

Equality Act 2010

Annual Equalities Report 2014/15

1. Background

- 1.1 In June 2014 the Government's Transforming Rehabilitation (TR) agenda saw the existing National Probation Service split into two, with one National Probation Service (NPS) managing all high-risk work (including Mappa) and 21 new established Community Rehabilitation Companies (CRCs) managing all medium to low risk work. This has also meant that there is now a merge of Cumbria and Lancashire into one CRC - Cumbria and Lancashire CRC (the CRC).
- 1.2 It was announced in October that Sodexo, in partnership with NACRO, had become the new owners of the Cumbria and Lancashire CRC.
- 1.3 This is the first Annual Equality Report for the CRC and this report draws on the rich legacy of both of the former Probation Trusts. As the CRC is formed from elements of the two former probation trusts it is not possible to show comparative data from previous years.
- 1.4 This report covers the reporting period of 2014/15 and reflects the public duty requirement that the CRC has under the Equality Act 2010 (the Act). The CRC is now a company and therefore no longer a public body. However the CRC is contracted, by the government, to provide public services, and is therefore also still bound by the public duty. Due to the requirement to publish relevant equality information and analysis by 31/1/15, this report only considers the period June-December 2014; as the CRC was only created in June 2014.
- 1.5 The Equality Act 2010 requires public bodies to pay due regard to the need to:
- advance equality of opportunity;
 - eliminate discrimination, harassment and discrimination;
 - foster good relations between people of all protected characteristics.

The protected characteristics are:

- Age
- Disability
- Ethnicity
- Gender Reassignment
- Religion or Belief
- Sex
- Sexual Orientation
- Marriage and Civil Partnership
- Pregnancy and Maternity

- 1.6 The CRC is bound by the public duty in the Act, and therefore it must demonstrate how different people will be affected by its activities; both service delivery and employment practice. The CRC demonstrates through this report how it is working to deliver effective and accessible services that can proportionately meet the needs of its different stakeholders.
- 1.7 This report demonstrates that across service delivery and employment practice the CRC:
- has effective management information in place across the majority of the protected characteristics to identify where there are inequalities;
 - has effective processes in place to analyse management information to address, reduce and remove inequalities;
 - identifies unlawful discrimination and disproportionality and, where found, takes steps to reduce, remove and minimise any disadvantages to advance opportunities for everyone;
 - uses management information to set equality objectives and actions for both service delivery and employment practice across the protected characteristics;
 - has progressed equality objectives during 2014/15 and has a focus for future objectives; and can,
 - demonstrates due regard to the aims of the general duty (in the Act).
- 1.8 Requests for alternative accessible formats of this document may be requested from Annemarie Theilade, Equalities Manager:
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2. Introduction

- 2.1 The CRC covers the wide, largely rural, geographical area of Cumbria and Lancashire. It is one of 21 Community Rehabilitation Companies, which closely mirror the same boundaries as the Police forces, HM Courts and Tribunals Service, Crown Prosecution Service and the Police and Crime Commissioners.
- 2.2 The CRC employs approximately 430 staff. The majority of staff are based in four LDUs across 17 offices. Each LDU is managed by an Assistant Chief Executive and all LDUs work closely with the:
- Local Authorities and their Community Safety Partnerships; and,
 - Health and Well-being Boards.

The CRC also works closely with its criminal justice partners in the:

- National Probation Service;
- Police;
- Crown Prosecution Service;

- HM Courts and Tribunals Service;
- HMP Kirkham, HMP Preston, HMP Garth, HMP Wymott, HMP Lancaster Farms and HMP Haverigg; and,
- the Youth Offending Service.

The CRC is a member of the Local Criminal Justice Board.

Demographics

2.3 Across the CRC geographical area there are similar levels within the population of Cumbria and Lancashire with a disability 12%/20%. Approximately 36%/49% are male and 64%/ 51% are female. This data is similar to national levels. In relation to the ethnic mix across both Cumbria and Lancashire, there is a significant difference between the geographical areas of Cumbria and Lancashire. Within Lancashire 6% of the population are from Black and Asian Minority Ethnic (BAME) groups. Within Cumbria the total BAME population is 0.4%. There is a significant White Minority Ethnic (WME) population, many with historical links to Cumbria. The heterosexual population across Cumbria is approximately 80%. 17% of Cumbrians did not specify their sexual orientation and 3% said they were not heterosexual.

About Cumbria

- Cumbria is geographically the second largest county with a population of approximately 499,900, giving an average of just over 74 people per square kilometres/0.7 per hectare, the fifth lowest population density in England & Wales (371 people per Square Kilometre for England and Wales)



- Based on the 2011 census, Cumbria saw an increase of 2.5% in its population against mid 2001 census data compared to a 7.8% increase for the same period for England & Wales
- Cumbria compares well with the national average percentage break down between male and female. Cumbria: 49.23% (male) and 50.77% (female) compared to England and Wales: 49.17% (male) and 50.83% (female)
- Since the 2000 millennium, the county has experienced one of the UK's largest increases in the population of black and minority ethnic (BAME) communities. 2.2% of Cumbria's population comes under the Other White category (White Minority Ethnic -WME) - the England average is around 4.7%
- Southern Europeans have a strong presence along Cumbria's Western Coast with the towns of Whitehaven and Workington having significant Italian and Spanish communities
- Carlisle is estimated to be home to over 1,600 Polish people, as well as other Eastern European immigrants
- Barrow In Furness is home to a significant number of Germans, Canadians, Polish people and people from the former Yugoslavia, as well as being the UK's most significant Kosovar community
- Kendal has recently attracted many Eastern European immigrants, as well as many migrants of any range being attracted to work in the Lake District
- People who are Black British are one of the county's smallest ethnic groups, with around 0.4% of Cumbrian's suiting this term (around 2,000 people) England average is around 2.9%. Although small, Cumbria's Black community is increasing by around 20% per annum, making them one of the county's fastest growing ethnic groups
- People of mixed ethnic origin make up 0.7% of the county's population (some 3,300 people) – England average is around 1.9%
- Between the ages of 16 and 64, 20.0% of Cumbria's population say they are disabled compared to 20.4% for England
- 80% of the population class themselves as heterosexual, 3% not heterosexual and 17% did not specify. 0.2% of population are in same-sex civil partnerships which compares with national figures

