**Integrated Equality Impact Assessment (IEIA)**

**Equality Impact Assessment, Island Community Impact Assessment and Children’s Rights and Wellbeing Impact Assessment**

**Prior to starting the Integrated Equality Impact Assessment (IEIA) we highly recommend that you complete (or review) the Integrated Equality Impact Assessment learning on the Academy. This provides a general overview of the IEIA process, as well as important information regarding our responsibilities regarding the completion and publication of IEIAs.**

**Other sources of guidance, general evidence, support and learning are available on the** [**Equality Evidence Hub**](https://connect.sds.co.uk/Interact/Pages/Section/Default.aspx?Section=6634) **on Connect, which includes the Equality Evidence Review created by Evaluation and Research. This also includes a Frequently Asked Questions, which addresses initial questions about the IEIA. If something is underlined, but not a link, you can hover over the wording for a definition or additional information.**

**Please note, that while the IEIA form is long, it does include three previously separate impact assessments and significantly more guidance. You may not need to complete every impact assessment within the IEIA. If you have any questions, please email** [**ieia@sds.co.uk**](mailto:ieia@sds.co.uk)**.**

More detailed external guidance for each of the individual impact assessments can be found below:

[Equality and Human Rights Commission Guidance for Equality Impact Assessments in Scotland](https://www.equalityhumanrights.com/sites/default/files/assessing-impact-public-sectory-equality-duty-scotland.pdf)

[Scottish Government Guidance for Children's Rights and Wellbeing Impact Assessments](https://www.gov.scot/publications/childrens-rights-wellbeing-impact-assessment-guidance/)

[Scottish Government Guidance for Island Community Impact Assessments](https://www.gov.scot/publications/island-communities-impact-assessments-guidance-toolkit-2/)

|  |
| --- |
| **1.0 Project Overview** |

**This document uses the term ‘project’ to describe the full range of our policies, provisions, projects, functions, practices and activities including the delivery of services – essentially everything we do that affects people.**

**Title of Impact Assessment (this is generally the name of the project or policy.)**

|  |
| --- |
| SDS Community Justice Policy |

**Name of Senior Responsible Officer (this is the person with final responsibility for a project- such as Director or Head of Service)**

|  |
| --- |
| Sandra Cheyne |

**Does this project relate to any other published EQIAs** (Equality Impact Assessment**) or ICIAs**(Island Community Impact Assessments)**?**

# Additional guidance

|  |
| --- |
| You should list any published EQIAs, ICIAs or IEIAs that relate to the project. They may partially overlap or the new IEIA may supplement an existing overarching EQIA, ICIA or IEIA or the new IEIA may incorporate existing EQIAs, ICIAs or IEIAs. |

|  |
| --- |
| No |

**Please provide an overview of your project including the names of any external partners and whether it is a new project. Consider the key objectives of the project**.

# Additional guidance

|  |
| --- |
| Prompts:   * What are the objectives of the project? (Consider explicit and implicit aims) * Who does the project affect/benefit? * What results/outcomes are intended? * Is the project new? * Does it involve external partners- if so, who? * Any other additional relevant information? * Ensure you consider this overview from the perspective of Equality, Island Communities and Children’s Rights. Are there specific points from these various groups that need to be highlighted within your overview?   *For Island Communities identify if there are explicit island needs or any potential direct or indirect impacts for island communities. Remember to think about each island individually because what might not have any impact on one, may impact adversely on another.* |

|  |
| --- |
| Community Justice (CJ) is a partnership approach underpinned by the Community Justice (Scotland) 2016 Act.  The Community Justice Policy provides a high-level overview of the current National Strategy for Community Justice (2022) and the role of SDS as a statutory partner within it.  The objectives of the policy are to:   * Highlight the role of SDS as a Community Justice Partner. * Provide an overview of the background and strategic context. * Set out the national aims and priority actions enabling SDS colleagues to focus on where they can make an effective contribution. * Signpost to further information and resources.   There are three national priorities from the Community Justice Delivery Plan (Scottish Government) where SDS can make most impact. This new internal policy has therefore been focused on these areas. They are:   * Enhance individual’s life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. * Deliver improved community justice outcomes by ensuring that effective leadership and governance arrangements are in place and working well, collaborating with partners and planning strategically. * Support integration and reduce stigma by ensuring the community and workforce have an improved understanding of and confidence in community justice.   As described in the recent national Equality Impact Assessment of the revised Community Justice Strategy by Scottish Government, “the impact of the strategy and the delivery plan on service users is intended to be equally positive or equally neutral with regard to the protected characteristics. The policy intention is to promote person-centred services which will take account of the characteristics of the person in need of the services.” (Scottish Government, 2023)  Furthermore, it is noted that “While measures are not targeted at a specific group, there tends to be: - a higher percentage of males - a high percentage of people who are unemployed and economically inactive - a majority of people who are under 40 years old.” |

|  |
| --- |
| **2.0 Gathering Evidence and Assessing Impact** |

**It is important to remember our responsibilities regarding the Public Sector Equality Duty when completing this section. The starting point for assessing impact is the three needs of the Public Sector Equality Duty: ensuring that the project does not discriminate unlawfully; considering how the project might better advance equality of opportunity; and considering whether the project will affect good relations between different groups.**

# Guidance for 2.0

|  |
| --- |
| The public sector equality duty is a duty on public authorities to consider or think about how their policies or decisions affect people who are protected equality characteristics under the Equality Act. If a public authority hasn't properly considered its public sector equality duty, it can be challenged in courts.  Tip- whilst going through each characteristic ensure you take some time to ask yourself the following questions:   1. Does this project eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010? If not, what can I change to ensure that it does eliminate unlawful discrimination, harassment and victimisation? 2. Does this project advance equality of opportunity between people who share a relevant protected characteristic and those who do not? If it does you need to highlight this as a positive impact within your impact assessment. 3. Finally, does this project foster good relations between people who share a protected characteristic and those who do not? Again, this should be highlighted as a positive impact.   The purpose of the IEIA is to allow you the space to identify areas for improvement; it is completely acceptable and appropriate to identify areas for improvement or places where there is unintentional discrimination. The important thing is that actions are identified and taken to mitigate.  There are multiple ways to approach this section. One is to consider how each group would be impacted at different stages of the project.   * + What issues might this group face in finding out about this project/opportunity?   + What issues might this group face in accessing the project?   + What other barriers might this group face throughout the delivery of the project?   + How will you evaluate if this group has successfully been able to access the project?   + Consider intersectionality within this too. For example, does a gay Muslim woman face additional barriers at each stage? Any mix of characteristics is appropriate to consider   Other prompts could include:   * What equality information have you accessed regarding:   + Different needs?   + Different experiences?   + Different access to services, information or opportunities?   + Different impacts/different outcomes? (for example, through project monitoring or data from similar projects, through internal/external research, statistics on local population) * Are there any gaps in equality information that you will need to fill now/later? * Are there any experts or people affected by the project you should consult now? (Include details of findings from consultation if this has already taken place) * Who do you need to get views from, internally and externally? How will you ensure you include ‘harder to reach’ groups?   All these prompts can support all the questions within this section, but particularly Impact and Action. You do not need to use all the prompts; we have provided a range so that you can find the ones that suit your project best. |

**In Gathering Evidence and Assessing Impact you need to go through each of the characteristics in turn and address the following points.**

* **Provide Context – outlining how your project relates to this protected characteristic, such as population statistics. The** [**Equality Evidence Hub**](https://connect.sds.co.uk/Interact/Pages/Section/Default.aspx?Section=6634) **is a good place to start looking for relevant evidence. The Equality Evidence Hub is a space on Connect to access relevant guidance for the IEIA and a range of equality evidence, both internal and external.**
* **Additional Questions- Some sections have additional questions, please ensure that you answer these appropriately. They are in reference to our reporting responsibilities for Children’s Rights and Wellbeing and Island Communities.**
* **Impact– Outline the potential disadvantage or barriers, as well as positive impacts, faced by this equality group in relation to this project. Cite evidence sources used, including consultation. Where a gap in evidence is observed, please note within this section.**
* **Action– Outline what we have already done to address disadvantage or promote equality, as well as what we’ll do to proactively promote equality and address any potential barriers raised in Evidence, including evidence gaps.**

**Please note that consultation is a requirement of Island Communities Impact Assessment and considered good practice in relation to Equality and Children’s Rights and Wellbeing Impact Assessments.**

|  |
| --- |
| **2.1 Age** |

# Guidance for 2.1

|  |
| --- |
| Age can be considered within groups of ages, defined in a way that suits your project. Those at the younger and older ends of the labour market tend to face the most labour market disadvantages. |

|  |
| --- |
| **Context:**  The Community Justice (Scotland) Act 2016 places responsibilities on named organisations (including SDS). There is a prioritisation on preventative work and a promotion of community-based sentencing for less serious offences (under 3 years). This has developed at the same time as a policy shift away from the use of custody for young people. This has been a result of children’s rights legislation (incorporation) and also the Independent Care Review (The Promise). Both have strongly advocated that prisons settings are inappropriate for children and young people and the result has been an upward trend in community-based disposals. At the same time there has been an increase in older people in custody.  The attached visual (by Community Justice Scotland) shows the change in relation to age of those in custody over a ten year period:    This trend is acknowledged in the recent Community Justice Scotland Outcome Activity Report for 2021-2022  *“The impact of prevention and early effective intervention activity needs to be measured over many years. In Scotland, the positive impact of approaches to reduce criminalisation of young people is evident in the downward trend in the number of children and young people being incarcerated. Partners in community justice have been developing further work aimed at reducing people’s involvement in the criminal justice system at earlier stages. This includes diversion from prosecution, support after arrest, and community-based alternatives to remand such as electronic monitoring. These activities link to priority actions in the new National Strategy for Community Justice (2022).”[[1]](#footnote-2)*  In addition to the above, limited evidence is available for school and further and higher education and individuals who have experience of the criminal justice system. However, research has shown that education and support play a key role in preventing the school exclusion to prison pipeline for vulnerable young people.  Research also highlights[[2]](#footnote-3) that education plus adequate support are key preventative measures that help keep children out of the criminal justice system.   * At HMYOI (His Majesty’s Young Offender Institution) Polmont in 2016, a large proportion of young men under 21 had been in care at some point in their childhood. 75% had experienced traumatic bereavement. * Around 70% of children and young people entering the criminal justice system have speech and language difficulties. * Children with additional support needs are overrepresented at children’s hearings. |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The Community Justice Policy aims to have a positive impact on all ages by continuing the prevention agenda and also promoting the increased use in community disposals. | SDS/Community Justice partners will develop/strengthen local referral mechanisms prioritising young people under 18 on community-based sentences. |
| The policy has a positive impact on age in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to help children and young people who may have lived experience of the justice system. | We will continue to work with practitioner teams to ensure trauma-informed practice learning is embedded. |
| The policy has a positive impact on age in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. | Through the SDS/SPS MoU options will be explored to harness digital technology to support greater awareness of and accessibility to SDS services for those of all ages. |
| The policy has a positive impact on age in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. | Through the SDS/SPS MoU a review of the Data Sharing Agreement (DSA) between both organisations will take place. |
| The policy has a positive impact on age in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of children and young people accused or convicted of an offence. | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |

