



Ministry of  
**JUSTICE**

National Offender  
Management Service



# Cumbria Probation Trust

Equality & Diversity Annual Report 2011

## Foreword



**Annette Hennessy and Richard Rhodes**

Welcome to Cumbria Probation Trust's Equality and Diversity Annual Report 2011. This has been prepared to meet our public sector equality duty and we hope it provides helpful and relevant information. In addition to statistical information, it sets out our planned objectives for 2012-13 and these will be cross-referenced in our Annual Business Plan for 2012-13.

The Board and management will monitor progress during the year and the improvement activities we have identified will be reported on in next year's Equality and Diversity Annual Report.

Annette Hennessy  
Chief Executive

Richard Rhodes  
Trust Board Chair

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# Background

## Probation Trust and Geographic Area

- Cumbria Probation Trust is geographically the second largest County in England with a great number of isolated communities, and a population of approximately 498,000, with only five towns having a population over 20,000, Cumbria is the second least densely populated county.
- Cumbria Probation Trust is proud to serve the communities of Cumbria. We are a key partner in delivering a valued, excellent level of service in managing offenders in custody and in the community, contributing to reducing reoffending and protecting individuals and communities from harm. We are committed to conducting our activities with regard for each person's unique value and potential. The Trust recognises that striving for equality means recognising and valuing diversity. We want our policies to be well informed and evidence based, and our practices to be effective. In the development of our policies and practices, we seek information from a variety of sources, and consult and engage appropriately to ensure we meet the needs of the communities we serve. We recognise that the way a public body interacts with its service users and employees impacts on equality and this underpins Cumbria Probation Trust's commitment to demonstrating an adequate evidence base for our decisions and the impact of those decisions on different people. We are therefore committed to engaging with a variety of groups in the community to improve our understanding of the particular needs of the community and how we can pool knowledge and experience to eliminate discrimination, advance equality of opportunity and foster good relations.
- Cumbria is a complex landscape, shaped by its unique history and geography. Many people think of Cumbria as the Lake District, renowned for being a place of natural beauty where many people visit, and aspire to live. Cumbria is a safe place to live and recorded crime is low. However, the advancement of equality in Cumbria presents different challenges to those in an urban, metropolitan environment. Issues of accessibility and isolation for offenders, victims and the small black and ethnic minority population present a particular challenge. The Trust is committed to ensuring that we reach all sections of the population to offer a service which is relevant and effective and, in particular, working with other organisations in our community, to protect those most at risk of harm.
- Cumbria Probation Trust has a commitment to demonstrating that we deliver a service which is not only efficient and effective, but also delivers equality of outcomes to staff, service users and the communities of Cumbria. Our approach is to understand how and where inequality impacts on staff, service users and communities to enable the Trust to take visible steps to rectify this and achieve equality of people's experience and involvement with the Trust. This is part of our role in leading on work with offenders and victims, and in our active involvement with other organisations and agencies to protect vulnerable individuals from the impact of crime and the associated inequalities which can impact on communities.

- Cumbria Probation Trust is a key criminal justice agency, playing an integral part in working directly with, and having influence on, work with offenders. Our partners include the Police, Crown Prosecution Service, HM Court Services, Youth Offending Service, and HM Prison Service. We are one of 35 Probation Trusts within England and Wales, which mirror the boundaries of the Police Authorities and the Crown Prosecution Service. Each Trust has specific, statutory, aims, which are:
  - Protection of the public
  - Reduction in reoffending
  - Proper punishment of offenders in the community
  - Rehabilitation of offenders
  - Ensuring offenders' awareness of the effects of crime on victims and the public
  
- The information provided below relates to both Service Delivery and Employment Practice, together with examples of how the Trust seeks to engage with service users and the wider communities with whom we are involved, and an indication of the equality objectives we plan to set from 6 April 2012. There is more information on our website about the specific work of the Trust and members of the public can access our Annual Plan and Single Equality Scheme, therefore we will not duplicate information already provided. The information below shows:
  - The processes the Trust has in place to analyse management information and address, reduce and remove inequalities;
  - The management information the Trust has in place to identify where there are inequalities; and
  - How the Trust uses the management information to determine objectives.

