



NATIONAL PROBATION SERVICE  
for England and Wales

*Gloucestershire*

**GLOUCESTERSHIRE PROBATION AREA**

**THE SCHEME TO PROMOTE  
DISABILITY EQUALITY**

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## Foreword

The Gloucestershire Probation Board (the Board) approved this Disability Equality Scheme for the Gloucestershire Probation Area at its meeting in December 2006. In developing the Scheme and its associated Action Plan the Board aims to identify and redress barriers to equal opportunity for both for those employed by Gloucestershire Probation Board and those offenders supervised by Gloucestershire Probation Area who have a disability as defined under the Disability Discrimination Act 2005 (DDA).

The Board is committed to:

- eliminating discrimination that is unlawful under the DDA;
- eliminating harassment of disabled people that is related to disability; and
- promoting equality of opportunity between disabled people and other people.

In addition the Board undertakes to:

- take steps to meet the needs of disabled people even if this requires more favourable treatment, including reasonable adjustments under the DDA;
- promote positive attitudes towards disabled people; and
- encourage participation by disabled people in public life.

The Board supports the national stance taken by the National Director of the Probation Service in relation to Diversity issues and recognises its responsibilities to provide an environment in which all staff are able to flourish and where work with offenders is delivered without discrimination.

The Board is fully committed to ensuring that disability equality permeates throughout Gloucestershire Probation Area and will ensure that in all its activities Gloucestershire Probation Area promotes disability equality and inclusiveness. This Disability Equality Scheme is a statement of that commitment. The Scheme sets out how the Board intends to meet its duties under the Disability Discrimination Act 2005 and in developing it the Board has taken into account guidance issued by The Disability Rights Commission (DRC) for public authorities and that issued by the National Probation Directorate.

The Board accepts the social model of disability as the basis for the successful implementation of its duty to promote disability equality and, in seeking to effect change will focus on removing the barriers that disabled people face rather than on the impairments that people may have.

This Disability Equality Scheme will support the creation of an organisation which fully supports disabled people both as an employer and as a provider of criminal justice services.

**Sir William Wratten**  
**Chairman**

**Yvette Ball**  
**Chief Officer**

## 2 Gloucestershire Probation Area

The Gloucestershire Probation Area is one of 42 areas managed by a local Probation Board within the National Probation Service for England and Wales. The National Probation Service is a law enforcement agency delivering community punishments supervising and working with offenders according to the terms set by the Courts, Parole Board and Public Protection Unit, and providing information to victims of serious offences. The Probation Service supports Home Office aims as follows:

- Aim 3: To ensure the effective delivery of justice
- Aim 4: To deliver custodial and community sentences to reduce re-offending and protect the public
- Aim 7: To support strong and active communities in which people of all races and backgrounds are valued and participate on equal terms.

The specific aims of the National Probation Service are:

- Protecting the public
- Reducing re-offending
- The proper punishment of offenders in the Community
- Ensuring offenders' awareness of the effects of crime on the victims of crime and the public
- Rehabilitation of offenders.

The Gloucestershire Probation Board is a statutory body and therefore required under the Disability Discrimination Act 2005 to publish a Disability Equality Scheme. The Gloucestershire Probation Board's Scheme applies to all members and staff within that Area irrespective of whether they are involved in policy development, service delivery or a support role. Duties in respect of the Scheme also apply equally to agency staff and those seconded to the Gloucestershire Probation Area and partnership staff working under contracts funded by the Gloucestershire Probation Area. The Scheme applies to both the service delivery of the Gloucestershire Probation Area and to its role and functions as an employer and contractor of services.

Gloucestershire Probation Area has in place a number of structures, which provide support to ensure that it complies with legislation, both with regards to service delivery and employment. In particular, the following arrangements are already in place:

- Public notices in each building demonstrating a commitment to diversity and anti-discrimination
- Directing Diversity group (DDG). This is a diverse group of Board members, senior management and staff chaired by the Chief Officer. The purpose of the Group is to direct and advise Gloucestershire Probation

Area on:

- Compliance with relevant legislation
- Diversity issues in respect of staff and service delivery
- The achievement of Government, National Probation Directorate, NOMS and regional targets with regard to diversity.