|  |
| --- |
| **2.2 Children's Rights and Wellbeing** |

# See guidance for 2.2

|  |
| --- |
| This only applies to projects impacting young people up to the age of 18. If the project could impact on young people up the age of 18, you need to complete this section. There may be overlapping evidence, impact and action between Age and Children’s Rights. You can repeat or cite that it is present in Age and pertinent to Children’s Rights as well.  Please see the [SDS UNCRC Report 2017-2022SDS UNCRC Report 2017-2022](https://www.skillsdevelopmentscotland.co.uk/media/49064/uncrc-report.pdf) for more information about how SDS is upholding the articles of the UN Convention on the Rights of the Child. |

|  |
| --- |
| **Context:**  The United Nations Convention on the Rights of the Child (UNCRC) is the most complete statement of children’s rights and the most widely ratified international human rights treaty in history. It aims to ensure that children can grow up in the spirit of peace, dignity, tolerance, freedom, equality and solidarity. There are 54 UNCRC articles, the first 42 of which describe what every child and young person from birth to 18 years old should experience. The rights contained in the articles are universal, indivisible, interdependent and interrelated.  Arrangements for taking forward the UNCRC and the children’s rights agenda within the UK reflect the separate constitutional responsibilities of the devolved nations. Scottish Ministers have responsibilities for the progression of children’s rights with reference to devolved public services and legislation.  The Scottish Government affirmed that the UNCRC is at the heart of the Scottish Government's commitment to ensuring that all children and young people have the best possible start in life, regardless of their circumstances.  SDS supports the Scottish Government’s vision for Scotland:  *“…children’s human rights are embedded in all aspects of society. A Scotland where policy, law and decision making takes account of children’s rights and where all children have a voice and are empowered to be human rights defenders”.*  As Scotland’s national skills agency, we make a greater contribution to some rights than others. We mainstream children’s rights across all our work on equality, and into our decision-making, planning, policy and practice. While some rights form a fundamental part of our service offer, we are alert to others. SDS recently published its [UNCRC Progress Report](https://www.skillsdevelopmentscotland.co.uk/media/eybmrs0e/uncrc-2023-report.pdf) which details the journey so far in promoting and upholding children’s rights.  In this section we consider which of the articles apply in the context of our joint work within the CJPs through the implementation of the policy. |

**Additional Questions**:

**Does this project impact on children and young people up to the age of 18?**

**Yes  No ☐ Don’t Know**

**If you have answered no to the question above, you do not need to complete the Children’s Rights and Wellbeing section of this form but please provide some justification for your decision below.**

|  |
| --- |
|  |

**Which articles of the United Nations Convention on the Rights of the Child (UNCRC) (an international human rights treaty that grants all children and young people (aged 17 and under) a comprehensive set of rightsdoes this project impact on? See** [**further guidance**](https://skillsdevelopmentscotland.sharepoint.com/:w:/r/sites/IShare/Connectcontent/_layouts/15/Doc.aspx?sourcedoc=%7B173332DE-79D0-45C0-BDE7-29A9622F1787%7D&file=UNCRC%20guidance%20FINAL.docx&wdOrigin=TEAMS-ELECTRON.p2p.bim&action=default&mobileredirect=true&cid=57127dcb-c2e3-41fc-9e83-901d72aea588) **for this question**

|  |
| --- |
| **The policy impacts on the following UNCRC articles:**  **FULFIL**  3 Best interests of the child  5 Family guidance as children develop  12 Respect for children’s views  13 Sharing thoughts freely  17 Access to information  28 Access to education  29 Aims of education  32 Protection from harmful work  42 Everyone must know children’s rights  **PROTECT**  9 Keeping families together  19 Protection from violence  20 Children without families  25 Review of a child’s placement  26 Social and economic help  27 Food, clothing, a safe home  33 Protection from harmful drugs  34 Protection from sexual abuse  35 Prevention of sale and trafficking  36 Protection from exploitation  37 Children in detention  39 Recovery and reintegration  40 Children who break the law  **RESPECT**  24 Health, water, food, environment |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The policy has a positive impact on children’s rights in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of children and young people accused or convicted of an offence. | SDS will continue to assist in the development of a Learning Framework for Children’s Rights together with a range of other national organisations through the Professional Panel led by Together Scotland. |
| The policy has a positive impact on children’s rights in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to help children and young people who may have lived experience of the justice system. | SDS/Community Justice partners will develop/strengthen local referral mechanisms prioritising young people under 18 on community-based sentences. |
| The policy has a positive impact on children’s rights in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. This supports and promotes the children’s rights agenda. | We will continue to work with practitioner teams to ensure trauma-informed practice learning is embedded. |
| The policy has a positive impact on children’s rights in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. This is important in the promotion and awareness of children’s rights. | Through the SDS/SPS MoU options will be explored to harness digital technology to support greater awareness of and accessibility to SDS services for those of all ages. |
|  | Through the SDS/SPS MoU a review of the DSA between both organisations will take place. |
|  | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |

|  |
| --- |
| **2.3 Care Experience** |

# See guidance for 2.3

|  |
| --- |
| Within SDS, we choose to use the term ‘care experienced’, by which we mean anyone who currently meets, or has ever previously met, the criteria for ‘looked after’. This includes those looked after at home, or away from home in kinship, residential, foster or secure care.  SDS is a Corporate Parent and we have public commitments within the [SDS Corporate Parenting Plan](https://www.skillsdevelopmentscotland.co.uk/media/48699/corporate-parenting-report-2021-24.pdf) - please ensure you are familiar with these commitments and ensure your project aligns as best as possible. |

|  |
| --- |
| **Context:**  Research undertaken by the Promise Scotland recognises the ongoing pattern of criminalisation of young people within the care system resulting in an overrepresentation of care experienced children and young people within the justice system. Consequently, there is a call for long-term systemic change to recognise their rights and needs and that actions are taken system-wide to ensure these are met:  *“There is no evidence that care experienced children engage in more offending behaviour than their peers, but the consequences of their behaviour whilst in care are much more likely to result in criminalisation. It is the settings of care and workforce responses to behaviour that drives the criminalisation of care experienced children. Scotland must stop that criminalisation by supporting the workforce to behave and treat children in a way that is relational rather than procedural and process driven.”[[3]](#footnote-4)*  Furthermore, there is evidence that highlights that, when in school, care experienced pupils consistently obtain fewer qualifications than their non care experienced peers and are more likely to leave school at the age of 16 (or younger). Care experienced students are underrepresented in higher education and face additional barriers to learning, including financial and housing problems and they are more likely to be unemployed after leaving school, and be in low-paid, low-skilled and part-time roles. |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The policy has a positive impact on the care experienced community in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of all individuals accused or convicted of an offence. | SDS will deliver its Corporate Parent Plan (2021-2024) setting out the organisation’s commitments and actions. |
| The policy has a positive impact on care experienced children and young people in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to help children and young people who may have lived experience of the care experience and also the justice system. | Through the SDS/SPS MoU a review of the DSA between both organisations will take place. |
| The policy has a positive impact on care experience in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |
| The policy has a positive impact on care experience in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. | SDS/Community Justice partners will develop/strengthen local referral mechanisms prioritising young people under 18 on community-based sentences. |
|  | We will continue to work with practitioner teams to ensure trauma-informed practice learning is embedded. |

|  |
| --- |
| **2.4 Disability** |

# See guidance for 2.4

|  |
| --- |
| Disability covers a wide range of conditions and impairments that impact people in a range of ways. You need to consider disability broadly and, in some circumstances, specific conditions/impairments. Within SDS we follow the Social Model of Disability, which says that people are disabled by barriers in society, not by their impairment or difference. The IEIA can support you to identify places where barriers still exist within your project and help to mitigate them.  Accessibility is a key point to reflect on regarding this characteristic. Here are some types of accessibility you may want to consider in your IEIA.   * **Physical -** is the physical space in use accessible to a range of people? * **Communication** - Is the method of communication accessible? Have you considered British Sign Language and/or Easy Read (a specialist format that combines images with clear text. It is designed to help organisations communicate with people with a learning disability**)**? * **Time -** Have you considered breaks and other considerations within an event to ensure autistic people have some time and space to decompress between presentations? |