(Source – Cumbria Intelligence Observatory and Office for National Statistics based on 2011 Census figures)

About Lancashire

- Based on the 2011 census, Lancashire's population was 1.46 million. This represented a population growth of 3.3% since the last census in 2001 - compared to a 7.8% increase for the same period for England & Wales
- The county covers an area of 3,075 sq km - making it one of the largest 'shire' counties



- The gender split in Lancashire is 49% male and 51% female, comparing well with the national average percentage for England and Wales - 49.17% (male) and 50.83% (female)
- In terms of disability, 20% of Lancashire's population, between the ages of 16 and 64, class themselves as disabled or limiting long term illness, compared to 20.4% for England & Wales
- In Lancashire, the largest ethnic group is white (92%). The BME group makes up 8% of the population. In the last decade the BME population increased by 51%
- Lancashire is home to a significant Asian population, numbering over 70,000 and 6% of the county's population and concentrated largely in the former cotton mill towns in the south east.

(Source: Office for National Statistics, 2011 Census figures)

- 80% of the county officially is classed as rural

(Source – Visit Lancashire and Wikipedia)

2.4 Within the CRC, at any one time, approximately 5,300 offenders are subject through the courts to community sentences or are on post-release licenses from prisons and supervised in the community. In addition, the government has planned that by the end of March 2015 all offenders who receive custody of under 12 months will be supervised by the CRCs. This is likely to lead to an increase of approximately 1,500 additional offenders to the caseload.

2.5 The CRC Vision is of Creating a Positive Future, we do this by:

- ☑ Managing risk
- ☑ Changing lives
- ☑ Improving communities

Our values are at the heart of our business and underpin our work in creating a positive future. Our values INSPIRE us to be:

- ☑ Innovative
- ☑ Nurturing
- ☑ Supportive
- ☑ Passionate
- ☑ Inclusive
- ☑ Respectful
- ☑ Ethical

Responsibility and accountability for advancing equality

2.6 The Chief Executive Officer (CEO) and Board are ultimately accountable; with the CEO taking a lead role in overseeing the services and processes in place that support the monitoring and achievement of the planned actions. The Organisational Development Manager holds the strategic lead with responsibility for equality and diversity. The CRC also employs an Equalities Manager, part-time, to support and nurture this work. This work is supported by the middle management teams across the company, reporting to the Operational Management Engagement Group. Work from this group is taken forward into the newly re-formed Strategic Diversity Group, which can also make recommendations to the Board and the Executive Team.

2.7 The Strategic Diversity Group has membership from across the CRC. It is made up of staff at all levels and grades of the organisation. The representatives of this group are able to act as a conduit to other staff in the workforce and to service users. The CRC is now planning to also have service user representation on the Strategic Diverse Group. The Strategic Diversity Group includes representatives from staff networks across Cumbria and Lancashire CRC. The existing staff networks are the Lesbian Gay Bisexual and

Transgender (LGB&T) group; and the Black and Asian Staff Network (BASN). The CRC is currently supporting disabled staff to form a network, although this is not yet in place, as few staff have volunteered.

- 2.8 The Strategic Diversity Group meets on a quarterly basis and as part of its work monitors the progress of the Equality Action Plan. This Action Plan and the Equality Strategy were developed and launched in August 2014. This sets out:
- the ongoing commitment to equality within the CRC;
 - how the CRC will ensure that key outcomes are monitored across the protected characteristics for service delivery and employment practice;
 - how the CRC will analyse data across the protected characteristics to identify barriers to address to inform service delivery and employment practice and understand the impact of its work;
 - how the CRC can evidence how it pays due regard to the Equality Act 2010.

Processes for analysing management information

- 2.9 Cumbria and Lancashire CRC produces a range of statistical data related to performance, service delivery and employment practice outcomes, across the different protected characteristics. The Strategic Diversity Group will review and analyse this information, on a quarterly basis, and consider how the CRC can ensure it reflects the equality duties across all of its services and functions.

- 2.10 The Strategic Diversity Group is in place so that the CRC has an effective forum to:
- ensure that it can understand the impact of its work and pay due regard to the need to meet the equality duty; and,
 - continuously improve performance across the protected characteristics,
 - in terms of processes, outcomes and experiences,
 - across both service delivery and employment practice.

This will be through:

- improving monitoring across the protected characteristics;
 - monitoring performance;
 - analysing data to identify inequalities;
 - determining how inequalities can be addressed and recommending actions to be taken forward through the CRC's Equality Action Plan.
- 2.11 In addition, for the last two years, the CRC has contributed to the Ministry of Justice National Equality Development Group (NEDG), which is representative of all CRCs and NPS regions across England, Wales and Northern Ireland. This group provides a forum to enable CRCs and NPS regions to:
- benchmark their practice;
 - promote and share best practice;
 - learn about new research or issues; and,
 - have the opportunity to develop new effective best practice from which all of the organisations can benefit.

Management information to identify inequalities

The Framework

2.12 Cumbria and Lancashire CRC uses a framework, which focuses on specific performance outcomes as critical areas of service delivery in relation to sex, age, ethnicity, disability, sexual orientation and religion. The levels of data monitoring have improved. There is still however insufficient levels of data monitoring in relation to sexual orientation and religion and belief, and around disability only in relation to service delivery. Key outcomes are only shown where there is sufficient monitoring data available against those protected characteristics. The service delivery areas that are monitored via the framework are:

- Acceptable absences
- Successful completion of Requirements in Community Orders
- Compliance with Community Orders
- Enforcement

Community Orders

2.13 Courts can impose a Community Order on an offender. A Community Order is a sentence that is served in the community. It consists of one or more of 13 possible requirements (see below). Its key purpose is to:

- punish and rehabilitate offenders;
- reduce crime;
- protect the public; and,
- make reparation to local communities.

