and determined to be robust it can be used to inform outcomes and identify whether there is any disproportionality to be addressed.
- 2.10 The split along gender lines in probation is a national issue (with 74% of women and 26% of men) and CPT recently undertook an analysis of employment data to identify whether there were any barriers to men being

appointed. The analysis of employment data contributed to research that was carried out into possible barriers for men in coming into probation. The outcomes of this work informed an equality impact assessment at a regional level looking at the new Probation Qualifying Framework (PQF). As part of implementing the new Equality Act, CPT plans to review all job descriptions, person specifications and essential criteria to ensure they are fair and essential for the job. CPT will continue to review appointments made on a six monthly basis, and it is proposed that a focus group of male staff is held to identify as a first step whether there may be particular barriers for men in applying for jobs where there has been consistently low representation of men for those posts.

#### 2.11 Challenging discrimination training

The mandatory training was rolled out to all staff throughout 2009/10 and the positive affects of this can be seen over the last year. Staff expressed that as a result of the training their confidence had been significantly improved as well as their understanding of discrimination and its impact. The staff survey 2010/11 has showed an increase from 82% in 2007 to 89% in this year in relation to staff feeling confident to challenge racism/discrimination, whilst there has also been an increase from 77% in 2007 to 79% this year around staff confidence to report bullying and harassment. Following this training, in summer 2010, the trainer was given the opportunity to provide feedback to SMT in order to inform next steps. The issues raised by staff during the training were also considered. Both the trainers feedback and issues raised by staff were covered during a management workshop with the aim of identifying key actions to take forward.

2.12 The key issue that arose from this workshop was that staff did not fully understand the role of the equality accountability structure in the organisation and did not have a full understanding of the achievements made by CPT on equality issues. As a result an Equalities Newsletter for staff has been developed to be issued on a quarterly basis. The first edition will be issued in July 2011.

#### 2.13 Diversity Grid

The Diversity Grid monitors outcomes which relate to decision-making and discretion across a number of specific service delivery areas. It considers where there may be differences in outcomes for victims and for offenders across ethnicity, sex, disability and age. There is a Red, Amber and Green system for highlighting statistical differences. This clearly indicates where there is significant disproportionality for CPT to consider. The service delivery areas cover:

- Court report proposals and results (these are proposals about sentences made by staff in court reports) and results (sentencing decisions made by the courts) in court reports
- compliance and enforcement of court orders
- accredited programmes
- drug rehabilitation requirements
- employment, learning and skills
- unpaid work/community payback
- victims

- 2.14 The Diversity Grid is monitored on a quarterly basis by EDAG to ensure that disproportionality is monitored and acted upon where necessary. This system of quarterly monitoring has continued during the past year with some refinements to process.
- 2.15 Pre-sentence Reports (PSRs) are the gateway to the journey that the offender takes in probation. In 2010 the contents of the Grid were reviewed to include data for Fast Delivery Reports (FDRs). This is an especially critical piece of data given the expectation of an increase in the use of FDRs. CPT can now consider the proposals made in all of the Pre-sentence Reports and also the sentences made by courts and consider the outcomes in relation to ethnicity, sex, age and disability. This promotes understanding of what happens at the first stage of the offender's engagement with probation and where action may need to be taken.
- 2.16 Analysis of data in relation to victims took place in 2010 demonstrating that the take-up by male victims is lower than for women. CPT is looking into different actions to try to identify where there may be barriers to male victims taking up the service so as to consider whether different approaches may be more effective and useful.
- 2.17 Working with women offenders  
The Corston Report identified significant disproportionalities for women across the criminal justice system and as a consequence all parts of the criminal justice system were tasked with identifying and addressing the barriers for women offenders. CPT have had an action plan in place for three years, which has led to a focus on ensuring that the needs of women offenders can be identified and where relevant and proportionate addressed. This has led to further analysis into the specific needs of women offenders. A needs analysis has been completed for the CPT area as a whole and specifically for each Local Delivery Unit. This has helped to identify the gaps in provision in order to inform future planning, which have led to the development of the new Specified Activity for female empowerment (SAFE), a sentencing option specifically for women offenders. This requirement was launched in Halton and Cheshire East, with plans to extend this to Warrington and West Cheshire 2011/12. There has been excellent take up to date with 26 SAFE requirements being made during the period October 2010 – April 2011. In terms of analysis of custodial sentences for women, again during the period October 2010 – April 2011 23 women offenders in Cheshire received custodial sentences. The corresponding period for 2009/10 had 46 women offenders receiving custodial sentences. This represents a 50% reduction in custodial sentences for women.
- 2.18 Research on levels of manager confidence to manage diverse groups of staff  
This research was carried out as part of an MA by the Diversity Manager. As part of this managers and staff across different groups, e.g. disabled staff and BME staff, were given the opportunity to take part in focus groups and interviews, to try to understand, identify and indicate how to address where any negative differential impact was found. The findings from this research were reviewed by the Strategic Management Team during 2010/11 and will be used during 2011/12 to inform a number of pieces of work around succession planning, management development and supervision and appraisal.