The objective of the DDG is to promote, educate, monitor, advise and innovate in respect of diversity issues in Gloucestershire Probation Area and through its role in the wider community

- Core training is provided to all staff in respect of equal opportunities. All staff members are appraised on an annual basis against a range of requirements including a specific requirement to promote equality for all individuals, in particular anti-discriminatory practice. This emphasises the importance of non discrimination in all its aspects including disability.

### **3 Gloucestershire Probation Area Diversity Statement**

Gloucestershire Probation Area Diversity Statement sets out the position of the Board in relation to Diversity and how the organisation will address issues of diversity through a number of appropriate policies and groups in the organisations. The organisation is committed to include any relevant groups in the strategic Directing Diversity Group.

Diversity is a concept and to manage diversity it is assumed and accepted that the workforce, customers and stakeholders consists of a diverse population of people. The diversity consists of visible and non-visible differences which will include factors such as sex, age, background, race, disability and religious persuasion. Gloucestershire Probation Area's approach is founded on the premise that harnessing these differences will create a productive environment in which everybody feels valued and their talents are fully utilised and in order to better meet organisational goals. The Board, as part of its corporate responsibility, adopts a positive commitment to embracing diversity. This is based on four values:

#### *Equality*

We commit ourselves in delivering services and employing people to do so on the basis of everyone's right to fair and equivalent treatment. We recognise that in a diverse population people have different starting points and needs and that treating people equitably is not the same as treating people the same. Where a system treats people unfairly because of their difference, discrimination can be seen to be operating at both an institutional level and a personal level. It is necessary for the organisation to have mechanisms in place to ensure equality of access to the rights and expectations of employment and to the delivery services offered.

#### *Levering Difference*

In delivering equality, we need to consider whether that is in relation to equal access to an abstract 'norm', or to a vision of an organisation as a community which seeks to use the breadth and diversity of experience it contains to

develop and lever maximum business benefit. Difference should be valued as a strength that will assist us to meet the needs of a diverse community and to adapt to changes in that community. A positive endorsement of the value of diversity also makes it clear that we welcome people to the organisation valuing their difference, and committing ourselves to occasional related costs as an investment to achieve this.

#### *Social Cohesion*

One of the roles of the probation service is to promote social cohesion and, less positively, to deal with the effects of social exclusion. It is imperative that this organisation establishes itself as a model of social cohesion and does not let itself become associated with the support of one, or a limited number of groups, over others.

#### *Human Rights*

The Probation Service, often working with the more disadvantaged in society, should and does value diversity, but there are also general reasons to do so concerned with people's human rights. Whatever the benefits to us as an organisation, and they are profound, people have a right to fair and equal treatment, and for that to be meaningful, not simply a token.

## **4 Specific Duties of the Probation Service in Gloucestershire**

The Gloucestershire Probation Area supports Home Office and National Probation Service aims by undertaking a range of duties linked to offender assessment, offender management and supervision and the provision of information to victims. These duties can be summarised as follows:

- The assessment of offenders pre-sentence including bail assessment, provision of Fast Delivery and Standard Pre-Sentence Reports (PSRs) to courts
- The offender management and supervision of offenders subject to community sentences ie. Community Rehabilitation Order, Community Punishment Order, Community Punishment and Rehabilitation Order, Drug Treatment and Testing Order and to Community Orders and requirements under the Criminal Justice Act 2003. Supervision of and requirements in these orders can include the delivery of programmes to offenders aimed at reducing re-offending, provision of counselling to assist offenders address offending behaviour and linked issues, eg. drug addiction, misuse of alcohol, mental disorder, the provision of educational, training and employment services to improve the basic skills of offenders and provision of accommodation advice and assistance. The supervision of Community Punishment Orders and Community Punishment and Rehabilitation Orders and Unpaid Work Requirements CJ Act 2003) also includes the provision of work placements so that offenders carry out unpaid community work to the benefit of the community. These are either supervised directly by probation staff or representatives of beneficiaries.
- Work with offenders in custodial establishments

- Supervision of offenders on post-release licence following the serving of a custodial sentence
- Provision of residential accommodation for offenders who are the subject of bail conditions or statutory supervision within Ryecroft Approved Premises
- The continuous assessment of the risk of offenders who are subject to probation supervision causing serious harm or re-offending, including working with the Multi-agency Public Protection Panel
- The provision of information to victims of serious, violent or sex offenders where the offender is serving a twelve-month or greater prison sentence.