There are also elements made within the Order to assist offenders to deal with any problems that might lead them to commit crimes such as drug addiction.

2.14 Courts are able to choose different elements to make up a Community Order which is relevant to the offender or the crime that has been committed. Where there is non-compliance or an escalation in risk, the CRC can take enforcement action. Through this action service users managed in the community can be recalled to prison or returned to Court: this is called breach. A breach of a community order may mean that the offender is returned to court to face further sentencing, which could include custody.

2.15 There are 13 possible requirements that the courts can impose within a Community Sentence and within a Suspended Sentence Order. (The courts can sentence an offender to a term of imprisonment but suspending immediate imprisonment and requiring the offender to be subject to a Suspended Sentence Order). These 13 requirements are:

1. Unpaid work/Community Payback

2. Specified activities – this could consist of packages of work on Basic Skills, Employment, Training and Education or include specialist activities, such as Restorative Justice (with the purpose of reparation), and a Women’s Specified Activity Requirement for female offenders.
3. Programmes aimed at changing offending behaviour – these are Ministry of Justice accredited programmes designed to address the attitudes and patterns of behaviour that contribute to offending, such as programmes for sex offenders, domestic violence perpetrators or those who misuse drugs.
4. Prohibition from certain activities – the offender must refrain from participating in activities on a specified day or days or during a period.
5. Curfew (usually with electronic monitoring) – the offender must remain for certain periods at a specified place; the order may last for up to six months and may be for up to 12 hours a day.
6. Exclusion (usually with electronic monitoring) from certain areas – the offender may not enter a specified place for a period up to two years.
7. Residence Requirement – the offender must reside at the place specified.
8. Mental Health Treatment – the court must be satisfied that the mental condition of the offender is such as requires and may be susceptible to treatment.
9. Drug Rehabilitation.
10. Alcohol Treatment.
11. Supervision Requirement – requires the offender to attend additional appointments. The purpose of supervision is support the work undertaken through other Requirements.
12. Attendance Centre Requirement (for under 25s).
13. Foreign Travel Prohibition.

Equality Impact Analysis /Assessments (EIAs)

- 2.16 The CRC must pay due regard to how its work may impact on different groups and part of how the CRC does this is through conducting Equality Impact Analyses /Assessments. The CRC has not systematically conducted EIAs across all of the protected characteristics for a number of years. There are still gaps in conducting EIAs on all its work. The CRC has recently reviewed its EIA process, incorporating Safeguarding Children and Vulnerable Adults.
- 2.17 The EIA form refers to all of the protected characteristics as well as the Human Rights Act and staff conducting EIAs have guidance to enable them to do this

effectively. All EIAs are expected to be ratified by the Equalities Manager for quality assurance and monitoring that it happens.

- 2.18 The wealth of data and management information that the CRC has developed can assist those conducting EIAs. This information can be used to understand what needs to be considered for the different groups when developing and reviewing the work of the CRC.
- 2.19 The CRC is currently relaunching its EIA process to staff. Staff will shortly have training to reinforce the relaunch. Following the launch the CRC will review all policies and procedures to ensure that EIAs are conducted.

3. Service Delivery

Work with offenders

- 3.1 The CRC works with offenders of low and medium risk from across the whole of the Cumbria and Lancashire geographical areas. The CRC aims to identify any barriers and needs that can disadvantage offenders and can get in the way of them accessing services fairly. This will assist offenders to:
- Comply with the Orders of the courts (sentences).
 - Be challenged effectively on their offending behaviour.
 - Be helped to lead crime free lives and reduce their reoffending.

Management information across the protected characteristics

Overview

- 3.2 The CRC monitors across the protected characteristics. There is sufficient data to show key outcomes against offenders' ethnicity, age, sex and disability, although there are gaps of 18% the disability data. Monitoring levels are still too low in relation to religion or belief and sexual orientation to be able to report outcomes against them. Monitoring levels have improved and will continue to improve as staff and offenders are supported to feel more confident about both requesting and disclosing this information.
- 3.3 The CRC is working to continually improve data monitoring levels, in order to fully understand the impact of its work across all of the protected characteristics. The process to collate this data has recently been reviewed, including with service users. The new form ("It's about you") will help staff to understand how important this information is, why it is collected and how it can improve service provision for individuals and groups. This is currently being finalised and will be relaunched to staff around April 2015. Implementing this new form should also increase data monitoring levels. The CRC recognises the need to continue to improve its ability to identify any barriers that offenders may have to ensure that they can be challenged about their offending

behaviour and can be assisted to reduce their re-offending to lead more crime free and more socially responsible lives.

4. Current Caseload

4.1 The current caseload is 5,276 offenders as at 22nd of December 2014. The breakdown of this data in relation to the different protected characteristics is shown below. Outcomes, analysis and any issues raised are shown below.

Overview of caseload 22/12/2014

Protected characteristic		Proportion within the caseload
Sex	Female	15%
	Male	85%
Disability	With a disability	10%
	Without a disability	71%
	Data gap	18%
Ethnicity/Race	White British	84%
	BAME	8%
	WME	Not available
	Not disclosed	7%
Age	Under 25 years of age	22%
	25-34	36%
	35-44	24%
	45-54	12%
	65+	
Sexual orientation	Data gap	76%
Religion or belief	Data gap	90%

Sex by age, disability and ethnicity

Caseload breakdown in relation to Sex (22/12/2014)

	Male (4,476)		Female (800)	
	Number	% within male caseload	Number	% within female caseload
Disability	456	10%	89	11%
No disability	3276	73%	494	61%
No data	744	17%	217	27%
Under 25	1044	23%	142	18%
25-34	1635	36%	267	33%
35-44	1073	23%	236	29%
45-54	554	12%	118	15%
55-64	136	3%	33	4%
65+	27	0.6%	1	0.1%
Asian/Asian British	351	7%	7	0.9%
Black/Black British	33	0.73%	4	0.5%