|  |
| --- |
| **Context:**  Making the justice system more accessible and flexible to the needs of individuals who are disabled has been a priority for the government and also Community Justice partners. These efforts run alongside evidence of continued significant labour market disadvantage. Specifically, there has been work done within the justice system to support staff/practitioners who are supporting those with communication difficulties[[4]](#footnote-5). This is intended to:   * Help staff recognise when people need support with communication needs. * Adapt communication styles and methods to meet people with communication difficulties needs. * Identify good practice in meeting communication needs. * Identify how justice professional adapt their practices to support communication needs.   The recent Equality Impact Assessment by Scottish Government on the revised National Community Justice Strategy highlights the increasing use of electronic monitoring under the strategy as an area for further consideration by the partnerships/Scottish Government. It is noted that this measure is expected to have an overall positive impact on this group, there may be some challenges for those with specific disabilities and access. This is being considered at national level and builds on the knowledge that Justice Social Work will have carried out relevant assessments for courts.  In addition, the current evidence continues to suggest that in general disabled people face multiple disadvantages in the labour market, including lower levels of employment, lower wages, fewer hours/precarious contracts and negative attitudes in the workplace. Attitudes towards disabled workers continue to place limitations on disabled people’s position in the workplace, with attitudes towards those with mental health conditions at work (especially where these are more severe or less common) tending to be more negative than those towards people with physical disabilities. Barriers for disabled people in getting in, staying in and getting on in the workplace are many and varied and may depend upon the type of disability. Attitudes, inaccessible workplaces and inflexible working practices along with a lack of support for disabled people can all hamper the recruitment, retention and progression of disabled workers.[[5]](#footnote-6)  The employment rate in Scotland in 2021 for those classed as disabled under the Equality Act 2010 was50% compared to 81% for non-disabled people, giving a disability employment gap[[6]](#footnote-7) of 31 percentage points (slightly higher than UK-wide gap of 28 percentage points)**.** The disability employment gap is lower for women (26 percentage points) than men (37 percentage points), lowest for those aged 16 to 24 and highest for those aged 35 to 49.[[7]](#footnote-8) Strong regional differences exist in disability employment gaps. Inverclyde reports one of the largest disability employment gaps in the UK at 47.7 percentage points with an 82.2% non-disabled employment rate versus 34.5% disabled employment rate.[[8]](#footnote-9)  Labour market outcomes vary according to the type of disability recorded. The employment rate for people with a learning disabilityfor example is particularly low, at 4.1% in employment for those adults with a learning disability known to local authorities in Scotland. Many of those with learning disabilities however do not engage or are not known to disability services.[[9]](#footnote-10)  Across the UK in 2021 there was a marked increase in the percentage of disabled workers working full-time, but overall disabled people remain less likely to work full-timethan non-disabled people (67.3% versus 78.1%). Reasons for this increase are unclear but may be a combination of a greater number of workers reporting a disability, particularly an increase in mental health conditions being reported[[10]](#footnote-11), along with the impact of the pandemic on ways of working. Working from home during the pandemic was reported to have had a positive impact on disabled people and their working lives, enabling better management of their disability or health conditions and greater control and flexibility over working hours.[[11]](#footnote-12)  Disabled workers in the UK are more likely to work in health, retail or education than non-disabled; more likely to be self-employed (13.6% versus 12.7%); and equally likely as non-disabled people to work for a SME (small or medium sized employer). Disabled workers are also less likely to be in highly skilled or professional occupations (19.7% of disabled people work in professional occupations versus 24.5% of non-disabled people).[[12]](#footnote-13) In the UK, 25% of small business owners are disabled or have a health condition, with disabled-owned small businesses contributing 8.6 per cent of turnover of all UK businesses.[[13]](#footnote-14)  Disabled people tend to be paid less than non-disabled people and are generally overrepresented in lower skilled and lower paid positions. In 2021, Scotland had the largest disability pay gap across the UK, with median pay for disabled workers at £11.54 per hour compared to £14.16 per hour for non-disabled workers[[14]](#footnote-15). Disabled women across the UK earn 36% less than non-disabled men.[[15]](#footnote-16) The 2022 Longitudinal Education Outcomes (LEO) report from the Scottish Government of UK-domiciled first-degree graduates from Scottish HEIs reports that five years after graduation, disabled graduates are earning £2,900 less than graduates with no known disability.[[16]](#footnote-17)  Economic inactivity rate for disabled people is significantly higher than inactivity rate for non-disabled people**.** An estimated 381,400 disabled people aged 16 to 64 were economically inactive across Scotland in 2021- an inactivity rate of 46.5%. The inactivity rate for disabled people has fluctuated more than that of non-disabled people throughout the pandemic, increasing in 2020 to 48.7% and reducing in 2021 to a similar rate seen pre-pandemic in 2019 (46.6%). This remains significantly higher than the inactivity rate for non-disabled people in 2021 (16.4%). Economic inactivity rates for non-disabled people have remained relatively constant during and post-pandemic.[[17]](#footnote-18)  Labour market inactivity due to long-term health problems is higher in Scotland than the rest of the UK:   * In 2020/21 6.8% of Scottish men were economically inactive due to long-term health issues compared to 4.9% of UK men. * In 2020/21 6.9% of Scottish women were economically inactive due to long-term health issues compared to 5.7% of UK women. * Public Health Scotland estimate that Long Covid may be having an impact on economic activity levels although the more likely impact is on more workers taking extended sick leave. Further research is needed to assess how long this impact may last.[[18]](#footnote-19)   Given the above context it is important that CJ partners work closely to ensure those exiting the custody/community sentences with a disability receive the appropriate personalised support and access to services which will assist in their reintegration. |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The policy has a positive impact on disabled people in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of all individuals accused or convicted of an offence. | Through the SDS/SPS MoU a review of the DSA between both organisations will take place. |
| The policy has a positive impact on disabled people in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to individuals who have lived experience of the justice system. | SDS will engage in the Community Justice Scotland led Talking Point National Workshops. These are focused on the priority themes identified in the previous year’s Community Justice Outcome Annual Report and cut across the work to support protected groups. The current theme/focus is focused on how partners better promote/make use of the changes to the Management of Offenders (Scotland) Act 2019 which is concerned with shorter disclosure periods. |
| The policy has a positive impact on disabled people in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |
| The policy has a positive impact on disabled people in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. |  |

|  |
| --- |
| **2.5 Gender Reassignment** |

# See guidance for 2.5

|  |
| --- |
| Gender Reassignment is sometimes more commonly referred to as transgender. For more information about the characteristic of Sex, please see guidance in that section.  Please note that data around gender reassignment/transgender frequently includes information around sexual orientation as well. You may have data that cuts across Sexual Orientation and Gender Reassignment. However, they are distinct characteristics.  Please note that data may be limited for this characteristic due to small sample sizes. |

|  |
| --- |
| **Context:**  In the context of Community Justice gender reassignment needs to be considered by the CJ partnerships as it will feature in some people’s journeys through the justice system and appropriate support and access to services is vital. In the recent Equality Impact Assessment of the National Community Justice Strategy,[[19]](#footnote-20) the Scottish Government recognised that there are gaps in the data in relation to this characteristic. It is anticipated however that the policy will have minimal impact on this group and there have been no responses to a recent public consultation to the contrary. It is acknowledged that these “data gaps may require further investigation in the future”. Furthermore, how best to support those in custody who are transgender has been a topic under national debate/discussion in recent months. The emphasis has been on the approaches taken particularly in a custodial setting which is not directly relevant to the delivery of SDS services but nevertheless important context.  In relation to trans issues and labour market participation and experience, current evidence highlights that trans people may experience specific barriers when both looking for and staying in work. Trans workers are more likely to experience workplace harassment and discrimination than the wider lesbian, gay, bisexual and transsexual (LGBT+) population.  Evidence is limited on the experience of work for trans workers although research suggests that trans workers experience distinct challenges at work which differ significantly from LGBT+ workers’ experiences.  Small scale research carried out by LGBT+ Health and Wellbeing[[20]](#footnote-21), suggests that trans people may experience specific barriers when both looking for and staying in work in Scotland. Barriers reported by respondents in the recruitment phase included:   * Feeling unable to apply to jobs because of fears of prejudice * Application forms not including non-binary options * Difficulty obtaining references that matched gender identity and name * Lack of awareness or transphobia from interviews.   Once at work, lack of awareness and understanding of trans identities in the workplace and difficulties around the process of transitioning at work were reported, although two thirds of respondents who had transitioned at work felt generally positive about support from managers and colleagues.[[21]](#footnote-22)  A survey conducted by Stonewallof LGBT+ workers reported that trans workers are more likely to experience harassment and discrimination than the wider LGB population, with 39% reporting negative comments or conduct from colleagues and 6% reporting being physically attacked in the workplace.[[22]](#footnote-23)  In the context of Community Justice, although there is no specific mention of the group in the national policy guidance, the national strategy commits partners to work to develop services that are inclusive for all individuals. |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The policy has a positive impact on trans people in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of all individuals accused or convicted of an offence. | We will continue to work with practitioner teams to ensure trauma informed practice learning is embedded. |
| The policy has a positive impact on trans people in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to individuals who have lived experience of the justice system. | Through the SDS/SPS MoU a review of the DSA between both organisations will take place. |
| The policy has a positive impact on trans people in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |
| The policy has a positive impact on trans people in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. |  |

|  |
| --- |
| **2.6 Marriage/Civil Partnership** |

# See guidance for 2.6

|  |
| --- |
| This characteristic should only be considered in reference to SDS as an employer. Most IEIAs will not need to cover this characteristic. |

|  |
| --- |
| **Context:**  Having considered this factor there is no direct impact on the SDS policy or role within the local partnerships. |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| N/A (see above) | N/A (see above) |
|  |  |
|  |  |
|  |  |

|  |
| --- |
| **2.7 Pregnancy and Maternity** |

# See guidance for 2.7

|  |
| --- |
| The Equality Act protects individuals from discrimination when they are pregnant until their right to maternity leave ends and they return to work or if they do not have the right to maternity, two weeks after the child is born. |

|  |
| --- |
| In the context of Community Justice pregnancy and maternity need to be considered by the CJ partnerships as it will feature in many people’s journeys through the justice system and appropriate support and access to services is vital. In the recent Equality Impact Assessment of the National Community Justice Strategy,[[23]](#footnote-24) the Scottish Government recognised that there are gaps in the data in relation to pregnancy. It is anticipated however that the policy will have minimal impact on this group and there have been no responses to a recent public consultation to the contrary. It is acknowledged that these “data gaps may require further investigation in the future”.  More generally pregnancy can have a negative impact on labour market participation in terms of discrimination, loss of pay, loss of status and a lack of career progression. Women with children are more likely to experience significant pay penalties; have their career progression halted; withdraw from full-time work to care for children; stay at the same level of job for several years; and choose more flexible working patterns.[[24]](#footnote-25)  Motherhood impacts on the number of hours that some mothers can work, affecting their pay and income relative to non-mothers and men. A long-term pay penalty emerges from part-time working which is highly prevalent amongst mothers, on average earning about 30% less per hour than similarly educated fathers due to a lack of wage progression.[[25]](#footnote-26) Research shows that in the first year after returning to work from maternity leave, UK women earn 28% less on average than before, primarily due to reducing working hours to fit around children, known as the motherhood pay penalty. The most important source of the gender pay gap is therefore suggested to be motherhood.[[26]](#footnote-27)  Having school-aged children and reliable childcare in place continues to help mothers in work. An Ipsos survey (2021) found that almost half (45%) of non-working mothers in England said they would prefer to go out to work if they were able to arrange reliable childcare that was good quality, convenient and affordable.[[27]](#footnote-28)  Being a teenage mother can be linked to poor labour market outcomes, although the impact of socio-economic status plays a clear role. Young mothers have a particularly high risk of poverty and severe poverty compared to all adults. Analysis of data from the Growing up in Scotland (GUS) study found that compared to mothers aged 25 and over, those aged under 20 were less likely to be employed (21%versus83%), and more likely to be in the lowest income brackets (72% versus 12%) and to live in the most deprived areas.[[28]](#footnote-29)  Working mothers under 25 are more likely to be in in-work poverty and more likely to be lone parents. Two in five mothers under 25 in paid work are in relative poverty, with average hourly pay for low-income households with a mother under 25 at £7.20 compared to £8.20 for all low-income families. The impact of the pandemic on employment for this group has hit hard and young mothers are more likely to have precarious employment with fluctuating incomes, making it harder to plan and arrange childcare which could improve job security and prospects.[[29]](#footnote-30)  Young women with dependent children are least likely to be in employment. Employment rates rise as the mother’s age increases and as their children age. 54.3% of mothers aged 16 to 24 years are in employment rising to 78.7% of mothers aged 35 to 49 years.[[30]](#footnote-31) Employment rates for fathers decrease with age along with men without dependent children. Employment rates for women without dependent children remain steady throughout the age groups of 25 to 34 and 35 to 49, declining for women aged 50 plus.  Equality and Human Rights Commission (EHRC) research found that discrimination around pregnancy and maternity in the workplace were commonplace, with around one in nine mothers believing they were targeted for dismissal or redundancy where their colleagues were not. Employer attitudes revealed in the survey highlighted negative attitudes towards pregnancy and maternity leave with a third of private sector employers agreeing that it is reasonable to ask women about their plans to have children in the recruitment process and four in ten agreeing that pregnancy puts an unnecessary cost burden on the workplace.[[31]](#footnote-32)  Against this backdrop it is essential that each of the local CJPs has clear sight of this group and a sense of volume/numbers for their area so that activities within the annual plan reflect their needs. |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The policy has a positive impact on pregnancy/maternity in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of all individuals accused or convicted of an offence. | We will continue to work with practitioner teams to ensure trauma informed practice learning is embedded. |
| The policy has a positive impact on pregnancy/maternity in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to individuals who have lived experience of the justice system. | Through the SDS/SPS MoU a review of the DSA between both organisations will take place. |
| The policy has a positive impact on pregnancy/maternity in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |
| The policy has a positive impact on pregnancy/maternity in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. |  |