The above duties are supported by a range of policies, each of which are approved by the Board and have a supporting procedure. These include a complaints policy so that users can express discontent with the services that they have been provided with.

In addition, Gloucestershire Probation Area contracts a number of partnership agreements for the provision of services to offenders including specialist drugs and alcohol services, accommodation advice and provision, and work with perpetrators and victims of domestic violence.

## **5 The Disability Discrimination Act 2005: General and Specific Duties**

Under the Disability Discrimination Act 2005 Gloucestershire Probation Board has a statutory duty to promote disability equality. This duty, referred to as the “general duty”, aims to make the promotion of disability equality central to the way public authorities work by placing it at the centre of policy making, service delivery, regulation, employment and practice. It is intended that by promoting disability equality there will be improvements in the way public services are delivered for the benefit of everyone and that trust and confidence in those public services will be promoted. Under this general duty Gloucestershire Probation Board, in carrying out its functions must have due regard to:

- Eliminate discrimination that is unlawful under the DDA
- Eliminate harassment of disabled people that is related to disability
- Promote equality of opportunity between disabled people and other people
- Take steps to meet disabled peoples needs even if this requires more favourable treatment (inc reasonable adjustments under DDA)
- Promote positive attitudes towards disabled people
- Encourage participation by disabled people in public life

In addition to placing the Gloucestershire Probation Board under this general duty to promote disability equality the Disability Discrimination Act 2005 imposes specific duties which can be summarised as follows:

- To publish a Disability Equality Scheme
- To prioritise functions and policies relevant to the general duty.
- To assess and consult on the likely impact of proposed policies relevant to

- the general duty.
- To monitor policies relevant to the general duty for adverse impact.
  - To publish assessment, consultation and monitoring reports.
  - To ensure public access to information and services.
  - To train staff.

The arrangements made by Gloucestershire Probation Board to meet these specific duties will help to ensure that the general duty is met.

The following principles underpin the actions of Gloucestershire Probation Board in addressing its general and specific duties:

#### *Proportionality*

Whilst recognising that disability equality will be more relevant to some functions than others Gloucestershire Probation Board understands that because of the range of issues which impact on disability equality many functions are likely to be of relevance to disabled people. In giving 'due regard' to its general duty Gloucestershire Probation Board undertakes to give greater consideration to functions or policies that have most effect on disabled service users and staff .

#### *Effectiveness*

Gloucestershire Probation Board recognises that in addressing its general duty it must achieve outcomes. Without recognisable outcomes it will be difficult to establish whether due regard has been given to the general duty to promote disability equality.

#### *Involvement*

Gloucestershire Probation Board recognises that disabled people are under represented in positions which determine the policies and priorities of public authorities and is committed to involving disabled people in the work that it does to address its general and specific duties. Without such involvement the Board recognises that it will be unable to identify and prioritise equality initiatives effectively.

#### *Transparency*

Gloucestershire Probation Board recognises that public confidence is essential and that for the public to have confidence people need to see what has been done and why. Gloucestershire Probation Board therefore undertakes to publish its Disability Equality Scheme and its associated Action Plan, consultations; including the results of those consultations, its monitoring results and the impact assessments of current and proposed policies and procedures.

## **6 Assessment of Functions and Policies**

Gloucestershire Probation Area conducted an assessment of its functions for the purposes of its Race Equality Scheme and has undertaken a review of those functions for the purposes of this Disability Equality Scheme. The current assessment of functions is documented in Annex 2.

A prioritised list of Gloucestershire Probation Area's policies has also been developed and reviewed and is documented at Annex 3. Impact Assessment of policies is conducted using an Impact Assessment Tool which is documented at annex 4. The results of Impact Assessments are documented in Annex 5.

## **7 Employer Functions**

In order to provide the range of services described in section 4, Gloucestershire Probation Board acts as an employer to approximately 180 members of. The full range of employer functions includes:

- Recruitment
- Selection
- Employment, including payroll
- Training and staff development
- Staff appraisal and supervision
- Employee care
- Termination of employment, including exit interviews.

