



NATIONAL PROBATION SERVICE
for England and Wales

Gloucestershire

ANNEX 4

**GUIDANCE FOR MANAGERS ON
THE IMPLEMENTATION OF THE
RACE RELATIONS (AMENDMENT) ACT
2000**

1 Introduction

Under the Race Relations (Amendment) Act 2000, Gloucestershire Probation Area has a duty to

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between people of different racial groups

2 What are Functions and Policies?

In the context of the Act, the term 'functions' means our duties and powers. It covers internal and external functions including service delivery. Similarly, the term 'policies' covers the full range of formal decisions we make in carrying out our duties. We must include in any assessment of a policy, an examination of long-standing 'custom and practice' and management decisions as well as formal written policy.

3 Why Monitor?

By conducting monitoring we will be able to determine how our policies affect different racial and other groups. This can test

- the under- or over-representation of different racial groups (for example, in using services)
- levels of satisfaction with a service
- how effectively a service is delivered to different communities
- how services are provided (for example, whether they take account of language or cultural needs)

4 What Do we Need to Do?

For any function/policy identified in the three-year plan, the Service will need to understand an impact assessment by

- monitoring its effect on different racial and other groups
- checking whether there are any differences in impact on different racial and other groups
- asking whether these differences have an adverse impact on some racial and other groups

5 How Does Assessment Help?

- It challenges the assumption that policies affect everyone in the same way, by detecting and assessing any adverse impact on a particular group before policies are introduced
- It allows us to make sure that different groups are equally serviced by the policy

6 What is an Impact Assessment?

There are three types of Impact Assessment :

- An 'initial assessment' or 'screening' which is normally based on data we already have. It may only produce estimates or signs of unequal impact, but it is useful for developing new policies, or considering changes to existing policies. We will use this method for all new policies.
- A 'partial impact assessment' which builds on an initial assessment, outlines risks and benefits and it includes advice from experts and interested groups
- A 'full impact assessment' for existing functions/policies which includes the results of external communication, a final recommendation and arrangements for monitoring and evaluating the policy and its impact in practice

7 How Do You Undertake a Full Impact Assessment?

The aim of an impact assessment is to obtain a profile of how a policy, service or function, affects different groups and to recommend change where needed. In order to do this effectively, it must be able to

- get to the 'core issues and priorities' as economically as possible
- satisfy Stakeholders, both internally and externally, that it has been sufficiently rigorous in proportion to the importance of the issue and the policy
- identify what is working well, as well as what needs to be improved
- focus on outcomes and tangible improvements
- establish itself within the Service's wider review and decision-making processes

The process should not be so rigid, or so lengthy, that the core aims are lost. Good data will be key to effectiveness - but problems in obtaining comprehensive data should not hold up the process of assessment completely.

Assessments will range from comprehensive, for high priority functions to rapid, light touch reviews for those having low relevance to race equality.

High Relevance

Needs a very detailed and thorough process with significant external challenge (full impact assessment)

Medium Relevance

Needs reasonably robust process with some degree of external challenge (partial impact assessment)

Low Relevance

Needs a degree of rigour to confirm that in line with statutory duties but external challenge not needed (initial assessment)

High Prioritisation	:	within 6 months
Medium Prioritisation	:	within 12 months
Low Prioritisation	:	within 2 years

If a full impact assessment is required, it needs to be approached systematically by following the eight steps set out in the attached Flow Chart (Appendix 1).

- Identify the aims of the policy and what we are trying to achieve
- Consider any available data/research or information available on the impact of the current policy

- Assess how the options being considered will directly, or indirectly, impact on different ethnic and other groups and whether that impact is negative, positive or simply maintains the status quo
- Consult formally on the policy with those who are likely to be affected by the policy
- If any adverse differential impact is found, decide whether it is justified
- If it is not, the policy and the practice which goes with it must be adjusted, supplemented or completely changed
- Publish results of assessment
- Once the final option is chose, the outcomes of the policy must be regularly monitored in future to check for unexpected adverse impacts which emerge over time
- Use of Race and Diversity Impact Assessment Schedule
- Review quarterly at Senior Management Team meetings

8 How Do We Monitor?

For some functions data is already collected on ethnic background. For those areas where no data is available, this will need to be the first step. Ways we can monitor the impact of services include :

- keeping records by racial and other groups, of how and when services or law enforcement powers are used
- satisfaction surveys and perception surveys
- random or targeted personal interviews
- data on complaints, analysed by the racial groups of those complaining and the nature of the complaint

Managers will need to decide which methods to use depending upon the importance of the policy and its likely effect on the public, including people from minority ethnic groups.