|  |
| --- |
| **2.8 Race** |

# Guidance for 2.8

|  |
| --- |
| In the Equality Act, race can mean your colour, your nationality (including your citizenship or your ethnic/national origins, which may not be the same as your current nationality.) **(**[**https://www.equalityhumanrights.com/en/advice-and-guidance/race-discrimination**](https://www.equalityhumanrights.com/en/advice-and-guidance/race-discrimination)**)** |

|  |
| --- |
| In the context of Community Justice issues of race and access to services need to be considered by the partnerships and actions reflected through local plans. Race and other equality characteristics can be interrelated and impact on access and progression within the labour market according to the evidence base. Some key messages from the SDS Evidence Review are presented below.  Pre-existing factors of inequality can act as further barriers for those with a criminal record trying to get back into the labour market. Women and those from minority ethnic backgrounds are disproportionately impacted by the criminal justice system.  A survey of 221 individuals from minority ethnic backgrounds in the UK[[32]](#footnote-33) highlighted that 79% of those surveyed said employment was one of the main difficulties they faced after being involved with the criminal justice system. Combining the difficulties faced entering or re-entering the labour market with a criminal record with ethnicity means that individuals from minority ethnic groups with a criminal record can face a double disadvantage.  Despite high levels of attainment in education, ethnic minority individuals in Scotland are not experiencing the same labour market advantages as their White counterparts. The ethnicity pay gap in Scotland is 10.3%. Ethnic minority individuals are disproportionately more likely to work in low-paying sectors and less likely to hold managerial or senior positions in business. They are also more likely to be self-employed. Research has highlighted that Black and Minority Ethnic (BAME) young people are under-represented in post-16 work-based training such as Modern Apprenticeships.  Employment rates are lower across all ethnic groups and especially for women. For example, the economic activity of Bangladeshi women is under 50%[[33]](#footnote-34) and for Black women it is under 40%. In addition, ethnic minority people are overrepresented in certain sectors.[[34]](#footnote-35) [[35]](#footnote-36) They are proportionately more likely to work in the Accommodation and Food Services sector than the White population, which is predominantly a low paid sector.[[36]](#footnote-37) Ethnic minority people are underrepresented in managerial and senior positions in business.[[37]](#footnote-38)  Recruitment processes can also make it harder for some ethnic minority people to enter the workplace as there may be an under-recognition among employers of ethnic minority employees’ skills and experience, reducing their chances of employment or further progression when in work.[[38]](#footnote-39)  Research has found that positive action in recruitment is under-utilised. For Gypsy Travellers, The Traveller Movement[[39]](#footnote-40)reported that discrimination in employment manifested itself in a number of ways, including discrimination in recruitment and career progression, losing a job after revealing their identity, and hiding ethnicity.  There has been a recent policy focus for Scottish Government on race and the justice system given the differential impacts of COVID-19 and the concerns raised by the Black Lives Matter movement.[[40]](#footnote-41) |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The policy has a positive impact on race in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of all individuals accused or convicted of an offence. | We will continue to work with practitioner teams to ensure trauma informed practice learning is embedded. |
| The policy has a positive impact on race in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to individuals who have lived experience of the justice system. | Through the SDS/SPS MoU a review of the DSA between both organisations will take place. |
| The policy has a positive impact on race in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |
| The policy has a positive impact on race in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. | SDS/Community Justice partners will develop/strengthen local referral mechanisms prioritising young people under 18 on community-based sentences. |

|  |
| --- |
| **2.9 Religion or Belief** |

# See guidance for 2.9

|  |
| --- |
| Religion or belief refers to both religious and some non-religious beliefs, as well as the lack of belief.  Another important consideration in this characteristic is Islamophobia, which “is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness” (definition from All Party Parliamentary Group on British Muslims paper entitled [Islamophobia Defined](https://static1.squarespace.com/static/599c3d2febbd1a90cffdd8a9/t/5bfd1ea3352f531a6170ceee/1543315109493/Islamophobia+Defined.pdf)) |

|  |
| --- |
| **Context:**  In the context of Community Justice religion or belief needs to be considered by the CJ partnerships as it will feature for some people’s journeys through the justice system and appropriate support and access to services is vital. In the recent Equality Impact Assessment of the National Community Justice Strategy,[[41]](#footnote-42) the Scottish Government recognised that there are gaps in the data in relation to this characteristic. It is anticipated however that the policy will have minimal impact on this group and there have been no responses to a recent public consultation to the contrary. It is acknowledged that these “data gaps may require further investigation in the future”.  Some key messages from the SDS Evidence Review in relation to religion or belief are presented below and these focus on labour market access/participation.  In relation to the labour market, limited evidence is available on the relationship between employment and religion or belief. However, evidence does suggest that Muslim workers are at a disadvantage.   * Muslims have significantly lower median earnings (£9.19) than those of no religion or Christians (both £11.39). The pay gap between Muslims and those of no religion was 19.3%.[[42]](#footnote-43) * Unemployment rates for Muslims are more than twice that of the general population (13% compared to 5%) and 41% are economically inactive, compared to 22% of the general population. * The disadvantage is greater still for Muslim women who represent 65% of economically inactive Muslims. It is suggested the reasons behind this include discrimination and islamophobia, stereotyping, pressure from traditional families, a lack of tailored advice around higher education choices, and insufficient role models across education and employment (see [EHRC, 2018](https://www.equalityhumanrights.com/en/publication-download/britain-fairer-2018)[[43]](#footnote-44) and Women and Equalities Committee, 2016).[[44]](#footnote-45) * Academic research[[45]](#footnote-46) using the data from 2011 census also showed that Muslim women are greatly disadvantaged in the labour market in Britain and that this varies according to their household family situation as well as their ethnicity. * Research based on the Labour Force Survey data highlights that Muslim women in the UK are more likely to be unemployed or economically inactive.[[46]](#footnote-47) They also found that White-British Christian women had the highest employment levels at 68% compared to first generation Muslim Bangladeshi women at 15%. This research notes that although Muslim women face disadvantages within the labour market, this varies by their migration status and ethnic background as well as the intersectional identities of Muslim women and the stereotypes that are linked with them. |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The policy has a positive impact on religion/belief in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of all individuals accused or convicted of an offence. | We will continue to work with practitioner teams to ensure trauma informed practice learning is embedded. |
| The policy has a positive impact on religion/belief in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to individuals who have lived experience of the justice system. | Through the SDS/SPS MoU a review of the DSA between both organisations will take place. |
| The policy has a positive impact on religion/belief in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |
| The policy has a positive impact on religion/belief in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. |  |

|  |
| --- |
| **2.10 Sex** |

# See guidance for 2.10

|  |
| --- |
| The Equality and Human Rights Commission provided the following guidance regarding the characteristic of sex.  “Under the Equality Act 2010, ‘sex’ is understood as binary, being a man or a woman. For the purposes of the Act, a person’s legal sex is their biological sex as recorded on their birth certificate. A trans person can change their legal sex by obtaining a Gender Recognition Certificate. A trans person who does not have a Gender Recognition Certificate retains the sex recorded on their birth certificate for the purposes of the Act.”  <https://www.equalityhumanrights.com/en/advice-and-guidance/what-equality-act-says-about-protected-characteristics-sex-and-gender> |

|  |
| --- |
| **Context:**  In the context of Community Justice this protected characteristic may need to be considered by the partnerships and relevant actions reflected through local plans. Through recent legislation, there is a government/policy focus on tackling gender-based violence and Community Justice Scotland / justice partners have a key role to play in this area.  To provide more general context some key messages from the SDS Evidence Review are presented below.  Pre-existing factors of inequality can act as further barriers for those with a criminal record trying to get back into the labour market. Women and those from minority ethnic backgrounds are disproportionately impacted by the criminal justice system. Community Justice Partners therefore should be aware of this evidence when developing local area plans.  For womenthe disclosure process (disclosure of convictions) has been shown to impact their confidence and discourage them from applying to roles they know they can do.[[47]](#footnote-48) Jobs which require enhanced criminal background checks are most likely to be held by women (health and social work, education). In addition, women in prison (49%) are twice as likely as men (23%) to be identified as suffering from anxiety and depression, which can make re-entry more challenging. 4% of women compared to 11% of men were in employment six weeks after release from prison.[[48]](#footnote-49) Furthermore, 12% of women in prison had problems reading, 10% had difficulty writing, and 21% with numbers.[[49]](#footnote-50)  Women are affected by low pay, precarious employment and the continuing gender pay gap. Economic inactivity rates are higher for working aged women than men and the inactivity rate continues to rise as a long-term post-pandemic legacy. The main reasons include caring for family/home and long-term sickness for women, compared to predominantly long-term sickness for men.  Occupational segregation of both men and women dominating in certain kinds of jobs and in different levels of employment remains a key labour market issue. Women tend to be disproportionately affected by occupational segregation, impacting on their potential pay and career progression. Stereotyping from childhood moves women often into low paid, low-skilled sectors and as women traditionally remain seen as primary carers they are impacted by discrimination around pregnancy and maternity along with other negative impacts on career opportunities and progression surrounding caring responsibilities for children or other adults. Women are also more likely than men to be on zero-hours contract across the UK, adding to issues of precarity in employment.[[50]](#footnote-51) The gig economy is slightly less gender-segregated than the traditional labour market. For example, data entry work is split between 47% women and 53% men and childcare at 61%women, 39% men.[[51]](#footnote-52) Efforts to reduce occupational segregation in Scotland and the UK have focused largely on increasing the number of girls and women in STEM, with no work to address the inherent undervaluation of female-dominated work, such as care.[[52]](#footnote-53) |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The policy has a positive impact on sex in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of all individuals accused or convicted of an offence. | We will continue to work with practitioner teams to ensure trauma informed practice learning is embedded. |
| The policy has a positive impact on sex in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to individuals who have lived experience of the justice system. | Through the SDS/SPS MoU a review of the DSA between both organisations will take place. |
| The policy has a positive impact on sex in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |
| The policy has a positive impact on sex in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. | SDS/Community Justice partners will develop/strengthen local referral mechanisms prioritising young people under 18 on community-based sentences. |

|  |
| --- |
| **2.11 Sexual Orientation** |

# See guidance for section 2.11

|  |
| --- |
| Please note that data around sexual orientation frequently includes information around trans individuals as well. You may have data that cuts across Sexual Orientation and Gender Reassignment. However, they are distinct characteristics. |