Mixed ethnic heritage	30	0.7%	5	0.6%
Other ethnic group	18	0.4%	1	0.01%
White British	3658	81%	677	85%
White Gypsy or Irish Traveller	13	0.3%	1	0.01%
White Irish	24	0.5%	0	0
White Other ethnic group	59	1.3%	5	0.6%
Not disclosed	284	6.3%	100	12.5%

- Religion and belief monitoring data – for 90% of the caseload there is no monitoring data around religion and belief
- Sexual orientation monitoring data - for 91% of the caseload there is no monitoring data around sexual orientation

Types of disability across males and females within the caseload

Disability Type	Females	% of females with a disability	Males	% of males with a disability
Dyslexia	3	2.6%	61	10%
Hearing Difficulties	3	2.6%	11	2%
Other	21	18%	100	16%
Progressive Condition	2	2%	26	4.2%
Reduced Mobility	13	11%	59	9.5%
Reduced Physical Capacity	8	7%	77	12%
Learning Difficulties	5	4.3%	60	10%
Speech Impairment	0	0	5	0.8%
Mental Illness	57	49%	190	30%
Visual Impairment	3	2.6%	24	4%

*Some cases have more than 1 disability so duplicates are included within the numbers

The purpose in asking offenders whether or not they have a disability is firstly to identify where there may be any barriers so that reasonable adjustments can be put in place. In addition, the CRC can use the monitoring data to review outcomes. In this way the CRC can determine whether there are any specific actions to be taken to ensure equality of opportunity or minimise disadvantage and the potential for discrimination.

- Male offenders make up 85% of the caseload

- 11% of female offenders have a disability and 10% of males, although there is an 18% gap in data.
 - For 27% of the female caseload there is no disability data.
 - 12% of males have reduced physical capacity
 - 9% of males have reduced mobility compared to 11% of females
 - 10% of males are dyslexic compared to 2% of females
 - 10% of males have learning difficulties compared to 4% females
 - 28:65 of male offenders with learning difficulties were in the under 25 age group. That the younger age group of offenders showed high levels of learning difficulties links to research that shows that 60% of younger offenders (14-21 year-olds) have learning difficulties (Sentence Trouble, The Communication Trust, <http://www.sentencetrouble.info/>).
 - 4% of males have a progressive condition compared to 1.7% of females
 - 7% of females overall have a mental illness compared to 4% of male offenders
 - within the proportion of females with a disability, 49% have a mental illness
 - within the proportion of males with a disability, 30% have a mental illness
 - 12% of those with a disability aged 35-44 have mental ill-health. This is the second-largest age-group and has the highest level of mental health
 - 56% of those with dyslexia are aged 25-34, this is the largest age group
 - 73% of those with learning disabilities are under 34 years of age
 - Ethnicity - the numbers are too small across the types of disability within the different minority ethnic groups, except in relation to the Asian/Asian British group and in some cases the WME group, to allow any meaningful analysis
- 4.3 Female offenders make up approximately 15% of the caseload with males making up approximately 85%. There is an apparent increase from previous years where females made up a lower proportion of the caseload for both Cumbria Probation Trust and Lancashire Probation Trust. However the recent changes to probation have led to a change in the profile of service users with whom the CRC works. This change to only low and medium risk offenders in CRCs means that the high risk offenders, who are in the main males, are no longer supervised within the CRC but within the NPS. Therefore the apparent increase of the female caseload reflects the change in the profile of risk amongst service users with whom the CRC works compared to the previous caseloads within the Trusts.
- 4.4 The majority of offenders are White British males. Male offenders proportionately and statistically commit the most serious offences and present the highest risk. This detail provides a context to understanding any differential outcomes across the sexes.
- 4.5 For the majority of female offenders, offence patterns, levels of seriousness and risk of serious harm are significantly lower and are very different to those of male offenders, as are their needs.

- 4.6 Significant proportions of female offenders in prison and probation settings present with similar multiple complex needs that can only be addressed through multiple interventions, many of which lie outside of the criminal justice sector. The Corston Report (p.9) highlighted in 2007 that "50% of the new receptions at Holloway (were) for breach", where women were being breached for non-compliance. The women were entering custody with relatively minor index offences such as stealing a chicken, traffic violations and for some there were concurrent minor offences in relatively short periods of time.
- 4.7 There are disproportionately significant differences between the levels of mental health impairment, domestic violence, sexual abuse, drug and alcohol misuse between male and female offenders.
- 4.8 These statistics highlight significant differences between male and female offenders which affects the CRC's approach to addressing the barriers that can get in the way of compliance and challenging offending behaviour. The evidence shows that female offenders have significant needs to address in relation to substance misuse, relationships, emotional well-being, disability (in particular mental health), domestic violence, child care, employment and accommodation. In addition, female offenders have the highest levels of financial needs around both their financial situations and their ability to manage their finances and budgeting. A possible additional context is that, compared to male offenders, a higher level of female offenders have parental responsibility.

Community orders - completion, compliance and enforcement

Acceptable absences

- 4.9 Overall, acceptable absences (where the service user's explanation for their absence is accepted) are at 53%. There is a slight difference in the acceptable absences level for males and females, however the 2% difference is not statistically significant. The numbers of females across the different minority ethnic groups is too small to allow a meaningful comparison. However, there are some significant differences across the protected characteristics between males and females and these are shown below.
- Under 25-year-olds - absences are deemed acceptable for 59% of females compared to 48% of males (9% difference)
 - 55-64-year-olds - absences are deemed acceptable for 80% of females compared to 69% of males (11% difference)
 - Ethnicity - there is a 10% difference between the levels of acceptable absences for male offenders of mixed ethnic heritage (42%, 66 people) and White service users (53%, 9,452 people)
 - Disability - There is a slight but not statistically significant difference between male and female service users with a disability in relation to acceptable absences

Successful completion and compliance

- 4.10 There is an overall successful completion rate of 74%. Females are slightly more likely than males to successfully complete their Orders.