## General and Specific Duties

- Cumbria Probation Trust (the Trust) is a public body and all public bodies have a General Public Duty to have due regard to the need to:
  - Eliminate unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Equality Act 2010;
  - Advance equality of opportunity between people from different groups; and
  - Foster good relations between people of different groups.
- These duties relate to the following nine Protected Characteristics:
  - Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnership
  - Pregnancy and maternity
  - Ethnicity
  - Religion or Belief
  - Gender
  - Sexual orientation
- Public bodies have specific duties under the Equality Act 2010 to:
  - Publish information annually about their performance and equality, so that the public can hold them to account.
  - Set specific, measurable equality objectives by 6 April 2012.
  - Information must be published in a way that is accessible and easy to understand.
- Information published must include information on the effect that the public body's policies and practices have on equality for service users and for their employees. Public bodies with 150 or more staff will be expected to publish information on significant and long-standing inequalities, such as the gender pay gap, the proportion and distribution of disabled employees, and staff from ethnic minority communities.
- To comply with the general duty, public bodies need to understand how their policies and practices will affect equality from different groups, and do this early enough to influence how things are done. Under the specific duties, they must publish evidence of equality analysis they have undertaken to establish whether their policies and practices would promote, or have promoted, the three aims of the general duty. They must also publish details of the information considered in conducting that analysis.

## Responsibility and Accountability for advancing equality

- The Chief Executive Officer (CEO) and Board are ultimately accountable; with the CEO taking a lead role in overseeing the services and processes in place which support the monitoring and achievement of the planned actions. In addition, the Trust will be implementing as part of its Quality Assurance Framework, audits of practice and outcomes for offenders against the protected characteristics.

## Processes Analysing Management Information

- The Trust uses the mechanism of a Single Equality Scheme (SES) to highlight the key actions that it is taking to identify, reduce and remove inequalities for all groups across service delivery and employment practice. The SES is a live document which is periodically reviewed by the Equality & Diversity Steering Group. This group consists of representatives from across the organisation, including Trade Unions, and meets on a regular basis to monitor progress of the actions.
- The specific focus for this group is to identify any areas of negative disproportion in order to support the Trust's aim to achieve anti-discriminatory and effective equality practice. The representatives of this group are able to act as a conduit to the wider workforce and service users, and also make recommendations to the Senior Management Team.
- The Trust produces a range of statistical data related to performance, service delivery and employment practice outcomes, across the different protected characteristics. The Equality & Diversity Steering Group reviews the information produced.
- A focus on specific performance outcomes across critical areas of service delivery in relation to gender, ethnicity, disability and age, allows for monitoring areas of our service delivery where there is scope for discretion within the decision making process.

# Workforce

## Statistics

- The information below presents a picture of the diversity of our workforce using data held on 31 December 2011.

Gender	
Male	32.0%
Female	68.0%

Disability	
Yes	6.2%
No	93.8%
Undeclared	0.0%

Age	
16-19	0.0%
20-24	1.5%
25-29	11.3%
30-34	11.3%
35-39	11.9%
40-44	14.4%
45-49	11.3%
50-54	17.0%
55-59	14.4%
60-64	6.7%
65 and over	0.0%

Ethnic Origin	
White: British	98.0%
White: Other	0.5%
Asian / Asian British	1.5%

Sexual Orientation	
Heterosexual	53.0%
Other	47.0%

- 'Other' figure in sexual orientation section consists of homosexual, bisexual and no data/decline to answer. Due to the small numbers involved we cannot report disaggregated information.
- There are no apparent issues for transsexual staff, as the Trust is not aware of any transsexual employees therefore no potential issues have been identified at this stage.
- All staff employed by Cumbria Probation Trust are appointed to either the NNC terms and conditions of employment (for Bands 1 to 6) or the SCCOG terms and conditions of employment (for Chief Officer grades), therefore within the Trust there is no gender pay gap.
- Cumbria Probation Trust collates disaggregated information on grievance, disciplinary and dismissal numbers. However, is unable to provide this information for the basis of the report as individuals could be identified due to small numbers involved.