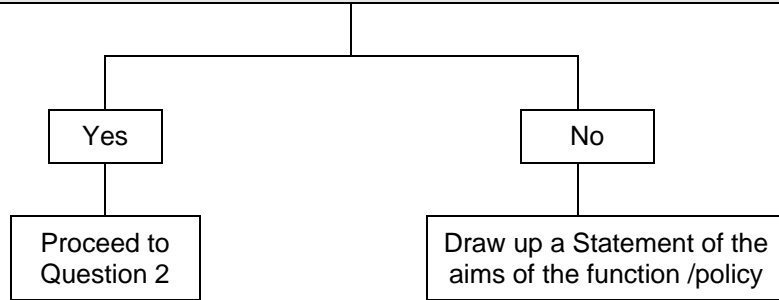
RACE SCHEME IMPACT ASSESSMENTS

FLOW CHART TO EVALUATE FUNCTIONS AND POLICIES

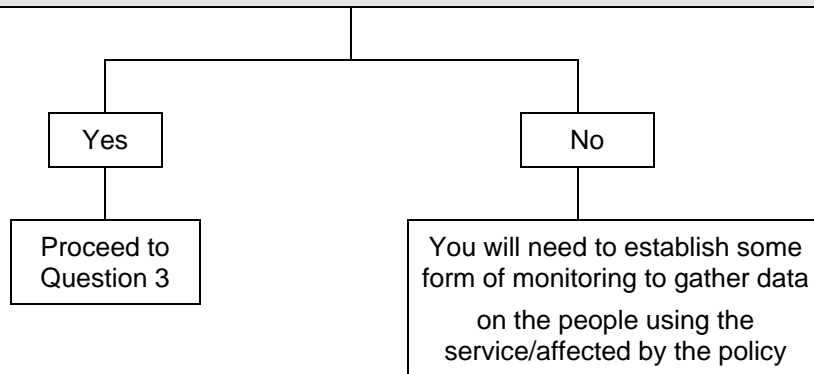
RACE SCHEME ASSESSMENTS

The purpose of this guidance is to set out the steps necessary to determine, assess and correct if necessary a function or policy in relation to the Race Relations (Amendment) Act 2000 and the Service Race Scheme

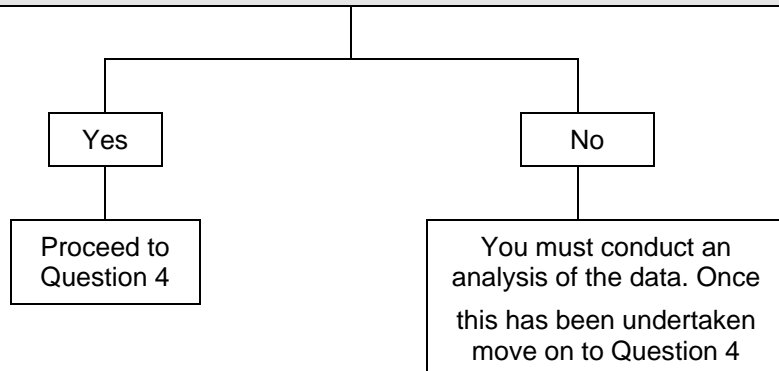
Question 1 : Have you set out the areas of the function/policy and what are we trying to achieve?



Question 2 : Do you have any data which provides information about the communities served by the function/policy?

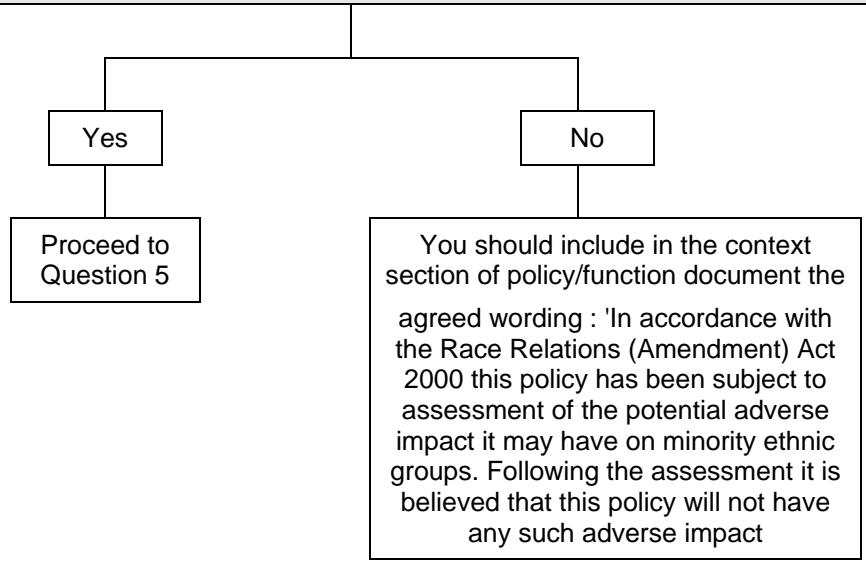


Question 3 : Has there been any analysis of the data collected?