- 4.11 In relation to age, females appear slightly (3-4%) more likely to successfully complete their Orders than males. However, at age 45-54 this trend is reversed and males appear to be 3% more likely to successfully comply. Although 3% is not statistically significant, this mirrors outcomes for 45-54-year-old females in another north-west CRC.
- 4.12 In relation to ethnicity the numbers of females in minority ethnic groups is too small to allow any meaningful comparison. For males in minority ethnic groups, only two groups have sufficient numbers to allow a meaningful comparison. 84% of Asian males successfully comply compared to 74% of White British and WME groups.
- 4.13 In relation to disability 71% of females with a disability successfully complete compared to 79% (8% difference) of males with a disability. Similar levels of both males and females without a disability successfully complete. However for over 18% of the caseload there is no information as to whether or not an offender has a disability.

Requirements

4.14 **Community payback**

- 86% of females successfully complete compared to 70% of males, across all age groups, although the numbers of females within each specific age group isn't large enough to allow meaningful comparison.
- Asian males successfully complete to a higher level (81%) compared to 69% of White British offenders and 74% of WME offenders, although there are only 38 WME offenders. Other ethnic groups are too small to allow any meaningful comparison; the numbers of females is even smaller, often there are only a handful of females in minority ethnic groups.
- Females with a disability have a successful completion rate of 86%, similar to males at 83%.

4.15 **Accredited Programmes**

- Similar levels of both sexes (54%) successfully complete Accredited Programmes although the numbers of females is too small to allow meaningful comparison. There are consistently lower numbers of females sentenced to Accredited Programmes. They are less likely to meet the criteria for Accredited Programmes as their offending history and risk levels are lower
- Completion levels consistently improve with the increasing age of offenders. 35% of offenders aged under 25 successfully complete compared to 53% of 25-34-year-olds and 60% of 35-44-year-olds
- the number of offenders in minority ethnic groups is too small to allow any meaningful comparison
- 6% of offenders on Accredited Programmes have a disability compared to their profile on the caseload, although there is a 18% data gap

4.16 **Specified Activities**

- 76% of female offenders successfully comply compared to 64% of male offenders
- when completion is looked at in relation to age, although the numbers are small for females, except for those under 25, females comply to a higher level than men in all other age groups
- there are too few numbers of both male and female offenders in minority ethnic groups undertaking Specified Activities for any comparison to be meaningful
- Females with a disability (13) comply to slightly lower levels (62%) than males of the disability (68%), although the numbers of females is too small for meaningful comparison. Females without a disability comply to significantly higher levels (75%) compared to males (63%)

4.17 **Drug Rehabilitation Requirement (DRR)**

- Historically females comply with DRRs to a lower level than males and the figures for 2014 support this pattern. Research shows that female offenders who are drug users, will have more entrenched drug habits and are more likely to use Class A drugs. In addition younger service users consistently comply at slightly higher levels. This difference may possibly relate to less entrenched levels of addiction amongst the younger service user age group, thus providing a lower barrier for younger service users to comply.
- The numbers of females and males in each age group is low and so outcomes need to be treated with caution. The data fits the pattern and whilst higher levels of under 25-year-old males successfully complete (59%, 17 people), only 20% (5) of females under 25-year-olds complete successfully.
- Across the different ethnic groups numbers are too small to allow meaningful comparison

4.18 **Enforcement action**

A breach of a community order means that the service user may be returned to court to face further sentencing, which could include custody (see further explanation at 2.14).

- 10% of female service users and 12% of male service users breach their Orders
- Under 25-year-old males and females have the highest breach rates at 14% (females) and 18% (males). Females generally breach at lower rates than males, except for the 45-54 age group where 6% of males were breached compared to 9% of females. This is not a statistically significant difference, however this mirrors a pattern seen in another CRC
- The breach rates in relation to ethnicity are lower for minority ethnic offenders however the actual numbers are too small to allow a meaningful comparison
- 8% of males with a disability are breached compared to 13% of males without a disability. The breach rate for females with and without a disability is 10%, although the numbers of females with a disability is only 15

4.19 **Equality Objectives for service delivery 2014/15**

- Determine data monitoring levels across the protected characteristics

- Review the offender engagement form and launch form

4.20 **Summary and Equality Objectives for 2015/16**

- There is an 18% gap in disability monitoring and over 90% gaps for both religious and belief and sexual orientation monitoring. It is anticipated that when the new form (“It’s about you”) is revised and implemented that this will increase staff confidence to ask questions and increase monitoring. Having this information is the first stage in being able to determine the impact of our work and offenders across the protected characteristics. A thematic report on offenders with learning disabilities has highlighted the importance of ensuring that the needs of offenders with learning difficulties are identified. Understanding need assists in reducing the risk and likelihood of reoffending (A Joint Inspection of the Criminal Justice System on the treatment of offenders with Learning Disabilities, January 2014).
- 73% of those with a learning disability, on the caseload, are under 34 years of age.
- 56% of those who are dyslexic are also under 34 years of age.
- A higher proportion of male offenders have disabilities and female offenders, however male offenders make up the majority of the caseload.
- There is a slightly higher percentage of female offenders with mental ill-health.
- Within the caseload of those with disability 49% of female offenders have mental ill-health compared to 30% of male offenders. This will be reviewed to ensure that staff have confidence to provide effective support.
- In addition there are lower levels of successful completions of DRRs and again the CRC will look to see how this can be increased.
- The CRC is beginning to implement some dyslexia friendly practices, purchasing overlays and buff coloured paper and will begin to review service user communications, e.g. letters, forms etc. from June 2015. Reviewing communications will ensure that information is clear. This will support compliance and successful completions and will also ensure that letters needing to be translated can be easily understood.
- In relation to age and sex there is some apparent disproportionality with acceptable absences between males and females under 25 and 55-64, with lower level for males. Also an 11% difference between acceptable absences for Mixed ethnic heritage offenders and White British. The acceptable absences data will be analysed to determine if there is any actions that need to be taken.
- Male and female offenders under the age of 25 consistently successfully comply to significantly lower levels than other age groups. This is historic, however, the CRC will consider what additional work can be done with this group to improve compliance levels.
- Lower proportions of females aged 45-54 comply than any other female age group. This will be reviewed to determine if females in this age group have any particular needs that are not being addressed.
- Higher breach rates for males with a disability-to be reviewed to determine learning
- Female offenders comply to a higher level (8% difference) than males - this will be reviewed to determine any learning

- Asian male offenders are 10% more likely to successfully comply than White British male offenders. An inspection report on prisons has highlighted the importance of considering ethnicity, faith and culture as a key role in desistance from crime, and that this needs to link to commissioning (Young Review Task Group-Improving outcomes for Black and Muslim offenders in the Criminal Justice System January 2014).