## Achievements

- We have reviewed the Single Equality Scheme and internal Equality and Diversity Action Plan in line with the Equality Act 2010. We reviewed the training and development requirements for staff and provided career advisory training, which was open to all staff and was delivered by A4E. A developmental programme for female managers was delivered through Springboard and will be evaluated in due course to establish any potential relevance for male managers. In addition to this, all middle managers have now all completed the ILM level 3 in Supervisory Management. We also achieved re-accreditation from Investors in People.
- During the year, the existing probation offices in Workington & Whitehaven merged into one office in Workington to provide probation services for West Cumbria. This followed consultation with staff and unions and consideration of diversity aspects to ensure that the building is compliant for disabled users.

## Planned Activity

- Over the coming year the Human Resources team will be asking staff to voluntarily supply personal information to enable monitoring and reporting on the nine Protected Characteristics. The Human Resources team will also re-establish links with the local community groups such as the Lesbian, Gay, Bisexual and Transgender (LGB & T) groups. Although at present CPT does not appear to have any transsexual employees, links with these groups would help identify and resolve any potential issues.
- We will be providing refresher Equality and Diversity training for all staff. We will also continue to review the Single Equality Scheme and internal Equality and Diversity Action Plan, embedding equality and diversity issues into the Annual Plan 2012-13 in line with the guidance for the public sector duty under the Equality Act 2010.

## Objectives

- Agree and analyse workforce information by protected characteristics to review career progressions and training opportunities
- Establish links with local community groups
- Review and benchmark SES, integrate actions into Annual Plan 2012 - 2013

# Services

## Working with offenders

- Cumbria Probation Trust works with offenders across the whole County and our aim is to provide an equitable service that meets an individual's needs in order that they can:
  - Comply with their sentence
  - Interact with the process of effective challenge about their offending behaviour
  - Become crime free members of the community by reducing their reoffending

## Management Information

- Cumbria Probation Trust currently monitors the gender, ethnicity, disability and age of offenders with whom we work. The Trust is currently reviewing its processes to include sexual orientation and faith, providing guidance to staff regarding how to do this sensitively to avoid causing discomfort to service users.
- Cumbria Probation Trust aims to capture data in 100% of cases. Currently disability is recorded on our system in 93% of cases and we are working towards improving this figure over the next year. We currently hold information about ethnicity for 98% of our caseload.
- The Trust recognises the need to continuously improve its ability to identify all barriers to accessing services which offenders may experience so that they can be challenged appropriately about their offending, reduce their reoffending and enable them to lead more socially responsible lives.
- The Trust intends to review the available guidance in relation to gender reassignment and we have identified this as a future objective.
- Cumbria Probation Trust has taken account of the recommendations within the Corston Report about women in the Criminal Justice System and we recognise that gender equality involves treating men and women with equivalent respect, according to need. The fundamental differences between male and female offenders indicate a different and distinct approach is necessary for women.
- The Trust has just implemented the Red Road Footsteps programme, a developmental programme which will support women offenders to review their lifestyle choices, and empower them to make changes which will enable them to achieve compliance with their sentence and go on to lead crime free lives. We have identified Women's Champions in each office in the County.
- The Trust has updated its Influencing Demand Strategy and this provided key information about areas where women may be exposed to disproportionate outcomes at court. We have also completed a comparative analysis of the use of enforcement and note that the trend continues downward with fewer women being recalled to custody and fewer women being returned to court for breach of their community sentences. The

Trust intends to monitor trends with regard to differential treatment in sentence disposal, i.e. comparing women and men, and the type of sentence, and number of requirements attached to the orders. We plan to interrogate our data to enable us to highlight any inequality linked to proposals, sentence, and access to services across all the protected characteristics.

## Caseload at 31 December 2011

### Gender

Caseload: Gender		
Male	1681	88%
Female	227	12%
<b>TOTAL CASELOAD</b>	<b>1908</b>	

### Ethnicity

Caseload: Ethnicity		
Asian	14	0.73%
Black	7	0.37%
Mixed	10	0.52%
White	1833	96.1%
Other Ethnic Group	4	0.21%
Not stated/refused	1	0.05%
Not recorded	39	2.04%
<b>TOTAL CASELOAD</b>	<b>1908</b>	

- Note – further breakdown of these groups would result in possible identification of individual offenders