|  |
| --- |
| **Context:**  In the context of Community Justice sexual orientation needs to be considered by the CJ partnerships as it will feature in many people’s journeys through the justice system and appropriate support and access to services is vital. In the recent Equality Impact Assessment of the National Community Justice Strategy,[[53]](#footnote-54) the Scottish Government recognised that there are gaps in the data in relation to sexual orientation. It is anticipated however that the policy will have minimal impact on this group and there have been no responses to a recent public consultation to the contrary. It is acknowledged that these “data gaps may require further investigation in the future”.  To provide a general context some key messages from the SDS Evidence Review are presented below.  LGBT+ individuals can face challenges in the workforce such as experiences of anti-LGBT+ abuse and language, gendered workplaces that are not LGBT+ inclusive, and poor mental health support.  In the workplace barriers can remain in the form of harassment and discrimination for LGBT+ workers and a significant proportion of LGBT+ employees have hidden or disguised their sexuality to avoid discrimination.  An evidence gap exists in relation to sexual orientation in work. However, survey and qualitative research do provide some insights. Limited data is available about apprenticeships and sexual orientation.  Stonewall (2020)[[54]](#footnote-55) highlight several challenges facing LGBT+ individuals at work including experiences of anti-LGBT+ abuse and language; gendered workplaces and those that are not LGBT+ inclusive; and poor mental health support at work. They state these issues are further compounded by limited job opportunities, which lead to unsatisfying work, and little progression within job roles.  Evidence indicates that once in the workforce, barriers remain in the form of harassment and discrimination.[[55]](#footnote-56) Stonewall (2018)[[56]](#footnote-57) found that LGBT+ staff experience significant discrimination, harassment and violence in the workplace. For instance, survey evidence identified that:   * 35% of LGBT+ workers had hidden or disguised their sexuality in the past year because they were afraid of discrimination * 18% of LGB people are not open about their sexuality in the workplace, compared to 38% of bisexual individuals who were not open about their sexuality in the workplace * 18% LGBT+ staff have been the target of negative comments or conduct by work colleagues in the past year due to their LGBT status * 18% of LGBT+ respondents who were looking for work said that they were discriminated against in the past year because of their sexual orientation or gender identity * 12% of BAME LGBT+ workers had lost a job in the last year because of their LGBT+ status, compared to 4% of white LGBT+ respondents * 10% of BAME LGBT+ workers had been physically attacked because of their sexual orientation, compared to 3% of white LGBT+ staff.   LGBT Youth Scotland (2022)[[57]](#footnote-58) reported that 22% of respondents to a survey had experienced verbal abuse at work or in training. 72% of participants also reported that they viewed their confidence/self-belief as a barrier to achieving their goals in the labour market, this has increased from 66% in 2017.  Research carried out by the Chartered Institute of Personnel and Development CIPD (2021)**[[58]](#footnote-59)** highlights that LGBT+ workers report higher levels of workplace conflict than heterosexual workers – 49% compared with 29%**.** Their survey findings also highlighted that LGBT+ workers experience less job satisfaction and less psychological safety at work and are more likely to report that work has a negative impact on their health. |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The policy has a positive impact on sexual orientation in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of all individuals accused or convicted of an offence. | We will continue to work with practitioner teams to ensure trauma informed practice learning is embedded. |
| The policy has a positive impact on sexual orientation in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to individuals who have lived experience of the justice system. | Through the SDS/SPS MoU a review of the DSA between both organisations will take place. |
| The policy has a positive impact on sexual orientation in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |
| The policy has a positive impact on sexual orientation in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. |  |

|  |
| --- |
| **2.12 Poverty** |

# See guidance for 2.12

|  |
| --- |
| Poverty can be defined in several ways:  • **Geography based** – Poverty can be measured by geography. The Scottish Index of Multiple Deprivation (SIMD) ranks Scottish postcodes between 1-10 to indicate how deprived the area is. This ranking is based on a range of factors, including average education levels of residents, crime levels, and housing quality (see [SIMD, 2020](https://www.gov.scot/collections/scottish-index-of-multiple-deprivation-2020/)). In this document SIMD 1 = most deprived and SIMD 5 = least deprived.  • **Income** – Income is widely used as an indicator for individual or household poverty. Households in the UK are classed as living in poverty if they are 60% below the median household income ([Scot Gov, 2017](https://www.gov.scot/publications/poverty-income-inequality-scotland-2015-16/pages/3/)).  • **Occupation** – The job that an individual has can be categorised hierarchically. The ‘NS-SEC’ measurement fits occupations into a scale of occupational prestige, which also broadly captures levels of pay too. |

|  |
| --- |
| **Context:**  The national oversight body Community Justice Scotland identify the importance of tackling poverty in relation to prevention:  *“Prevention of offending is at the heart of the justice system. Addressing the causes of offending will reduce the numbers of people entering the system and deliver a safer Scotland. The collective effort to minimise the harm caused by drugs, homelessness, poverty and its related consequences and trauma has the potential to transform lives and reduce offending for the benefit of individuals and their communities.”[[59]](#footnote-60)*  Furthermore, the latest National Outcomes and Activity report stated that:  *“Poverty remains a structural community justice problem. It is exacerbated by high inflation and the cost-of-living crisis….. Safe and successful community integration sets up people to succeed in a crime-free life. Local third sector organisations and community assets are pivotal in facilitating the transition from statutory services. Therefore, resourcing communities to enable this integration must remain at the heart of the strategic picture amidst shrinking public sector resources, where choices are often limited by what ‘can’ be cut.”[[60]](#footnote-61)*  Collectively the local CJPs have a role to play in creating and developing preventative approaches which will make a contribution to tackling issues around poverty. Key challenges remain however in the shape of the current squeeze on public sector/third sector budgets.  To provide general context on some key messages about the current picture on poverty in Scotland, the SDS Evidence Review are presents the following descriptions:   * Geography based poverty – Poverty can be measured by geography. The Scottish Index of Multiple Deprivation (SIMD) ranks Scottish postcodes between 1-10 to indicate how deprived the area is. This ranking is based on a range of factors, including average education levels of residents, crime levels, and housing quality. SIMD 1 = most deprived and SIMD 5 = least deprived[[61]](#footnote-62) * Income poverty – Income is widely used as an indicator for individual or household poverty. Households in the UK are classed as living in poverty if they are 60% below the median household income[[62]](#footnote-63) * Occupational poverty – The job that an individual has can be categorised hierarchically. The ‘NS-SEC’ measurement fits occupations into a scale of occupational prestige, which also broadly captures levels of pay too.[[63]](#footnote-64)   Most individuals who are in poverty are in working households and are experiencing ‘in-work’ poverty. Those living in the most deprived areas are less likely to be in employment. In 2018, the employment rate for the 20% most deprived areas in Scotland was 63%, compared to 79% for the least deprived. Over time, the 20% most deprived areas of Scotland have consistently had the lowest employment rates. [[64]](#footnote-65)  In work poverty, where adults receive a wage but not enough to keep them out of poverty, has risen in the last two decades.[[65]](#footnote-66) In 2020/21, 61% of working-age individuals in poverty, stayed in a home where at least one person was in employment.[[66]](#footnote-67) In-work poverty is associated with low pay; part time work; self-employment; temporary and insecure work. Low paid workers are more likely to have lower levels of qualifications; more likely to work part-time; less likely to have a permanent contract; tend to be younger; and more likely to be in the elementary, sales and customer service, or caring, leisure and other service occupations.  Those in the hospitality, retail and admin and support industries, are most likely to experience in-work poverty. Groups most likely to be in in-work poverty include women, ethnic minorities and young people. There are regional inequalities in the availability of job opportunities, especially for those in deprived areas. Poor and costly transport systems, act as obstacles to work.[[67]](#footnote-68)  Again, these labour market facts around in-work poverty present a further challenge to the partnerships in that those approaching liberation often will rely on entry level occupations which will be on or around the minimum wage. This is not an easy challenge to solve by partners alone. |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The policy has a positive impact on poverty in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of all individuals accused or convicted of an offence. | We will continue to work with practitioner teams to ensure trauma informed practice learning is embedded. |
| The policy has a positive impact on poverty in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to individuals who have lived experience of the justice system. | Through the SDS/SPS MoU a review of the DSA between both organisations will take place. |
| The policy has a positive impact on poverty in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |
| The policy has a positive impact on poverty in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. | SDS/Community Justice partners will develop/strengthen local referral mechanisms prioritising young people under 18 on community-based sentences. |

|  |
| --- |
| **2.13 Island Communities** |

# See guidance for section 2.13

|  |
| --- |
| The Islands (Scotland) Act 2018 was passed by the Scottish Parliament in 2018 and is only one of a handful of place-based pieces of legislation to focus specifically on islands in the world.  The measures it contains, like the Island Communities Impact Assessment, are designed to meaningfully improve outcomes for island communities. The provisions in Sections 7 to 14 of the Act came into force on 23 December 2020. For more in depth guidance from Scottish Government, please follow this link (<https://www.gov.scot/publications/island-communities-impact-assessments-guidance-toolkit-2/>)  The Additional Questions below cover steps 1-5 of the ICIA. The questions under Full Island Community Impact Assessment cover steps 6, with step 7 covered later in the IEIA form.  In December 2019, Scottish Ministers published the first-ever National Islands Plan, which was created with the input of many islanders and those with a strong interest in Scotland's islands. The Plan sets out thirteen Strategic Objectives which will also be critical over the next five years to improving the quality of life for island communities. When you are developing your project, it is important that you consider the [National Islands Plan](https://www.gov.scot/publications/national-plan-scotlands-islands/#:~:text=The%20National%20Islands%20Plan%20provides%20a%20framework%20for,replaces%20the%20proposed%20plan%20published%20in%20October%202019). |

|  |
| --- |
| **Context:**  Community justice is principally about organisations working together in each area of Scotland (including islands) to ensure that people who have offended address the underlying causes of their behaviour and pay back to the community where appropriate. This requires a strong partnership-working approach at each point of the justice system, from the point of arrest, through to integration back into the community.  Community Justice partners have responsibility for planning the delivery of Community Justice services locally. This is done through the Community Justice Outcomes Improvement Plan (CJOIP) which sets out the activities for the year ahead based on an evidence-based/local needs approach. Governance of the plan and the partnership sits within Community Planning Partnership structures in each area. This is replicated across island communities with each local plan carrying out a Strategic Needs Assessment the purpose of which is to identify local issues pertinent to each are so that the response across the plans is bespoke and localised.  This existing localised focus (backed up in statute) takes account of island communities therefore a full Islands Impact Assessment is not required. |

**Additional Questions:**

**Does this project include, deliver or impact on Island Communities (**a community which consists of two or more individuals, all of whom permanently inhabit an island and is based on common interest, identity or geography)**?**

**Yes  No**

**Is this a project, which is likely to have an impact an island community which is significantly different from its effect on other communities (including other island communities) in the area?**