5. Workforce

5.1 The CRC records the numbers of its employees, leavers, grievance and disciplinaries, grade, sickness absence (measured in periods of absence), promotions, applicants for employment and appointments made. This information is recorded across sex, race and ethnicity, age and disability, sexual orientation and religion/belief/no belief. Training is no longer monitored as this is provided to staff in relation to their job roles to meet service delivery requirements. Training is provided across job roles because of a:

- mandatory requirement to address performance needs;
- changes to implement new legislation and other statutory requirements; or,
- to address strategic needs.

5.2 However outcomes are only shown below across sex, ethnicity, disability, age, sexual orientation and some in relation to marital/civil partnership status. The CRC has been monitoring religion/belief data for a number of years. Data levels have improved significantly around religion/belief but are still not high enough to enable the CRC to compare outcomes across all of the protected characteristics.

5.3 Unfortunately there have been difficulties with the system for collecting data around applications for employment and appointments made. Therefore the data is not sufficiently accurate to be reported on and cannot be included in this report.

Overview of workforce profile

Protected characteristic		Proportion within the CRC
Sex	Female	67%
	Male	33%
Disability	Staff with a disability	12%
	Staff without a disability	80%
	Data gap	8%
Ethnicity/Race	White British	85%
	BAME	6.3%
	WME	2.3%
Age	18-29 years	7.7%
	30-39 years	25%
	40-49 years	28%
	50-59 years	26%

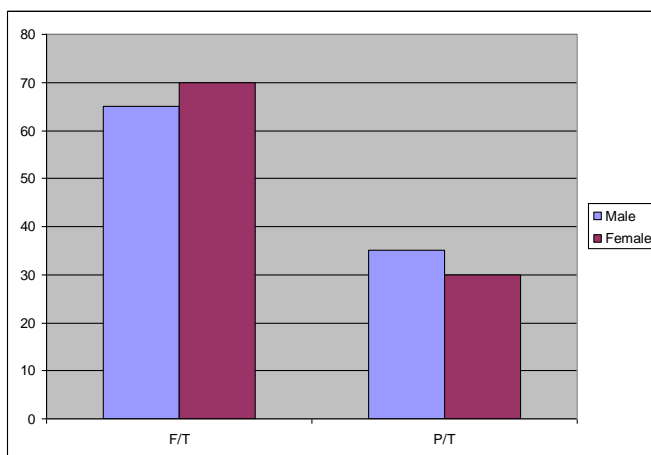
	60-64 years	8%
	65+	3%
Sexual orientation	Heterosexual	70%
	Gay	1.5%
	Lesbian	0.2%
	Refuse/decline	5%
	No data	22%

Sex

5.4 The CRC employs 438 staff, 300 (69%) are full-time and 138 (31%) are part-time. Female staff make up 67% of the workforce. The ratio of males to females has gradually increased over the last 10 years, from approximately 25% of the workforce to its current level at 33%. There has been a change in the split between the sexes in part-time working. 35% of male staff now work part-time compared to 30% of female staff. Traditionally there have been significantly more females than males working part-time. It is unclear as to the reason for this change.

Full-time and part-time basis Staff profile by full-time and part-time status

Sex	Full-time	Part-time	% of Total
Female	(205) 70%	(88) 30%	67
Male	(95) 65%	(50) 35%	33



- 5.5 Promotions were made to 9 staff, of whom 11% are male. This is lower than the profile of male staff within the CRC.
- 5.6 Female staff account for 84% of the sickness absence levels. This is disproportionate. This will be reviewed to determine if there are any actions that the CRC needs to take.

5.7 There is no apparent disproportionality or unfairness in relation to sex for capability, grievance and disciplinary.

5.8 There were 59 staff who left the CRC between June-December 2014. 72% of the overall staff group that left the CRC were women. This is marginally disproportionate when compared to their profile within the organisation. It is not clear why there is such a difference, and there is no data from previous years to another comparison.

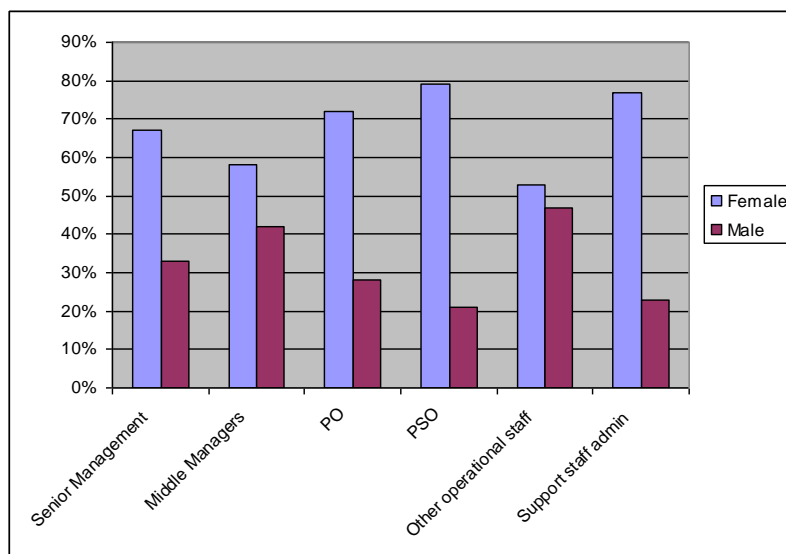
Grade

5.9 There are differences in representation across the sexes according to grade. Despite representing only 33% of the workforce males are overrepresented at middle manager level, representative at SMT level and underrepresented at all other levels within the CRC.