### 3. EQUALITY MONITORING DATA

- 3.1 This section highlights how monitoring data<sup>2</sup> across the protected characteristics is used to understand where there are differences in outcomes. It also shows the processes by which this data is considered and how action is taken forward to improve outcomes where that is proportionate and necessary. This section also highlights differences between outcomes and summarises and provides an analysis of data for both service delivery and employment practice across all the protected characteristics (where there is data). Where action needs to be taken, or has been taken, this is highlighted and how this will be taken forward in 2011/12 is shown in the action plan at Appendix 2.
- 3.2 Being able to identify and understand the impact of our work on different groups is critical to be able to address where there are negative outcomes for people in different groups. CPT monitors overall performance but also has a range of other mechanisms in place to find out victim, offender and staff experiences in different groups and how they may vary. The Diversity Grid (see above) is one way that we can do this in relation to service delivery and this data contributes to our ability to carry out meaningful EIAs. In addition, CPT carries out audits and surveys with victims, offenders, staff and a range of different stakeholders. The information below summarises key outcomes and learning in relation to the protected characteristics of each group, where that information is held.
- 3.3 As stated above the quarterly meeting of EDAG is the process by which much of the monitoring data across the protected characteristics is reviewed. In identifying where there is disproportionality and analysing it CPT can understand whether that is fair or not. Of itself disproportionality only highlights where there is a statistically significant difference: this does not say whether this difference is good or bad. Thus, as an example, differences in custody rates for men and women are expected to show differences as the types of crimes and seriousness levels are different between men and women.
- 3.4 The analysis of Diversity Grid data quarterly at EDAG provides a focus on different aspects of performance data, enabling a drilling down into the specific outcomes in relation to each protected characteristic. In this way the group can focus on outcomes across all the different functions and see whether there are significant differences to consider addressing. The membership of EDAG includes operational staff from the different functions as well as the Performance Unit and this helps in trying to understand whether there are fair reasons for the disproportionality and whether any actions need to be taken. Actions are proposed to SMT as a way to address any identified disproportionality. In addition to the changes made to the Diversity Grid in the reporting on both Pre-sentence Reports (PSRs), highlighted above, the work in EDAG has led to other work across the organisation, e.g. research into male staff disproportionality; PSRs audit templates.

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<sup>2</sup> full datasets are available on request

### 3.5 **Data analysis: Service delivery**

The CPT offender profile is as follows:

- 86% male/14% female
- 36% aged 18-25; 64% aged 26+
- 23% disability (majority mental health)
- 94% White British 3% BAME (Black, Asian and Minority Ethnic)
- 3% WME (White Minority Ethnic)

### 3.6 Gender

Focusing on data about outcomes in PSRs and the specific focus on women offenders nationally and locally has led CPT to a greater understanding of why there are more women going into custody than would be expected by the level of seriousness of their offences. A quarterly report is now completed by the Performance Unit detailing the levels of custody and context for all women offenders sentenced to custody. In order to gather further information an audit template was developed and a full audit implemented in 2010 on all PSRs of women offenders sentenced to custody. Analysis showed that most women offenders ended up in custody as a consequence non compliance and enforcement action. A further analysis of the needs that women present identified significant differences between men and women and showed us that more than half of the women offenders have experienced sexual and domestic abuse and the majority have substance misuse problems, in particular alcohol. These findings underpinned the more generalised findings in the Corston report and reinforced the need for women only provision focusing on the specific needs of women in order to maximise their compliance with court orders and reduce the number of women offenders sentenced to short term custody.