**Yes  No  Don’t know**

**If you have answered no to the two questions above, you do not need to complete any further questions in the Island Communities section of this form but please provide some justification for your decision below.**

|  |
| --- |
| Please refer to the context box above for the justification. |

**What island community concerns are you already aware of?**

|  |
| --- |
|  |

**Does the existing data for Island Communities differ between** [**islands**](https://connect.sds.co.uk/Interact/Pages/Content/Document.aspx?id=8895&utm_source=interact&utm_medium=side_menu_category)**?**

|  |
| --- |
|  |

**Are there any existing design features or mitigations in place? If yes, please describe**

|  |
| --- |
|  |

**If you are consulting, is your consultation robust, meaningful, and demonstrating that SDS has regard for island communities when carrying out its functions?**

# Guidance

|  |
| --- |
| Remember to consider whether it is appropriate to conduct consultation in Gaelic as well as English. You can email [islands@sds.co.uk](mailto:islands@sds.co.uk) for advice regarding consultations in Gaelic. |

|  |
| --- |
|  |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| N/A see justification in context box above | N/A see justification in context box above |
|  |  |
|  |  |
|  |  |

**Please complete the following questions after the impact assessment above.**

**Does the evidence show any different circumstances, expectations, needs, experiences or outcomes (such as levels of satisfaction or participation)?**

**Yes  No**

**Are these different effects likely?**

**Yes  No**

**Are these effects significantly different?**

**Yes  No**

**Could the effect amount to disadvantage for an island community compared to the mainland or between other groups?**

**Yes  No**

**If the answer is no to all of the above, please provide justification for not completing the full ICIA below.**

|  |
| --- |
|  |

**If the answer is yes to any of the above, complete the Full Island Community Impact Assessment below before submitting the form for publication**

|  |
| --- |
| **Full Island Community Impact Assessment** |

**Assess the extent to which you consider that the project can be developed or delivered in such a manner as to improve or mitigate any resulting outcomes for island communities.**

**Consider alternative delivery mechanisms and whether further consultation is required.**

|  |
| --- |
|  |

**Describe how these delivery mechanisms will improve/mitigate outcomes for island communities?**

|  |
| --- |
|  |

**Identify resources required to improve/mitigate outcomes for island communities.**

|  |
| --- |
|  |

**Should delivery mechanisms/mitigations vary in different communities?**

|  |
| --- |
|  |

**Do you need to consult with island communities in respect of mechanisms or mitigations?**

|  |
| --- |
|  |

**Have island circumstances been factored into the evaluation process?**

|  |
| --- |
|  |

**Have any island-specific indicators/targets been identified that require monitoring?**

|  |
| --- |
|  |

**How will outcomes be measured on the islands?**

|  |
| --- |
|  |

**How has the project affected island communities?**

|  |
| --- |
|  |

**How will lessons learned in this ICIA inform future project making and service delivery?**

|  |
| --- |
|  |

|  |
| --- |
| **2.14 Rural Communities** |

# See guidance for 2.14

|  |
| --- |
| There is likely to be substantial overlap between island communities and rural communities. You do not need to replicate impact and action from island communities into rural communities. It is important to consider where rural communities may differ from island communities, and this section should be used to highlight those differences, if they exist or to consider rural communities where a project does not impact on island communities but does impact rural communities. |

|  |
| --- |
| **Context:**  Community justice is principally about organisations working together in each area of Scotland (including rural communities) to ensure that people who have offended address the underlying causes of their behaviour and pay back to the community where appropriate. This requires a strong partnership-working approach at each point of the justice system, from the point of arrest, through to integration back into the community.  Community Justice partners have responsibility for planning the delivery of Community Justice services locally. This is done through the Community Justice Outcomes Improvement Plan (CJOIP) which sets out the activities for the year ahead based on an evidence-based approach. Governance of the plan and the partnership sits within Community Planning Partnership structures in each area. This is replicated across rural communities with each local plan carrying out a Strategic Needs Assessment the purpose of which is to identify local issues pertinent to each are so that the response is a localised. This existing localised focus (backed up in statute) therefore takes account of rural communities. |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| N/A see justification in context box above | N/A see justification in context box above |

|  |
| --- |
| **2.15 Other** |

# See guidance for 2.15

|  |
| --- |
| This section is optional and can be used if you feel there are any other specific groups that you would like to assess (for example, carers, armed forces/veterans and those with experience of the justice system) |

|  |
| --- |
| **Context:**  Armed Services veterans will often make a successful transition to civilian life however in some small number of cases they may be in contact with the justice system if arrested or convicted of an offence/s.  Recent research has focused on the experience of veterans in the Criminal justice system[[68]](#footnote-69). Key findings include:   * The number of ex-Service personnel within the justice system is unknown. * Most are male and older on average and serving longer sentences.   Furthermore, there are a wide number of charities operating throughout the UK supporting service veterans and research has shown where many have provided support for those in contact with the justice system.[[69]](#footnote-70) Key findings from relevant research includes:   * Thirty-one armed forces charities deliver criminal justice support. * Armed forces charities delivered criminal justice support to at least 3,200 beneficiaries within the past year (2019 report). * Charities provide a range of services to individuals in the criminal justice system. * Criminal justice provision extends beyond supporting ex-Service personnel in the criminal justice system. * Relatively few charities deliver direct support to ex-Service personnel in prison. * Collaboration is key – armed forces charities frequently work together but are less likely to partner with statutory organisations. |

|  |  |
| --- | --- |
| **Impact (Does this project have a negative, positive or no impact? Please include the evidence of why that is, citing appropriate sources)** | **Action (What activity have you done already and what was the impact? What do you need to do to address the evidence?)** |
| The policy has a positive impact on veterans in that it is seeking to ensure that services are person-centred, evidence-based as well as accessible and available to address the needs of all individuals accused or convicted of an offence. | We will continue to work with practitioner teams to ensure trauma informed practice learning is embedded. |
| The policy has a positive impact on veterans in that it is strengthening the collective leadership, engagement, and partnership working of local and national community justice partners to individuals who have lived experience of the justice system. | Through the SDS/SPS MoU a review of the DSA between both organisations will take place. |
| The policy has a positive impact on veterans in that it promotes the collective efforts by CJ partners to develop and enhance life skills and readiness for employment by ensuring increased access to employability support through effective education, learning, training, career services and relevant benefit services. | SDS will engage in the Community Justice Scotland led Talking Point National Workshops. |
| The policy has a positive impact on veterans in that it supports reintegration and reducing stigma by ensuring that the community and workforce have an improved understanding / confidence in community justice. | SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. |

|  |
| --- |
| **2.16 Consultation Recording** |

**Consultation is an excellent source of evidence and can offer insight that cannot be gathered in any other way. It is important to be well prepared when consulting with partners, ensuring you do not take too much of their time and that you efficiently gather the information you need. However, it is also easy to over consult with our partners, so sharing key learning is important to mitigate that risk. It is also important to inform your consultees about changes that have been made (or not made) based on their input. Please use this space to share key learning from your consultations and how you have fed back to the consultees.**

**Further information on our National Approach to Equality Stakeholders can be found** [**here**](https://skillsdevelopmentscotland.sharepoint.com/sites/IShare/Connectcontent/Resource%20Library/Forms/NotArchived.aspx?id=%2Fsites%2FIShare%2FConnectcontent%2FResource%20Library%2FStakeholder%20Engagement%2FNational%20Approach%20to%20Equality%20Stakeholder%20Engagement%2Epdf&parent=%2Fsites%2FIShare%2FConnectcontent%2FResource%20Library%2FStakeholder%20Engagement&p=true&wdLOR=c01445F43%2DF2E8%2D4B61%2DA36E%2D26AF5BD290DF&ct=1673439461424&or=Outlook%2DBody&cid=A4E46CE1%2D78DB%2D405E%2D9196%2D556D1E52BAE2&ga=1)**.**

**Focal Point Groups can also be useful for consultations, further information can be found** [**here**](https://connect.sds.co.uk/Interact/Pages/Content/Document.aspx?id=9279&utm_source=interact&utm_medium=side_menu_category)**.**

# See guidance for 2.16

|  |
| --- |
| Scottish Government suggests that consultation should adhere to the following principles:   * Continuous – Stakeholder engagement and consultation should begin as early as possible and continue until your proposal is complete. * Broad-Based – Consideration of the scope of consultation about your proposal should be wide enough to include all those affected and ensure a full spectrum of diversity in views and opinions. * Not Burdensome – Timeframes for consultation should be realistic and should not impose additional unnecessary workloads on organisations or people who may be expected to respond to multiple consultations over a period. This could result in "consultation fatigue" and may reduce the quality of the responses you receive. * Transparent – You should outline the objectives of your consultation and the context surrounding your proposal. All relevant supporting information should be made available. * Consistent and Flexible – Use of a consistent framework for consultation allows respondents to become familiar with the process and can negate concerns for respondents in relation to fatigue from responding to numerous different frameworks. * Subject to Evaluation and Review – Consultation processes should be evaluated, reviewed and updated as a means towards continuous improvement. * Defined Goals – Consultations should be "a means rather than an end". They should be used as a means of informing decision-making rather than a substitute for decision-making. |

|  |  |  |  |
| --- | --- | --- | --- |
| **Stakeholder(s) consulted** | **Key feedback from stakeholder(s)** | **What changes were made based on the feedback?** (if none, explain why) | **How was this fed back to stakeholders?** (including date provided) |
| **CIAG Consultation Group** | **Discussed the IEIA process in context of their experience of serving on the CJPs.** | **Perspectives shared on impacts against groups plus recap discussion on range of CJS actions contained within the policy. Enabled /supported thoughts regarding appropriate content for sections of IEIA.** | **The group will be copied into the final IEIA** |

|  |
| --- |
| **3.0 Action Plan** |

**A key part of every impact assessment is the action plan. This is where you state the actions that you will take in response to the impact assessment you have completed. The actions should be specific, measurable, achievable, relevant and timebound (SMART).**

**Once the IEIA has been signed off by the SRO, actions within the Action Plan should be added to the relevant team’s Continuous Improvement Action Plan.**