- At Senior Management level the proportion of male staff is directly comparable to their profile within the organization (33%).
- Male staff are overrepresented (42%) at middle manager level.
- 21% of the Probation Service Officer (PSO) grade
- 28% of the Probation Officer (PO) grade are male
- 47% of Community Payback staff are male. This role previously used to be filled predominantly by males, possibly conforming to traditional gender stereotypical job roles. However the proportion has changed over the years and it is now slightly more females in this role.
- There continues to be a significant disproportionality in administrative roles where there are 77% females. This possibly also reflects traditional gender stereotypical job roles.

Staff profile in relation to sex and grade

	Female	Male
Senior Management	67%	33%
Middle Managers	58%	42%
PO	72%	28%
PSO	79%	21%
Other operational staff	53%	47%
Support staff admin	77%	23%



Disability

Staff profile by disability and full-time and part-time status

Disability	Full-time	Part-time	% of Total
Disability	(44) 83%	(9) 17%	12
No disability	(253) 72%	(98) 28%	80
No Data	(3) 9%	(31) 91%	8

5.10 Staff with a disability make up 12% of the workforce. This figure is below that of the Cumbria and Lancashire geographical profile. Only 17% of part-time staff have a disability compared to 28% of non-disabled staff. It is not clear why there is this difference.

5.11 The CRC has a reasonable adjustments procedure to ensure that disabled staff can have any significant barriers to employment can be addressed and fairly supported. There has been a recent review by Job Centre Plus in relation to being a Disability Symbol User. The CRC has been awarded the “Two Ticks” “Positive about Disability” symbol. It is anticipated that this should further encourage applicants to disclose a disability and increase confidence amongst staff to ask the support.

5.12 In relation to sickness absence, 24% of staff had a disability. This is disproportionate when compared to their profile (12%) within the CRC. This will be reviewed to determine if there are any actions that the CRC needs to take.

5.13 There is no apparent disproportionality for disciplinarys, capabilities or grievances in relation to disability.

5.14 Of the 9 promotions made 22% were to disabled staff. This is a higher percentage than their profile within the CRC.

5.15 Disabled staff make up 7% of those leaving the employment of the CRC between June and December 2014. This is low when compared to their profile of 12% in the workforce.

Ethnicity/Race

5.16 BAME staff make up over 6% of the workforce, which is similar to their geographical profile within the area. The largest minority ethnic group is Asian/Asian British staff who make up 5% of the workforce. There are significant differences between ethnic profiles within Cumbria and Lancashire, with 0.4% BAME people in Cumbria and over 6% in Lancashire (see page 3 for further details). White British staff make up 85% of the workforce.

Staff profile by ethnicity

	% of Total
White British	85
Asian/Asian British*	5
Black/Black British*	0.2
Mixed*	0.4
Other Ethnic*	0.7
White Irish*	0.7
Other White**	1.4
Gypsy/Traveller**	0
Arab*	0
Refused	0.2
No Data	6

5.17 White Minority Ethnic (WME) staff make up over 2% of the workforce. This is similar to their geographical profile of this group.

5.18 Sickness absence levels are roughly proportionate to the staff profile within the CRC.

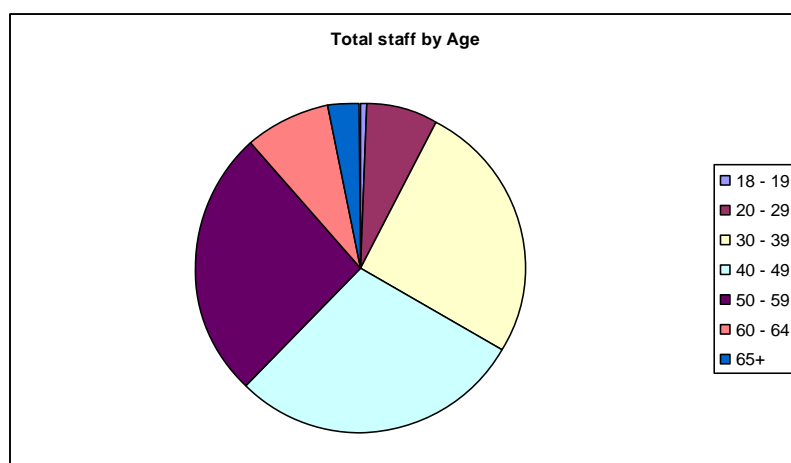
5.19 There is no disproportionality for the 3 grievances, 2 disciplinaries or 2 capabilities around ethnicity, as all concerned White British staff who make up 85% of the workforce.

- 5.20 All promotions within the CRC between June-December 2014 were to White British staff. This is disproportionate and the data will be reviewed to understand more fully and determine if there is any action to be taken.
- 5.21 The profile of staff in relation to ethnicity leaving the CRC is not disproportionate to the staff profile.

Age

Workforce by Age

Age	Full-time	Part-time	% of Total
18 – 19	(2) 67%	(1) 33%	(3) 0.7%
20 – 29	(28) 90%	(3) 10%	(31) 7%
30 – 39	(74) 66%	(38) 34%	(112) 25%
40 – 49	(88) 70%	(38) 30%	(126) 28%
50 – 59	(82) 70%	(35) 30%	(117) 26%
60 – 64	(22) 65%	(12) 35%	(34) 8%
65+	(4) 27%	(11) 73%	(15) 3%



5.22 45% of promotions (4:9) were made to staff in the 30-39 age group, with the remainder in the 20-29 (2), 40-49 (2) and 1 in the 60-64 age group. This is slightly disproportionate however the numbers are too small for any meaningful analysis or comparison.

5.23 Sickness absence shows that 30% of those staff are in the 30-39 age group. This is disproportionate compared to their 25% profile within the workforce. Sickness absence levels will be reviewed to determine if there is any action that the CRC needs to take.

5.24 The data for grievances, disciplinarys and capabilities does not suggest any unfairness or discrimination in relation to age.