3.7 CPT LDU leaders have worked with strategic partners and the voluntary sector in order to develop women only provision. In Halton, CPT worked with a local charity on a bid to the Corston Coalition Fund which successfully achieved £100k grant over two years to develop the SAFE requirement in a local women's centre. In Cheshire East, collaboration with the local Women's Aid has also resulted in the utilisation of women only premises in order to delivery SAFE. The SAFE requirement was launched in Halton and Cheshire East in October 2010 at a hugely successful conference on women offenders organised by CPT at HMP and YOI Styal. Since this time the number of women sentenced to SAFE requirements has steadily risen and early indications suggest a positive impact on custodial sentences for women.

3.8 The CPT offender survey delivered in October 2010 demonstrated similar findings for both men and women. The areas of support that both male and female offenders said they would like more help with were employment (over 25% of the men and nearly 25% of the women), then housing and education. Nearly 15% of men (compared to just under 10% for women) said they wanted more help in managing money or finances and for women the needs around emotional support and addressing drug or alcohol problems was highest (over 15% compared to just over 10% for men). The need for additional help around childcare and family issues seems to be an issue for approximately 7% of both men and women. The offender survey results have informed an action plan to address identified issues and improve future service delivery.

### 3.9 Ethnicity

CPT monitors outcomes in relation to ethnicity for White British, BAME and WME offenders. A decision was taken to split the monitoring of minority ethnic groups over the last three years. It was recognised that being able to monitor outcomes specifically for both minority ethnic groups is critical to understanding whether there is a negative disproportionality.

3.10 One of the difficulties in having two separate minority ethnic groups is that the numbers of those offender groups is fairly small. This makes it difficult to understand whether the data is significant when compared to outcomes with the majority offender group who are White British (94% of the offender ethnicity profile). NOMS guidance suggests that where the sample is over 100 this is statistically viable. If, however, the base number is under 50 there is a need to be cautious in interpreting the figures. The figures for BAME and WME are overall very low and when specific outcomes are compared e.g. when considering proposals for specific sentences the discussion can be around the outcomes for 8 or 9 people. At EDAG each quarter there is a different focus on outcomes for one of the specific protected characteristics. The data is considered and analysed, e.g. ethnicity, and any significant differences between the different groups is analysed as to whether the disproportionality is positive or negative and whether specific actions need to be taken.

3.11 In terms of data analysis on ethnicity, the Diversity Grid indicated what appeared to be a disproportionate number of BME offenders going into custody:

#### SDRs:

Ethnicity:	No. of offenders receiving custodial sentence:	% of offenders receiving custodial sentence:
BAME	21	45%
WME	12	23%
White British	468	23%

#### FDRs:

Ethnicity:	No. of offenders receiving custodial sentence:	% of offenders receiving custodial sentence:
BAME	10	26%
WME	6	9%
White British	189	28%

3.12 As a result of this CPT developed an audit checklist that captured the key points from the national Her Majesty's Inspectorate of Probation (HMIP) Race Equality Inspection and aimed to explore the underpinning issues contributing to the seemingly high risks of custody for BME offenders. This checklist was then used as the audit tool for a full audit to consider all the PSRs for BME and WME offenders who had been sentenced to custody. This was to determine whether there were any lessons to be learned for future practice. The audit findings showed that half of those PSRs related to people where there were

apparent issues around illegal status or deportation, over which there appeared to be a lack of knowledge amongst staff relating to the type of proposals that could be included in their reports.