## Disability

<b>Caseload: Disability</b>		
Dyslexia	6	0.31%
Hearing Difficulties	6	0.31%
Learning Difficulties	13	0.68%
Mental Illness	59	3.10%
Progressive Condition	10	0.52%
Reduced Capacity Other	-	-
Reduced Mobility	30	1.57%
Reduced Physical Capability	39	2.04%
Visual Impairment	4	0.21%
Wheelchair Accessibility	-	-
Other	35	1.83%
Combination of disability categories	6	0.31%
No disability	1584	83.0%
Not recorded	116	6.08%
<b>TOTAL CASELOAD</b>	<b>1908</b>	

- Management information on our current caseload indicates that 208 service users have a disability. However, the data does not indicate any specific areas of concern regarding access to service or a disproportionate failure to complete orders successfully.
- The Trust is currently engaged in improving practice with regard to Disability Hate Crime to ensure that we identify both perpetrators and victims. The research material 'Hidden in Plain Sight' has been made available to all staff and we are seeking to implement an intervention in the near future.

## Age

- Management information does not indicate any disproportionate age ranges compared to the National trend:

<b>Caseload: Age</b>		
16-17	9	0.47%
18-24	587	30.8%
25-34	591	30.9%
35-44	398	20.9%
45 and over	323	16.9%
<b>TOTAL CASELOAD</b>	<b>1908</b>	

## Sexual Orientation, Religion or Belief

- Management information does not currently include this data.
- We will begin to collect and monitor this information from April 2012.

## Gender Reassignment

- Management information does not currently include this data
- Guidance will be issued to all staff during 2012.

## Court Reports

- We have prepared a total of 1651 court reports from 1 April 2011 - 31 December 2011 which assist the courts in sentencing offenders.
- These reports have been analysed and are presented below by gender, ethnicity, disability and age.

### Gender

Reports written: Gender		
Male	1380	83.6%
Female	271	16.4%
<b>TOTAL REPORTS</b>	<b>1651</b>	

### Ethnicity

Reports written: Ethnicity		
Asian	8	0.48%
Black	3	0.18%
Mixed	6	0.36%
White	1553	94.1%
Other Ethnic Group	3	0.18%
Not recorded	78	4.7%
<b>TOTAL REPORTS</b>	<b>1651</b>	

- Note – further breakdown of these groups would result in possible identification of individual offenders

Disability

Reports Written: Disability		
Dyslexia	7	0.42%
Hearing Difficulties	2	0.12%
Learning Difficulties	15	0.90%
Mental Illness	63	3.81%
Progressive Condition	9	0.55%
Reduced Capacity Other	-	-
Reduced Mobility	19	1.15%
Reduced Physical Capability	29	1.76%
Visual Impairment	3	0.18%
Wheelchair Accessibility	-	-
Other	36	2.18%
Combination of disability categories	2	0.12%
No disability	1343	81.34%
Not recorded	123	7.45%
<b>TOTAL REPORTS</b>	<b>1651</b>	

Age

Reports Written: Age		
16-17	-	-
18-24	581	35.2%
25-34	552	33.4%
35-44	299	18.1%
45 and over	219	13.3%
<b>TOTAL REPORTS</b>	<b>1651</b>	

## Commencements

- 1,454 community orders commenced between 1 April 2011 - 31 December 2011
- These have been analysed and are presented below by gender, ethnicity, disability and age.

### Gender

Commencements: Gender		
Male	1198	82.4%
Female	256	17.6%
<b>TOTAL</b>	<b>1454</b>	

### Ethnicity

Commencements: Ethnicity		
Asian	3	0.21%
Black	6	0.41%
Mixed	6	0.41%
White	1386	98.3%
Other Ethnic Group	3	0.21%
Not recorded	50	3.44%
<b>TOTAL</b>	<b>1454</b>	

- Note – further breakdown of these groups would result in possible identification of individual offenders

Disability

<b>Commencements: Disability</b>		
Dyslexia	5	0.34%
Hearing Difficulties	2	0.14%
Learning Difficulties	11	0.76%
Mental Illness	50	3.44%
Progressive Condition	8	0.55%
Reduced Capacity Other	-	-
Reduced Mobility	13	0.89%
Reduced Physical Capability	19	1.31%
Visual Impairment	2	0.14%
Wheelchair Accessibility	-	-
Other	28	1.93%
Combination of disability categories	1	0.07%
No disability	1203	82.74%
Not recorded	112	7.70%
<b>TOTAL COMMENCEMENTS</b>	<b>1454</b>	