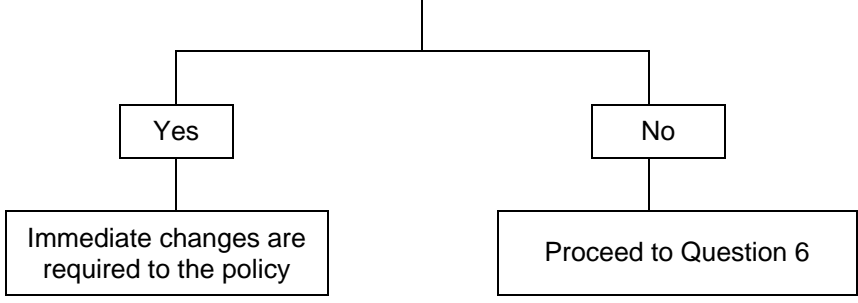


Question 4 : Is there any reason to suggest that there are either :

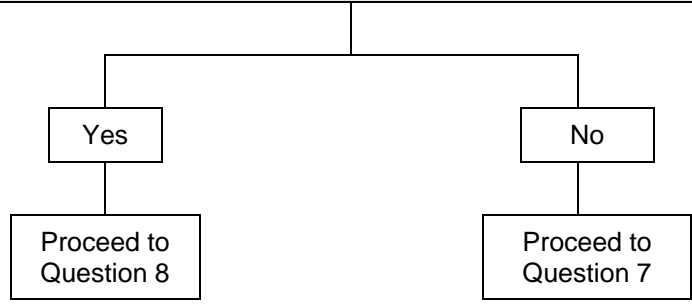
- differences in the way that service users are affected by the policy/function in relation to race, ethnicity or religion
- differences in satisfaction levels for different groups?



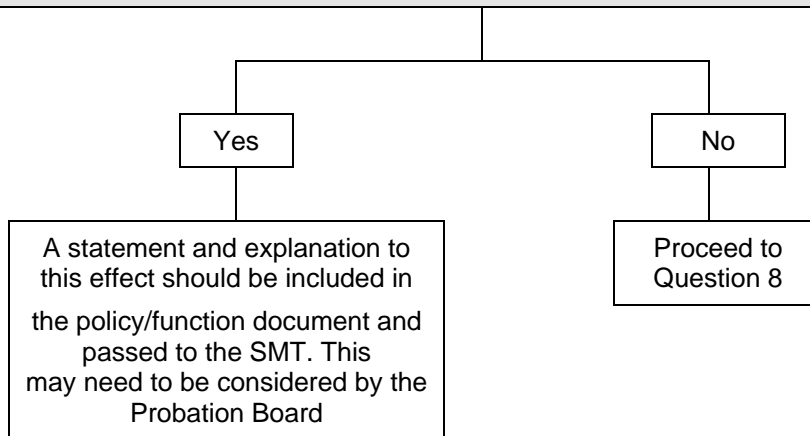
Question 5 : Could the difference be considered as unlawful discrimination?



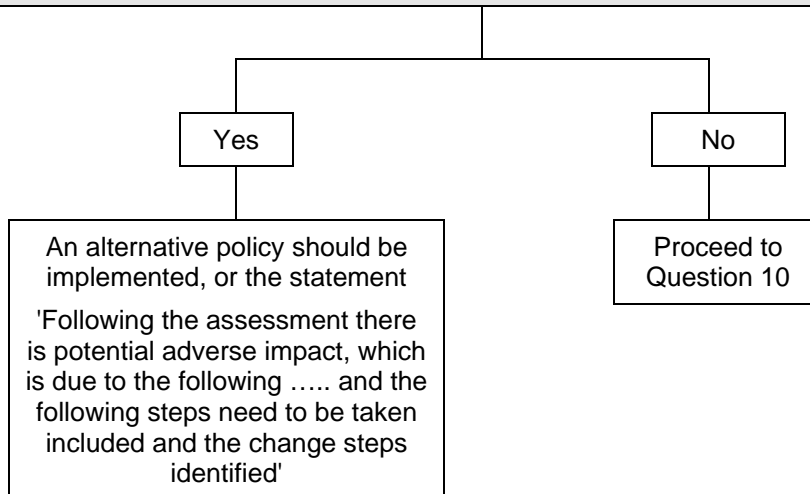
Question 6 : Is the policy a barrier to opportunities for some groups or harming relations between different racial groups?



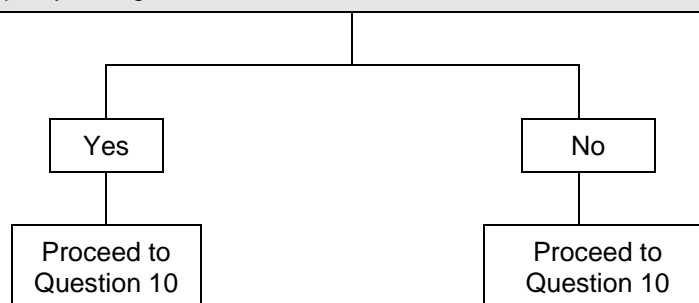
Question 7 : Is there any explanation for the differences which can be justified?



Question 8 : Can an alternative policy be just as effective without having adverse impact?



Question 9 : Can adjustments be made to the policy to remove or limit the effects on different groups by taking certain measures?



Question 10 : Have you consulted various stakeholders, employees and community partners about the policy proposal?

Yes

You should undertake any changes then review them after a suitable period using this template

No

You should undertake a consultation exercise using the most appropriate method. You need to complete a report giving details of the review and in particular justification for why the policy/function cannot be changed, and when the policy will be reviewed