- 3.13 A group of staff were commissioned by SMT to develop guidance for staff. This work was completed and now awaits SMT approval. Once this guidance is approved and implemented CPT will monitor what impact, if any, this has on custody figures for BAME and WME offenders. In addition, the audit showed that whilst 31% of PSRs contained examples of good practice overall there were some examples in PSRs of possibly prejudicial comments and the use of stereotypes. This has led CPT to develop a checklist for staff to use when writing PSRs on BAME and WME offenders to try to ensure that no unwitting discrimination undermines proposals made to court. This piece of work is nearly complete and is expected to be launched imminently.
- 3.14 Further data analysis on ethnicity shows that of all the ethnic groups it is WME offenders who are less likely to be proposed for accredited programmes. However, this changes at sentencing with double the amount of WME offenders being sentenced to accredited programmes (8 sentenced, 13% of WME offenders) and less than a quarter of BAME offenders being sentenced to accredited programmes (3 sentenced, 4% of BAME offenders).
- 3.15 In terms of complying with orders and orders being enforced (where offenders do not comply with orders) within the given timescale, there is little significant difference between the three ethnic groups and the extremely low numbers of BAME and WME make comparisons difficult.
- 3.16 In October 2010 CPT carried out the National Offender Survey with Cheshire offenders. There were only single numbers of BAME and WME offenders completing the survey. The offender survey was not compulsory and all offenders attending offices within a given two-week period were invited to complete it. It is not clear why there was such a low return rate by different ethnic groups of offenders. The survey results have informed local action plans to address issues raised. CPT will also consider other ways to access the views of BAME and women offenders.
- 3.17 During 2011/12 CPT will put in place the Foreign National Offender guidance and the PSR checklist and will continue to review outcomes for the different ethnic groups in the Diversity Grid. All analysis of women offenders will ensure that this can identify where there are issues for BAME and WME women also. In addition, at FDR stage there are significant numbers of offenders without ethnicity recorded. This data is necessary in order to compare outcomes and identify where there is disproportionality in relation to ethnicity. CPT will focus on increasing the proportion of monitoring data around ethnicity for FDRs in 2011/12.
- 3.18 Disability  
CPT recognises that disability is a broad heading which covers a spectrum relating to different physical, learning and mental health impairments, difficulties and disabilities. Three years ago CPT achieved and has maintained 99.9% monitoring level for offenders. 23% of offenders now disclose they have

a disability (this has increased from just under 20% two years ago), the majority of whom (32%) say they have a disability either alone or with other disabilities of which the highest reported is mental health difficulties.

- 3.19 CPT is beginning to develop different opportunities and support (pathways) so staff can make sure that offenders can receive the appropriate level of support to assist them to comply with their orders. Thus during 2010/11 work was begun to develop a pathway in relation to Dyslexia.
- 3.20 Data from the Diversity Grid shows that in relation to proposals made in PSRs and the sentencing decisions made by courts there is little difference in percentage terms between disabled and nondisabled offenders who have proposals and are sentenced to supervision with an accredited programme. However across both FDRs and SDRs there are differences of between 5% and 17% where nondisabled offenders are more likely to be proposed and sentenced to supervision without accredited programmes than nondisabled offenders. Nondisabled offenders appear to be between 3% and 10% more likely to be proposed for and receive Community Payback. These figures, however, do need to be read with caution as they are statistically low. SDR data shows a 13% difference where disabled offenders are proportionately more likely to be sentenced to custody. FDR data shows a slightly higher percentage of disabled offenders being sentenced to custody, 12% compared to 10% of nondisabled offenders. This will be further investigated in 2011/12 to identify if there is unfairness and if so what actions need to be taken. A form completed at court is intended to identify where there are barriers that disabled and other offenders may encounter to consider what reasonable adjustments may be necessary and where custody is a possibility these issues can also be flagged up.
- 3.21 Disabled and nondisabled offenders comply with their sentences to similar levels. In relation to the proportion who are returned to Court for breach 6% more disabled offenders comply successfully than non-disabled offenders. This suggests that barriers to compliance are being successfully addressed.
- 3.22 In considering the responses of disabled and nondisabled offenders to the offender survey care must be taken when interpreting the data as out of 615 surveys completed and returned only 71 (11.5%) of the offenders completing the survey said they have a disability. Many of the responses by disabled offenders were more positive than those made by nondisabled offenders. For example:
- 54% of disabled offenders felt "they were more confident because of the training and support they had on probation". This compares to 47% of nondisabled offenders.
  - 55% of disabled offenders felt that "probation had given them more opportunities for the future" compared to 43% of nondisabled offenders.
  - 56% of disabled offenders felt "they had learned new skills to help them in the future" compared to 49% of nondisabled offenders.
  - 58% of disabled offenders felt that "being on probation sorted out most of the problems that make them offend" compared to 53% of nondisabled offenders.