Age

<b>Commencements: Age</b>		
16-17	9	0.6%
18-24	563	38.7%
25-34	451	31.0%
35-44	255	17.5%
45 and over	159	10.9%
Not recorded	17	1.2%
<b>TOTAL</b>	<b>1454</b>	

## Completions

- 1029 community orders and licences were successfully completed between 1 April 2011 - 31 December 2011
- These successful completions have been analysed and are presented below by gender, ethnicity, disability and age.

### Gender

Successful Completions: Gender		
Male	870	84.5%
Female	159	15.5%
<b>TOTAL</b>	<b>1029</b>	

### Ethnicity

Successful Completions: Ethnicity		
Asian	5	0.49%
Black	4	0.39%
Mixed	4	0.39%
White	967	94.0%
Other Ethnic Group	3	0.29%
Not recorded	46	4.47%
<b>TOTAL</b>	<b>1029</b>	

- Note – further breakdown of these groups would result in possible identification of individual offenders

## Disability

Successful Completions: Disability		
Dyslexia	5	0.49%
Hearing Difficulties	1	0.09%
Learning Difficulties	11	1.07%
Mental Illness	39	3.79%
Progressive Condition	4	0.39%
Reduced Capacity Other	-	-
Reduced Mobility	19	1.85%
Reduced Physical Capability	7	0.68%
Visual Impairment	2	0.19%
Wheelchair Accessibility	-	-
Other	20	1.94%
Combination of disability categories	8	0.78%
No disability	825	80.17%
Not recorded	88	8.55%
<b>TOTAL SUCCESSFUL COMPLETIONS</b>	<b>1029</b>	

## Age

Successful Completions: Age		
16-17	6	0.6%
18-24	357	34.7%
25-34	308	29.9%
35-44	213	20.7%
45 and over	145	14.1%
<b>TOTAL</b>	<b>1029</b>	

- In drawing trends from the data presented for caseload, reports written, commencements and successful completions it is prudent to note that limitations currently exist. The data does not follow a specific cohort but is provided for a snapshot in time. Having identified that this method of data capture limits the amount of meaningful equality analysis that can be conducted, we will review our internal processes with the aim of addressing this shortfall. Specifically, we will look at ways of tracking cohorts of individuals.
- It would appear that the most significant characteristic in successful completions is age. Offenders in the 18-24 age bracket appear to be least likely to successfully complete their order, closely followed by offenders in the 25-34 age bracket. Further analysis will be undertaken to establish whether any of the other protected characteristics also contribute to these findings.

## Satisfaction with Service

- The results of the Offender Feedback Survey revealed the following:

	2010	2011
Overall response number	184	276
Positive responses	65.8%	83%

- Proportion of responses to the offender survey by gender, ethnicity, disability and age:

Survey: Gender	2010	2011
Male	87.0%	88.7%
Female	13.0%	11.3%

Survey: Ethnicity	2010	2011
Asian or Asian British	0.5%	0.7%
Black or Black British	0.5%	0.4%
Mixed	2.2%	0.7%
Chinese	0.5%	0.4%
Other Ethnic group	0.0%	1.1%
White or White British	95.6%	95.1%
Do not wish to answer	0.5%	1.5%

Survey: "Do you have a disability?"	2010	2011
Yes	18.0%	23.0%
No	82.0%	77.0%

Age	2010	2011
16-17	0%	0%
18-20	9.8%	8.0%
21-24	20.1%	20.7%
25-29	20.1%	17.8%
30-39	20.7%	23.3%
40-49	19.6%	18.2%
50-59	9.2%	8.0%
60 or over	0.5%	4.0%

- The Trust has responded to recommendations contained in the recent HMIP Inspection Report and we have highlighted to staff the need to consider the individual diversity needs of all our service users, across all ethnic groups, including the needs of white males. The Trust plans to monitor this area by including specific objectives within the SES Action Plan. As a Trust we have recognised the potential for disadvantage experienced by military veterans and we have a single point of contact who actively promotes awareness amongst colleagues. In addition, the Trust is committed to working effectively with offenders convicted of hate crime offences.