# See guidance for 3.0

|  |
| --- |
| Consider the following points when drafting actions:   * How will you monitor the action and ensure it will be completed? * If you are taking an action regarding Equality Monitoring, have you ensured it is compliant with GDPR legislation? * If you have taken actions related to procurement, how will you ensure these are reflected within procurement documents and contracts? |

|  |  |  |  |
| --- | --- | --- | --- |
| **What is the action you will take in response to the impact assessment?** | **Which characteristics/groups does it apply to?** | **What is the intended impact?** | **When will this be completed?** |
| SDS/Community Justice partners will develop/strengthen local referral mechanisms prioritising young people under 18 on community-based sentences. | Age, Children’s Rights, Care Experience, Race, Sex, Poverty | To ensure access to career guidance support for those on community-based sentences. | Q2 2024-25 |
| We will continue to work with practitioner teams to ensure trauma-informed practice learning is embedded. | Age, Children’s Rights, Care Experience, Gender Reassignment, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, Poverty, Armed Service Veterans | SDS practitioners are trauma informed. | ongoing |
| Through the SDS/SPS MoU options will be explored to harness digital technology to support greater awareness of and accessibility to SDS services for those of all ages. | Age, Children’s Rights | Greater awareness of SDS services available in communities for those approaching liberation. | Q1 2025-26 |
| Through the SDS/SPS MoU a review of the Data Sharing Agreement (DSA) between both organisations will take place. | Age, Children’s Rights, Care Experience, Disability, Gender Reassignment, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, Poverty, Armed Service Veterans | DSA is updated and takes account of policy/service delivery changes. | Q2 2024-25 |
| SDS will champion justice issues within Local Employability Partnerships (LEPs) given their link role. | Age, Children’s Rights, Care Experience, Disability, Gender Reassignment, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, Poverty, Armed Service Veterans | Greater cohesion/shared working between CJ Partnerships and LEPs. | ongoing |
| SDS will continue to assist in the development of a Learning Framework for Children’s Rights together with a range of other national organisations through the Professional Panel led by Together Scotland | Children’s Rights | The resource is used by leaders and practitioners to help drive awareness and develop skills associated with children’s rights statutory obligations | Q1 2024-25 |
| SDS will deliver its Corporate Parent Plan (2021-2024) setting out the organisation’s commitments and actions. | Care Experience | The commitments and actions are delivered. | Q3 2024-25 |
| SDS will engage in the Community Justice Scotland led Talking Point National Workshops. | Other | Better shared understanding of topical CJ issues. Better sharing of resources, insight and perspectives to aid practice. | ongoing |

|  |
| --- |
| **4.0 Approval and Publication** |

* **Will you be making this IEIA available in different formats/languages?**

# Guidance

|  |
| --- |
| Scottish Government specifically asks about making impact assessments available in Easy Read and Gaelic within their guidance for the Island Community Impact Assessments. It is not required, but they do suggest it is considered. You can email islands@sds.co.uk for advice regarding publication in Gaelic. |

|  |
| --- |
|  |

|  |  |  |  |
| --- | --- | --- | --- |
| **SRO (Print)** | **SRO Signature** | **Date** | **Review Date** |
| **S Cheyne** |  | **240124** | **Quarter 4 2026-2027** |

|  |
| --- |
| **5.0 Review (To be completed at the review date, not at the same time it is submitted)** |

**This section should be completed as part of the review on the date listed above under the sign off.**

# Guidance for 5.0

|  |
| --- |
| Reviewing is important for several reasons.   * It will allow you to reflect on progress and learning before completing an updated IEIA in the future. * If you do not need to complete an updated IEIA, it stills allows for evaluation of the project and can provide learning for others in the future who are developing similar/related projects. * It will help the equality teams to identify and share good practice across the business. |