3.23 There were some areas that were not so positive for example:

- 63% of disabled offenders responding feel they've "been treated better than they expected whilst on probation" compared to 71% of nondisabled offenders.
- 68% of disabled offenders felt "the time on probation made them less likely to re-offend" compared to 71% of nondisabled offenders.
- 78% of disabled offenders felt that "staff were fair to them" compared to 81% of nondisabled offenders.

3.24 The areas of work around which disabled offenders and nondisabled offenders felt they would like more help showed that across all seven areas (housing, employment, education/training, managing money or finances, childcare/family issues, drugs or alcohol, emotional support) disabled offenders showed a significantly higher level of need than nondisabled offenders. CPT will consider the significance of these findings during 2011/12.

### 3.25 Age

Approximately 36% of offenders are under 25 years of age (below 26), yet when comparing compliance rates across all offenders, the younger offenders have a lower compliance rate across the board. 74% of all younger offenders successfully complete, whereas 81% of older offenders (26 and over) successfully complete.

3.26 The issue of lower compliance rates for younger offenders is well recognised nationally and is a complex issue relating to a wide range of well-known and widely researched factors. CPT recognises that younger offenders have a wide range of needs if they are going to be able to address their offending behaviour and stop offending and support is offered around mentoring and access to educational opportunities.

3.27 In relation to proposals made to courts and sentence outcomes with FDRs, although the numbers differ between proposals and sentencing there is no apparent disproportionality in relation to age. The difference between proposals and sentences differs quite significantly in some cases, e.g. 35 older and younger offenders were proposed to custody during 2010/11 however 100 younger and 129 older offenders were sentenced to custody from FDRs. With SDRs, younger offenders are 4% more likely to be proposed to supervision and for accredited programmes however this is levelled out at the sentencing where both younger and older offenders are sentenced to the same levels of accredited programmes. Younger offenders 3% less likely to be proposed for supervision without an accredited program and this difference is increased at sentencing with 8% more being sentenced to supervision without an accredited programme. The proportion of proposals to custody are similar for both older (86) and younger offenders (53) however when it comes to sentencing to custody there is an 8% difference with proportionately more younger offenders (225/33.83%) sentenced to custody than older offenders (297/26%).

3.28 The offender survey breaks ages down into ten-year bands and thus there is no clear basis of comparison with data from the Diversity Grid which breaks it down across the two age bands of below and above 26. Across the age bands there were similarities in the responses and in the issues raised, the most

negative responses came from offenders in the 50+ age bracket who made up 16% (100) of the offenders completing the survey. 319 surveys (51.9%) were completed by offenders aged 18-29, 145 (23.6%) by offenders aged 30-39 and 95 (15.4%) by offenders aged 40-49. The biggest area in which offenders aged 50+ said they wanted help with was in housing (nearly 30% of them) and this was similar for offenders aged 18-29 (26%). For this latter age-group the biggest critical areas for them was employment (nearly 30%), as it was for the 30-39 age group (25%). Education and training was an area that all age groups wanted more help with, with many saying " (they) want(ed) courses to learn skills and trades", over 20% of the 30-39-year-old offenders said they needed more help with similar levels of request from the 18-29-year-olds.

### 3.29 Religion or belief and Sexual Orientation

There is no data currently available to identify outcomes in relation to these protected characteristics. Offenders are asked if they observe a religion in order that relevant factors can be taken into consideration, e.g. if they need to attend religious services at a particular time so that attendance can be worked around this where practicable. However it is not mandatory to disclose this information and so data is not comprehensive. CPT will work towards improving the data collection around this protected characteristic in order to review outcomes. No data is collated currently around sexual orientation, however, there have been recent revisions to the monitoring data forms which will be launched during 2011/12.