### Achievements

- Influencing Demand Strategy implemented
- Learning Styles Questionnaire introduced
- Gender Awareness Training completed
- Women Offender Liaison Officers appointed
- Women Safety Planning Training
- Red Road Footsteps programme implemented
- Women only reporting environments
- Domestic Abuse Policy developed
- Parenting Support Group piloted

## Planned Activity and Objectives

- Collect and disaggregate data on complaints made from 1 January 2012
- Review the available guidance with a view to developing TransGender guidance for staff
- Review and update policies under the new Equality Act
- Review internal data capture processes with the aim of tracking individual cohorts and collecting meaningful disaggregated data on the following:
  - Victim contact work
  - Court report proposals for sentence
  - Sentences imposed as a result of the Crown and Magistrate court decisions
  - Enforcement and Compliance with the sentenced orders
  - Requirement and Order completions
  - Employment, training and education, including basic skills
  - Achievement of sentence plan outcomes
  - Changes in OASys scores
  - Offender satisfaction

# Engagement and Analysis

## Achievements

- Cumbria Probation Trust welcomes and advocates partnership working and in such arrangements the Trust will ensure that it leads in promoting a positive endorsement of equality and diversity. The Trust works with many stakeholders but partnerships with organisations or bodies actively working against equality legislation or in contravention of it, will not form part of Cumbria Probation Trust policy.
- Where best value can be achieved by commissioning sub-contractors the contract documentation includes provision for contractors to comply with equality legislation. This documentation is currently being reviewed to ensure full compliance with equality legislation.
- All Policies and Procedures of Cumbria Probation Trust are Equality Impact Assessed prior to approval by the Board. If a Policy is changed or re-issued, it is again subject to an EIA. For example, the Single Equality Scheme published on our website has an Equality Impact Assessment attached. During the preparation of the SES, we consulted with community groups such as, AWAZ (Cumbria), Cumbria Disability Network and OutREACH
- The Trust's engagement with the community is integrated into all of its work. The Trust is represented on many inter-agency forums, such as the Domestic Abuse Forum, Cumbria Equality and Diversity Partnership, MARAC, as well as the Community Safety Partnerships.
- Cumbria Probation Trust conducts staff and offender surveys, the most recent were completed in the autumn. The information gathered from the surveys form part and parcel of reviews of our services, policies and ability to engage both staff and service users. The most recent Offender Engagement Survey evidenced a high level of satisfaction with our services and the fair and equitable treatment people receive. Of note, we received the fourth highest score in the County. We are able to use this information to inform, for example, where we can provide services that respond to the particular needs of our local communities.
- The Trust is currently engaged in developing additional Specified Activity Requirements (SAR's) in relation to, for example, women and substance mis-users. We regard education, training and employment (ETE) as an extremely important aspect of the work we complete with offenders and this is being developed through Achieve NorthWest.
- Cumbria Probation Trust consults with staff and trade unions to gauge the impact of policies or plans such as the Equality & Diversity Action Plan, on our workforce and also the wider community. Staff and trade union representatives are involved in the many task groups and established focus groups. The Trust fosters staff involvement and sharing of knowledge across the organisation by having identified champions as points of contact for particular information or guidance. The Trust will continue to concentrate on the impact, involvement and accessibility of our services for people within all the protected characteristics.

- The Trust is keen to utilise academic and practice knowledge both internal and external to the organisation. We have recently implemented the new national set of criteria for managing offenders and the transition has been underpinned and directed by a focus group consisting of cross grade representation. The process was consultative, engaging with staff in various forums, i.e. briefings and staff conference, and the success of this approach was reflected in the staff survey. Our work is now more closely linked to offender engagement, professional judgement and the desistance research and we have been fortunate to have Professor Fergus McNeill as a speaker at our staff conference in 2011 and also as a guest at one of our 'Changing Lives' meetings.

### Planned Activity and Objectives

- Complete review of tender documentation
- Establish Service User Engagement Groups
- Source interventions for Hate Crime/Disability Hate Crime
- Analysis of offender satisfaction by location