5.25 Of the 59 staff who left the CRC between June-December 2014, when this data is considered in relation to age there is disproportionality however there is no evidence of unfairness or discrimination. This has been a period of significant change due to the Transforming Rehabilitation agenda and 23% of staff left the CRC to join the NPS.

Sexual Orientation

Sexual Orientation	% of total
Heterosexual	(309) 70%
Gay	(7) 1.5%
Lesbian	(1) 0.2%
Refuse / Decline	(23) 5%
No Data	(98) 22%

5.26 The staff profile shows that over 75% of staff feel confident to complete this information. There is currently a data gap of 22% in relation to sexual orientation. 70% of staff say they are heterosexual and approximately 2% of staff say they are Gay or Lesbian. There are no overall statistics relating to bi-sexuality, except that one member of staff who left was bi-sexual. There is however no evidence to suggest that this was for reasons related to sexual orientation.

5.27 Unfortunately data gaps mean that it is still not possible to make a meaningful comparison of outcomes in relation to sexual orientation.

Gender Reassignment

5.28 Although this is requested on the separate equality monitoring forms this information cannot currently be reported on through the current system. This system will shortly be reviewed. The CRC will also consider what policies may need to be in place to ensure that trans-staff, at all stages of transition, can have the confidence to get the support they need from the organisation.

Religion or Belief

Religion / Belief	No.	% of total
Buddhist	3	0.7
Christian	135	31
Church Of England	2	0.4
Hindu	1	0.2
Muslim	8	1.8
Sikh	1	0.2
Any other religion	2	0.4
No Religion or Belief	55	12

Prefer not to say / Decline	8	2
No Data	223	51

5.29 Staff have the facility to update their personal profile and have been encouraged to update their records during 2014/15, however, there is still a gap of 51%. This level of monitoring is insufficient to be able to monitor against outcomes. Staff will again be asked to update their records following the implementation of the service delivery monitoring and engagement form.

5.30 The CRC has staff who practice different religion, the majority religion is Christian with 1.8% Muslim and 12% of staff saying they have no religion at all. There are procedures that give staff the entitlement and possibly the confidence to ask for time off for religious observances. There is no evidence from staff, either anecdotally or through formal processes, that there is any dissatisfaction in relation to this.

Pregnancy and Maternity

5.31 The CRC has monitored the retention rates of those taking maternity leave over the last 5 years, and it has consistently remained that there is a 100% retention rate. Processes are in place to ensure that these staff are also given the opportunity to receive information at home to their email or postal address whilst they are on maternity leave. Staff can elect not to receive information and are asked whether they would like to receive the information starting on a date closer to their return to work. Sickness in relation to pregnancy is monitored outside of the routine sickness absence procedure. There is a legal requirement, that the CRC fulfils, to risk assess new/expectant mothers on declaration of their pregnancy and every three months until confinement.

Marriage and Civil Partnership

5.32 Marriage and Civil Partnership are reflected together in all policies, practices and procedures, including Family Friendly, Adoption Leave etc. All policies make reference to partners and where opposite sex relationships are mentioned so are same-sex relationships. There is no evidence of any unfair treatment in relation to whether or not someone is married, in a civil partnership or single.

Marital status	No.	% of total
Civil Partnership	4	1
Divorced	33	7
Do not wish to disclose	2	0.5
Estranged / Separated	7	1.6
Married	214	49
Partner	32	7
Single	100	23
Widowed	6	1.4
No Data	40	9

- 5.33 There is almost 100% of monitoring data from staff in relation to their marital status. When this data is considered against outcomes there is no apparent disproportionality.
- 5.34 The changes to the law now give civil partners the opportunity to marry, and gives same-sex couples the same rights as opposite sex couples to marry. This will render monitoring around marriage and civil partnership meaningless. This reinforces the need to have effective monitoring around sexual orientation in order to understand whether outcomes are fair for all staff across this protected characteristic.
- 5.35 **Equality Objectives - 2014/15 across employment practice and progress made**
- Develop an Equality Strategy and Action Plan - achieved
 - Develop an Equality Policy – achieved
 - Review the procurement and commissioning procedure - nearing completion
- 5.36 **Summary and Equality Objectives for 2015/16**
- data levels around religion/belief, sexual orientation and marital status are still too low to show outcomes - staff will be asked to update their personal data
 - gender reassignment - although the question is asked the system doesn't allow any overall monitoring currently - the system will be reviewed and a policy drawn up to ensure support for trans staff at any stage of the transition process
 - there are gaps in the ability to report accurately across the protected characteristics on applications, appointments and sickness absence outcomes in the data monitoring systems - this will be reviewed
 - the only promotions are to White British staff – data will be analysed and BAME and WME staff will be consulted with to determine their confidence to apply for promotions
 - there is disproportionality across females, disability and the 30-39 age group in relation to sickness absence. The CRC will review this data to determine if there are any issues to consider

6. Conclusion

- 6.1 The CRC demonstrates due regard to the equality duty through its approach:
- established monitoring systems across the protected characteristics
 - analysing monitoring data
 - across key outcomes (where there is discretion and decision-making)
 - to understand the impact on service delivery and employment practice across the protected characteristics
 - identifying, reviewing, reducing and addressing where the negative disproportionality is found
 - conducting equality impact assessments/analysis

- 6.2 Improving monitoring and monitoring systems is critical. The implementation of the new form, “It’s about you” should assist in improving monitoring, identifying barriers and increasing staff understanding of the purpose of monitoring, giving them the confidence to engage.
- 6.3 In reviewing the CRC practice in service delivery and employment practice over the last year and how effectively it is meeting its duties under the Equality Act 2010, it is clear that progress has been made on this journey, although there is always much more to do. There is no evidence to suggest that the CRC discriminates in relation to service delivery or employment practice across any of the protected characteristics. We recognise the need to have comprehensive approaches that inspire confidence in those reporting. This should enable us to capture fully individuals’ experiences across the protected characteristics to highlight any discrimination and understand where there may be barriers to service delivery and employment practice.