**Were the actions taken completed? If not, why not?**

|  |
| --- |
|  |

**Did the actions achieve what they intended? If not, why not?**

|  |
| --- |
|  |

**What actions would you continue/stop or reconsider for future projects?**

|  |
| --- |
|  |

**Has any evidence been identified that may be useful for similar future projects?**

|  |
| --- |
|  |

**If this is a review for an ongoing project, are there any additional actions to add to the project going forward?**

|  |
| --- |
|  |

1. Community Justice Scotland (2022). [Community Justice Outcome Activity Annual Report 2021-2022](https://communityjustice.scot/wp-content/uploads/2023/04/CJS-Outcome-Activity-Annual-Report-OAAR-2021-22.pdf) [↑](#footnote-ref-2)
2. Education Scotland and Scottish Prison Service (2021). [Supporting learners at risk of, or who are in conflict with the law](https://education.gov.scot/media/h2bjtdv3/nih236-supporting-offender-learners-booklet-mar-2021.pdf) [↑](#footnote-ref-3)
3. The Promise Scotland (2020) https://thepromise.scot/resources/2020/keepthepromise-youth-justice.pdf [↑](#footnote-ref-4)
4. Community Justice Scotland Learning Hub (2023). [Supporting People’s Communication Needs](https://communityjustice.scot/learning-hub/community-justice/supporting-peoples-communication-needs/). [↑](#footnote-ref-5)
5. Inclusion Scotland (2023). [Disabled people’s right to work](https://inclusionscotland.org/get-informed/disabled-peoples-right-to-work#:~:text=Yet%20there%20are%20many%20barriers,the%20support%20that%20does%20exist.) [↑](#footnote-ref-6)
6. The disability employment gap is the difference between the employment rates of disabled people and non-disabled people [↑](#footnote-ref-7)
7. Scottish Government (2022). [Scotland’s labour market: People, places and regions](https://www.gov.scot/publications/scotlands-labour-market-people-places-regions-protected-characteristics-statistics-annual-population-survey-2021/pages/8/)-protected characteristics [↑](#footnote-ref-8)
8. DWP (2022). Official statistics. [The employment of disabled people 2021](https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2021/the-employment-of-disabled-people-2021#:~:text=disability%20prevalence%20(710%2C000%20%E2%80%93%20880%2C000%20%E2%80%93,(60%2C000%20%E2%80%93%2090%2C000%20%E2%80%93%205%25)). [↑](#footnote-ref-9)
9. Fraser if Allander Institute (2021). [Scotland’s employment landscape for people with learning disabilities](https://fraserofallander.org/publications/report-scotlands-employment-landscape-for-people-with-learning-disabilities/#:~:text=Employment%20outcomes%20for%20people%20with,people%20from%20leading%20fulfilling%20lives.). [↑](#footnote-ref-10)
10. DWP (2022). Official statistics. [The employment of disabled people 2021](https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2021/the-employment-of-disabled-people-2021#:~:text=disability%20prevalence%20(710%2C000%20%E2%80%93%20880%2C000%20%E2%80%93,(60%2C000%20%E2%80%93%2090%2C000%20%E2%80%93%205%25)) [↑](#footnote-ref-11)
11. TUC (2021). [Disabled workers’ access to flexible working as a reasonable adjustment](https://www.tuc.org.uk/sites/default/files/2021-10/DisabledWorkersFlexibleworking2.pdf) [↑](#footnote-ref-12)
12. DWP (2022). Official statistics. [The employment of disabled people 2021](https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2021/the-employment-of-disabled-people-2021#:~:text=disability%20prevalence%20(710%2C000%20%E2%80%93%20880%2C000%20%E2%80%93,(60%2C000%20%E2%80%93%2090%2C000%20%E2%80%93%205%25)) [↑](#footnote-ref-13)
13. FSB (2022). [Business without barriers: Supporting disabled people and those with health conditions in the workforce](https://www.fsb.org.uk/resource-report/business-without-barriers.html) [↑](#footnote-ref-14)
14. ONS (2022). [Disability pay gaps in the UK: 2021](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/disabilitypaygapsintheuk/2021#:~:text=Figure%201%3A%20The%20disability%20pay%20gap%20was%2013.8%25%20in%202021&text=In%202021%2C%20the%20disability%20pay,of%20%C2%A314.03%20per%20hour.) [↑](#footnote-ref-15)
15. Univesrity of Glasgow (April 2022). [Ending poverty and removing barriers to work for disabled people in Glasgow beyond Covid-19](https://gda.scot/app/uploads/2022/04/Glasgow-Disability-Workstream-Ending-Poverty-April-2022.pdf) [↑](#footnote-ref-16)
16. Scottish Government (2022). [Longitudinal education outcomes from Universities: 2019/20: Scotland](https://www.gov.scot/binaries/content/documents/govscot/publications/statistics/2022/11/longitudinal-education-outcomes-leo-universities-2019-20-scotland/documents/longitudinal-education-outcomes-leo-universities-2019-20-scotland/longitudinal-education-outcomes-leo-universities-2019-20-scotland/govscot%3Adocument/longitudinal-education-outcomes-leo-universities-2019-20-scotland.pdf) [↑](#footnote-ref-17)
17. Scottish Government (2022). [Scotland’s labour market: People, places and regions – protected characteristics. Statistics from the Annual Population Survey 2021](https://www.gov.scot/publications/scotlands-labour-market-people-places-regions-protected-characteristics-statistics-annual-population-survey-2021/pages/8/#:~:text=Economic%20Inactivity,people%20(16.4%20per%20cent).) [↑](#footnote-ref-18)
18. SPICE (2022). [Covid-19 recover committee. Road to recover: impact of the pandemic on the Scottish labour market inquiry](https://www.parliament.scot/-/media/files/committees/covid19-recovery-committee/summary-of-responses-to-the-call-for-views.pdf) [↑](#footnote-ref-19)
19. Scottish Government (2023). [National Community Justice Strategy and Performance Framework Impact Assessments](https://www.gov.scot/binaries/content/documents/govscot/publications/impact-assessment/2023/12/national-community-justice-strategy-performance-framework-impact-assessments/documents/national-community-justice-strategy-performance-framework-impact-assessments/national-community-justice-strategy-performance-framework-impact-assessments/govscot%3Adocument/national-community-justice-strategy-performance-framework-impact-assessments.pdf) [↑](#footnote-ref-20)
20. LGBT Health & Wellbeing (2021). [Trans people and work](https://www.lgbthealth.org.uk/wp-content/uploads/2021/08/Trans-People-and-Work-Survey-Report-LGBT-Health-Aug-2021-FINAL.pdf) [↑](#footnote-ref-21)
21. LGBT Health & Wellbeing (2021). [Trans people and work](https://www.lgbthealth.org.uk/wp-content/uploads/2021/08/Trans-People-and-Work-Survey-Report-LGBT-Health-Aug-2021-FINAL.pdf) [↑](#footnote-ref-22)
22. Stonewall (2020). [Shut out. The experiences of LGBT young people not in education, training or work](https://www.stonewall.org.uk/system/files/shut_out_2020.pdf) [↑](#footnote-ref-23)
23. Scottish Government (2023). [National Community Justice Strategy and Performance Framework Impact Assessments](https://www.gov.scot/binaries/content/documents/govscot/publications/impact-assessment/2023/12/national-community-justice-strategy-performance-framework-impact-assessments/documents/national-community-justice-strategy-performance-framework-impact-assessments/national-community-justice-strategy-performance-framework-impact-assessments/govscot%3Adocument/national-community-justice-strategy-performance-framework-impact-assessments.pdf) [↑](#footnote-ref-24)
24. Government Equalities Office (2019). [Employment pathways and occupational change after childbirth](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/840062/Bristol_Final_Report_1610.pdf) [↑](#footnote-ref-25)
25. IFS (2018). [Mothers suffer big long-term pay penalty from part-time working](https://ifs.org.uk/news/mothers-suffer-big-long-term-pay-penalty-part-time-working) [↑](#footnote-ref-26)
26. Vagni & Breen (2021). [Earnings and income penalties for motherhood](https://academic.oup.com/esr/article/37/5/834/6325498) [↑](#footnote-ref-27)
27. UK Government (2022). [Childcare and early years survey of parents](https://explore-education-statistics.service.gov.uk/find-statistics/childcare-and-early-years-survey-of-parents) [↑](#footnote-ref-28)
28. Scottish Government (2014). [The experiences of mothers aged under 20: analysis of data from the Growing Up in Scotland survey](https://www.gov.scot/publications/experiences-mothers-aged-under-20-analysis-data-growing-up-scotland-study/pages/8/) [↑](#footnote-ref-29)
29. Scottish Government (2022). [Tackling child poverty delivery plan – focus report on households with mothers aged 25 or under](https://www.gov.scot/publications/tackling-child-poverty-delivery-plan-fourth-year-progress-report-2021-22-focus-report-households-mothers-aged-25-under/pages/4/) [↑](#footnote-ref-30)
30. ONS (2021). [Families and the labour market, UK: 2021](https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/familiesandthelabourmarketengland/2021#parental-employment-rates-by-age-of-parent) [↑](#footnote-ref-31)
31. Equality and Human Rights Commission (2018). [Pregnancy and maternity-related discrimination and disadvantage](https://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-and-maternity-discrimination-research-findings#:~:text=One%20in%20five%20mothers%20said,as%20100%2C000%20mothers%20a%20year.) [↑](#footnote-ref-32)
32. Unlock (2019). [Double discrimination? The impact of criminal records on people from black, Asian and minority ethnic backgrounds.](https://www.unlock.org.uk/wp-content/uploads/Double-discrimination-Full-report-July-2019.pdf) [↑](#footnote-ref-33)
33. Fraser of Allander Institute (2020). [Economic Outcomes for Minority Ethnic Groups in Scotland](https://fraserofallander.org/economic-outcomes-for-minority-ethnic-groups-in-scotland/) [↑](#footnote-ref-34)
34. EHRC (2018). [Is Scotland Fairer?](https://www.equalityhumanrights.com/en/publication-download/scotland-fairer-2018) [↑](#footnote-ref-35)
35. Khan, O (2020). Runnymede Report, [The Colour of Money. How racial inequalities obstruct a fair and resilient economy](https://assets.website-files.com/61488f992b58e687f1108c7c/61bcc1c736554228b543c603_The%20Colour%20of%20Money%20Report.pdf) [↑](#footnote-ref-36)
36. Fraser of Allander Institute (2020). [Economic Outcomes for Minority Ethnic Groups in Scotland](https://fraserofallander.org/economic-outcomes-for-minority-ethnic-groups-in-scotland/) [↑](#footnote-ref-37)
37. The McGregor-Smith Review (2017). [Race in the workplace.](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/594336/race-in-workplace-mcgregor-smith-review.pdf) [↑](#footnote-ref-38)
38. Joseph Rowntree Foundations (2013), [In-work Poverty, ethnicity and workplace cultures](https://www.jrf.org.uk/report/work-poverty-ethnicity-and-workplace-cultures) [↑](#footnote-ref-39)
39. The Traveller Movement (2017), [Information and Support](https://travellermovement.org.uk/information-and-support) [↑](#footnote-ref-40)
40. Scottish Government Cross Justice Working Group (2020) – [Cross Justice Working Group on Race Data and Evidence](https://www.gov.scot/groups/cross-justice-working-group-on-race-data-and-evidence/) [↑](#footnote-ref-41)
41. Scottish Government (2023). [National Community Justice Strategy and Performance Framework Impact Assessments](https://www.gov.scot/binaries/content/documents/govscot/publications/impact-assessment/2023/12/national-community-justice-strategy-performance-framework-impact-assessments/documents/national-community-justice-strategy-performance-framework-impact-assessments/national-community-justice-strategy-performance-framework-impact-assessments/govscot%3Adocument/national-community-justice-strategy-performance-framework-impact-assessments.pdf) [↑](#footnote-ref-42)
42. EHRC (2018). [Is Britain Fairer?](https://www.equalityhumanrights.com/en/publication-download/britain-fairer-2018) [↑](#footnote-ref-43)
43. EHRC (2018). [Is Britain Fairer?](https://www.equalityhumanrights.com/en/publication-download/britain-fairer-2018) [↑](#footnote-ref-44)
44. House of Commons Women and Equalities Committee (2016). [Employment opportunities for Muslims in the UK](https://publications.parliament.uk/pa/cm201617/cmselect/cmwomeq/89/89.pdf) [↑](#footnote-ref-45)
45. Miaari, S, Khattab, N & Johnston, R (2019). ['Religion and ethnicity at work: a study of British Muslim women's labour market performance'](https://research-information.bris.ac.uk/ws/portalfiles/portal/156963452/BritishMuslimwomen_26Feb2018.pdf), Quality and Quantity, vol. 53, no. 1, pp. 19-47. [↑](#footnote-ref-46)
46. Khattab, N., & Hussein, S. (2018). [Can Religious Affiliation Explain the Disadvantage of Muslim Women in the British Labour Market?](https://journals.sagepub.com/doi/abs/10.1177/0950017017711099)Work, Employment and Society, 32(6), 1011–1028. [↑](#footnote-ref-47)
47. Prison Reform Trust (2020). [Working it out: improving employment opportunities for women with criminal convictions](http://prisonreformtrust.org.uk/wp-content/uploads/old_files/Documents/Women/workingitout220120_final.pdf), Prison Reform Trust [↑](#footnote-ref-48)
48. Prison Reform Trust (2020). [Working it out: improving employment opportunities for women with criminal convictions](http://prisonreformtrust.org.uk/wp-content/uploads/old_files/Documents/Women/workingitout220120_final.pdf), Prison Reform Trust [↑](#footnote-ref-49)
49. Scottish Prison Service (2018). [Women in Custody Prison Survey 2017](https://www.sps.gov.uk/Corporate/Publications/Publication-6069.aspx) [↑](#footnote-ref-50)
50. Scottish Government (2022). [Fair work action plan: becoming a leading fair work nation by 2025](https://www.gov.scot/publications/fair-work-action-plan-becoming-leading-fair-work-nation-2025/pages/2/) [↑](#footnote-ref-51)
51. Cameron, H. (2022). [Breaking the bias – gender equality and the gig economy](https://theknowledgeexchangeblog.com/2022/03/09/breaking-the-bias-gender-equality-and-the-gig-economy/) [↑](#footnote-ref-52)
52. Close the Gap (2018). [The gender penalty. Exploring the causes and solutions to Scotland’s gender pay gap](https://www.closethegap.org.uk/content/resources/The-Gender-Penalty-Feb-2018.pdf) [↑](#footnote-ref-53)
53. Scottish Government (2023). [National Community Justice Strategy and Performance Framework Impact Assessments](https://www.gov.scot/binaries/content/documents/govscot/publications/impact-assessment/2023/12/national-community-justice-strategy-performance-framework-impact-assessments/documents/national-community-justice-strategy-performance-framework-impact-assessments/national-community-justice-strategy-performance-framework-impact-assessments/govscot%3Adocument/national-community-justice-strategy-performance-framework-impact-assessments.pdf) [↑](#footnote-ref-54)
54. Stonewall (2020). [Shut Out](https://www.stonewall.org.uk/system/files/shut_out_2020.pdf) The experiences of LGBT young people not in education, training or work. [↑](#footnote-ref-55)
55. Hudson- Sharp, N. and Metcalf, H. (2016). [Inequality among lesbian, gay bisexual and transgender groups in the UK: a review of evidence](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/539682/160719_REPORT_LGBT_evidence_review_NIESR_FINALPDF.pdf). [↑](#footnote-ref-56)
56. Stonewall (2018). [LGBT In Britain in Work](https://www.stonewall.org.uk/system/files/lgbt_in_britain_work_report.pdf) [↑](#footnote-ref-57)
57. LGBT Youth Scotland (2022). [Life in Scotland for LGBT Young People](https://www.lgbtyouth.org.uk/media/2712/life-in-scotland-for-lgbt-young-people-2022-e-use.pdf) [↑](#footnote-ref-58)
58. CIPD (2021). [Inclusion at work: Perspectives on LGBT+ working lives](https://www.cipd.co.uk/knowledge/fundamentals/relations/diversity/inclusion-perspectives-lgbt) [↑](#footnote-ref-59)
59. Community Justice Scotland. [Corporate Plan 2020-2023](https://communityjustice.scot/wp-content/uploads/2021/02/CJS-Corporate-Plan-2020-2023.pdf) [↑](#footnote-ref-60)
60. Community justice Scotland – P8 [Outcome Activity Annual Report 2021-2022](https://communityjustice.scot/wp-content/uploads/2023/04/CJS-Outcome-Activity-Annual-Report-OAAR-2021-22.pdf) [↑](#footnote-ref-61)
61. Scottish Government (2020). [Scottish index of multiple deprivation 2020](https://www.gov.scot/collections/scottish-index-of-multiple-deprivation-2020/) [↑](#footnote-ref-62)
62. Scottish Government (2022). [**Poverty in Scotland: methodology**](https://www.gov.scot/publications/poverty-in-scotland-methodology/pages/poverty-definition/#:~:text=Details%20on%20how%20poverty%20in%20Scotland%20is%20measured.,compared%20with%20the%20average%20for%20the%20whole%20population.)  [↑](#footnote-ref-63)
63. ONS (2021). [**The National Statistics Socio-economic classification (NS-SEC).**](https://www.ons.gov.uk/methodology/classificationsandstandards/otherclassifications/thenationalstatisticssocioeconomicclassificationnssecrebasedonsoc2010)  [↑](#footnote-ref-64)
64. Scottish Government (2020). [Scotland's Labour Market: People, Places, and Regions - Statistics from the Annual Population Survey 2019](https://www.gov.scot/publications/scotlands-labour-market-people-places-regions-statistics-annual-population-survey-2019/pages/4/) [↑](#footnote-ref-65)
65. The Health Foundation (2021). [**In-work poverty trends - The Health Foundation**](https://www.health.org.uk/evidence-hub/money-and-resources/poverty/in-work-poverty-trends) [↑](#footnote-ref-66)
66. JRF (2023). [**UK Poverty 2023**](https://www.jrf.org.uk/sites/default/files/jrf/uk_poverty_2023_-_the_essential_guide_to_understanding_poverty_in_the_uk_0_0.pdf) [↑](#footnote-ref-67)
67. JRF (2023). [**UK Poverty 2023**](https://www.jrf.org.uk/sites/default/files/jrf/uk_poverty_2023_-_the_essential_guide_to_understanding_poverty_in_the_uk_0_0.pdf) [↑](#footnote-ref-68)
68. Forces in Mind Trust Research Centre (2023). [Ex-Service Personnel and the Justice System: A synthesis of existing research evidence.](https://www.fimt-rc.org/downloads/research-summary/full/justice.pdf) [↑](#footnote-ref-69)
69. Directory of Social Change (2019). [Focus on Armed Forces Charities in the Criminal justice System.](https://s31949.pcdn.co/wp-content/uploads/armed-forces-charities-in-criminal-justice-system.pdf) [↑](#footnote-ref-70)