### 3.30 **Data analysis: Employment practice**

The staff profile for CPT is as follows:

- 94% of staff are White British
- 3% are WME
- 2% are BME
- 10% report a disability
- 27% male, 73% female

### 3.31 Gender

As men are the minority group, the focus here is on the outcomes for men and how it differs to that of women. Men make up 27% of the overall staff group.

3.32 The issue of low representation of men is being focused on and research was recently carried out which is highlighted above in Section 2 on employment monitoring. As only 18% of those applying for jobs with CPT are men this suggests a potential issue within marketing/advertising. Analysis over the last two years suggests that when men do apply they are proportionately more likely to be employed.

3.33 The numbers of men leaving CPT during 2010/11 is the same as those being appointed during that time. CPT monitors information in relation to age and job roles and it is clear that the majority of staff leaving were over 60 and many of those were over 64, this reflects the fact that the Default Retirement Age was still lawful during 2010/11 and voluntary retirement was also offered during that time.

- 3.34 Half of the 4 promotions made during 2010/11 were to men; however, one of these was in relation to Community Payback, where the bulk of the male staff are employed. Two other manager appointments were made to females.
- 3.35 An analysis has been undertaken in relation to grievances, disciplinaries and capability hearings. The analysis does not indicate any unfairness.
- 3.36 Reviews of training requests and of training received mirrors the organisational profile and reflects, when analysed by job role, that the majority of training received is mandatory. It would appear to be that everyone in those job roles irrespective of their sex or any other protected characteristic is offered and takes part in training.
- 3.37 Disability  
Employment monitoring data and outcomes from the staff survey taken together show a need for further information in order to fully understand the findings from disabled staff. The staff survey shows significant differences between the responses of disabled and nondisabled staff in relation to questions under the heading of resources/support and leadership/management with disabled staff responding less positively. Disabled staff will be invited to meet with the Assistant Chief with responsibility for equality to discuss these issues further and identify any steps that the organisation can take. CPT will be holding a focus group of disabled staff early in 2011/12, so as to explore some of the issues raised to understand whether there are any specific barriers that need to be addressed.
- 3.38 Disabled staff make up 10% of the staff profile. The majority of staff are in frontline facing jobs as probation officers, probation service officers, support staff and Community Payback staff. A small number of managers have identified themselves as with a disability.
- 3.39 Only 3% of all applications (total number 404) for posts in CPT are from disabled people, however, a further six applicants to jobs declined to state whether or not they have a disability. 7% of appointments were made to people with disabilities however there is no breakdown as to types of disabilities. None of the promotions in 2010/11 have been to disabled staff. In relation to training, both requests and training received, there is no apparent disproportionality.
- 3.40 Of those staff who left CPT 2010/11, 13% have a disability. This is disproportionate in relation to the organisation profile and requires some further analysis with disabled staff. This will be explored in a focus group of disabled staff. In addition, the practice of exit interviews is being reviewed in 2011/12.
- 3.41 In relation to disciplinaries, grievances and capabilities disabled staff are disproportionately represented in this and this data is currently being explored to identify if there are any issues or learning for the organisation.
- 3.42 CPT has had a reasonable adjustments procedure in place for over five years, which is currently being revised in consultation with disabled staff. All managers have been on a reasonable adjustment workshop which focuses on

the social model of disability. The chair of the disabled staff group is a member of EDAG and contributes to service delivery and employment practice issues relating to disability equality. The staff survey shows that 9.7% of staff said they have a disability and of those 65.2% have told the organisation, however, the base data is only 19 and so it is difficult to form firm conclusions about this.

### 3.43 Age

The age profile of the staff group is as follows:

<u>Age Band</u>	<u>Nos of staff</u>
64+	2
60+	33
50 – 59	105
40 – 49	114
30 – 39	88
20 – 29	45

3.44 In terms of applicants for employment there are no significant variations across the age range, although there is a decreasing number as the age gets higher. Appointments were made across the age bands with 4% (2) in the over 60 age group, 37% in the 40-49s, 27% in the 20-29-year-olds and 20% in the 50-59-year-olds. Only 1.5% of appointments were from the 30-39-year-old age group which was by far the biggest group of applicants. Further analysis of this has demonstrated legitimate reasons which account for any disproportionality. In terms of staff leaving the organisation the majority who left were in the 50-59 and 60+ age bracket which ties in with an offer of early retirement.