These employer functions are supported by a range of policies that are approved by the Gloucestershire Probation Board and are supported by clear procedures. Employment data is collated and monitored in respect of:

- Recruitment
- Retention – including exit interviews
- Promotion
- Grievance & disciplinary proceedings

This data is documented at Annex 6

## **8 The Disability Equality Action Plan**

The Gloucestershire Probation Board in developing the Disability Action Plan, documented in Annex 1 has taken into account national priorities and locally identified areas for improvement. National priorities have been set out in the National Probation Directorate's Disability Equality Scheme and are as follows:

1. Implementing the Disability Equality Scheme
2. Impact assessment for policy and functions
3. Ensuring all buildings are accessible and compliant with the legislation
4. Developing greater processes for authentic involvement of disabled people
5. Ensuring equitable service delivery for disabled offenders
6. Attracting, recruiting and retaining disabled employees

## **9 Key Challenges**

The Board recognises that it faces a number of challenges in addressing disability equality

Monitoring: A wide range of service delivery and employment functions is monitored

Disabled staff

Service Delivery

Gloucestershire Probation Area has undertaken considerable work in relation to dealing with race issues including implementing much of the 2002-05 Race Equality Action Plan in response to the McPherson Report, the Home Secretary's priorities on race and the recommendations of Her Majesty's Inspectorate of Probation's Thematic Report on Race. An updated Review of the RE Scheme has been undertaken incorporating an Assessment and Action Plan in line with CRE guidelines and is an accompanying document to this updated Scheme. It is recognised that more work needs to be done to ensure that GPA continues to meet the requirements of the Race Relations Amendment Act in respect of race equality.

## **10 Involvement**

Gloucestershire Probation Area recognises the value of consulting upon and monitoring the impact of current and proposed policies and will ensure that processes are in place to assess and consult appropriately.

## **11 Report and Review**

The Disability Equality Scheme will be reported on annually, both within Gloucestershire Probation Area Annual Report and in a separate report to the National Probation Directorate as required. The Scheme and any reports upon it will be available to the public and accessible through the Gloucestershire Probation Area website <http://www.glosprobation.org.uk> In addition to the Scheme, the plan outlined in Annex 1 will be reviewed and updated on an annual basis with progress being reported to the Gloucestershire Probation Board.

## **12 Complaints**

Gloucestershire Probation Area will take seriously any complaints that it may receive regarding its approach to race equality or about the way in which it is meeting its statutory duty.

Anyone wishing to make a complaint should contact the Chief Officer at:

Gloucestershire Probation Area Bewick House 1 Denmark Road Gloucester  
GL1 3HW  
Tel: 01452 426250

The Chief Officer will ensure that investigations are conducted using the Area's established complaints procedures ensuring that people have an opportunity to express their views and to have their comments investigated in a fair and unbiased way. If a complaint is found to be justified appropriate

action will be taken to rectify the situation.

Alternatively complaints may be made to:

The Disability Rights Commission who can be contacted as follows:

Telephone: 08457 622 633

Textphone: 08457 622 644

An operator is available at any time between 8am and 8pm, Monday to Friday

Fax: 08457 778 878

Post: DRC Helpline  
FREEPOST MID02164  
Stratford upon Avon  
CV37 9BR

### **13 Further Information**

For further information regarding the implementation of the Disability Equality Scheme in Gloucestershire, contact

Yvette Ball, Chief Officer  
National Probation Service – Gloucestershire  
Bewick House  
1 Denmark Road  
Gloucester GL1 3HW

Tel: 01452 426253

E-mail: [yvette.ball@gloucestershire.probation.gsx.gov.uk](mailto:yvette.ball@gloucestershire.probation.gsx.gov.uk)

For information regarding the National Probation Service Scheme contact:

Marg Harris  
Head of Diversity  
National Probation Directorate  
Horseferry House  
Dean Ryle Street  
London SW1P 2AW

Tel: 020 7217 8609

E-mail: [Marjorie.Harris2@homeoffice.gsi.gov.uk](mailto:Marjorie.Harris2@homeoffice.gsi.gov.uk)