3.45 In terms of disciplinaries, grievances and capabilities, this data has been analysed and it is clear that there is no unfair disproportionality in terms of age.

3.46 The profile of appraisals reflects the age profile; there is no evidence to suggest any particular age group is more or less likely to get an appraisal. There is no disproportionality in relation to training across the age groups as has been stated already the majority of training is mandatory.

3.47 The outcomes from the staff survey do not yet reflect age but this will be considered in the next staff survey.

### 3.48 Ethnicity

White British staff who make up 94% of the organisation staff profile make up 94% of the applications and 95% of the appointments made. The majority of BAME and WME staff are in frontline work. There is now one BAME Middle manager.

3.49 Out of the four promotions made 2010/11 three were for White British staff and one was an Asian member of staff. Of the 38 people who left CPT's employment during 2010/11, 35 were White British (86%). Of the remainder there is no evidence to suggest that this is linked to any discrimination. There are no staff outside of the White British ethnic group that have been involved in grievances, disciplinaries or capabilities. There is no disproportionality in

relation to training either in terms of requested or received. The proportions match the organisation profile as they do in relation to performance appraisals.

3.50 Regrettably there is no data from the staff survey in relation to ethnicity as an insufficient number of both BAME and WME staff answered the survey. The next time the staff survey is run there will be consideration given to having a specific focus to try to capture enough responses from BAME and WME staff to be able to have sufficient data to analyse for any disproportionality. There is a BAME staff group which no longer meets up on any regular basis but still has the organisation's support to meet up whenever staff feel there is a need. The chair of that group is a member of EDAG and contributes to relevant issues relating to race equality.

3.51 Sexual orientation and religion or belief

CPT has begun monitoring these two protected characteristics and over time will be able to analyse data and compare outcomes and consider actions. CPT has staff who practice different religions and there are procedures that give staff the entitlement to time off for religious observances and there is evidence to suggest that staff use this where appropriate.

3.52 There is an LGB&T group to which staff are entitled to take part and the chair of this group sits on EDAG and can contribute on behalf of members of the group to issues of employment practice or service delivery where relevant. The group has recently been relaunched to try to increase staff take up and to promote the benefits to both the organisation and the staff.

3.53 The staff survey asked staff to state their sexual orientation and 75.7% of staff said they were heterosexual. Approximately 3% of staff said they were lesbian gay or bisexual. Out of those 21% said they were out, 10% said they weren't and 68% preferred not to say. There was insufficient data to be able to interpret outcomes in relation to this category and the next time the survey is carried out LGB staff will be encouraged to complete it in order to increase the profile and get meaningful data for comparison.

#### 4. PROCUREMENT

4.1 CPT purchases goods and services from a large number of organisations including small local ones. CPT have equality duties in relation to procurement. Organisations with which CPT work are required to demonstrate how they will take equality issues forward in their work. Equality considerations have been built into the process and documentation has been developed for organisations to evidence this, including pre-tender equality questionnaires; contract monitoring; identifying how different groups needs will be met during the contract development process.

#### 5. CONCLUSION

5.1 During this last year the Diversity Audit has highlighted that the CPT structure is effective in ensuring that actions in the SES are progressed and thus achieved, and that the SES remains a live document. The SES now reflects

the progress across CPT relating to all aspects and functions of CPT and over an increasing number of protected characteristics.

- 5.2 Each successive year has its roots in work of the previous year, building on a greater understanding of where disproportionality can and does occur and ensuring that mechanisms and processes are in place so that it can be identified and addressed. In addition the focus practice and employment issues at EDAG and at Diversity Panel has led to CPT pursuing new goals, e.g. support around Dyslexia that will assist offenders to better comply with their orders.
- 5.3 This review of 2010/2011 has highlighted where CPT is on its journey of ensuring that equality and anti-discriminatory practice can be firmly embedded in all its work. The actions for 2011/12, shown in Appendix 2 indicate the key priorities for CPT in the forthcoming year.

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**31 May 2011**