

# **Blackburn with Darwen Youth Justice Service**

## **Equality and Diversity Policy**

**2015/2016**

**“The right to have equal access to all appropriate services from the YJS and not to feel excluded because of age, gender, disability, ethnic background, skin colour, language, faith, health, social and economic backgrounds, sexuality or other prejudice”**

## **Introduction**

Promoting equal opportunities is about pro-actively aspiring to meet individual needs and appreciating and celebrating difference. This is the overriding ethos that will guide Blackburn with Darwen's Youth Justice Service diversity policy.

The Youth Justice System plays a critical role within the community. Its primary objectives are to prevent offending and re-offending and to protect the public (s37 Crime and Disorder Act 1998), and to ensure custody is used as a last resort. The Youth Justice and Criminal Evidence Act 1999 gives effect to further reforms and is guided by the following three restorative justice principles :

- Making restoration to the victim
- Achieving reintegration into the law-abiding community
- Taking responsibility for the consequences of offending behaviour

Therefore the Youth Justice Service (YJS) has a responsibility to promote community cohesion and social inclusion in all matters relating to Youth Justice. To achieve these goals the confidence of all sections of the local community must be maintained. However, we recognise that unfair discrimination is a major barrier to this and that many people in the community suffer or perceive that they suffer unfair treatment based on prejudice. This policy sets out the vision and commitment of Blackburn with Darwen YJS to ensure equality of access, opportunity and service to YJS staff, partner agencies, the community and all service users.

## **Values**

The YJS recognises that a commitment to anti-discriminatory practice is a pre-requisite for an effective service for both its service users and staff. We acknowledge that we all have the potential to discriminate, whether it is conscious or sub-conscious, overt or covert. We acknowledge that to a great degree our beliefs, values and prejudices are influenced by our upbringing and life experience. This can impact on our practice, in assessments and our interventions. We are therefore committed to pro-actively striving to achieve equitable treatment and fair outcomes for all.

As a YJS in an area with a diverse population we value the richness of culture, backgrounds and traditions within our community. In addressing issues of diversity in our practice we will value all aspects of difference, which includes, but is not restricted to race, gender, age, religion, class, disability, and sexual orientation. Within the YJS we will strive to promote equality, fairness and justice for all and it is this range of values that the YJS will promote.

**“The Youth Justice Service has a responsibility to promote community cohesion and social inclusion in all matters relating to Youth Justice.”**

## **Defining Diversity**

Diversity refers to the visible and invisible, large and small differences that exist between people, such as gender, race, ethnic origin, physical and mental ability, sexual orientation, age, economic class, language, religion, nationality, education, family and marital status, social background, height, weight and other individual characteristics.

An understanding of diversity recognises that these visible and non visible differences between people can also lead to differences in experiences, values, attitudes, and ways of thinking, behaving, communicating and working.

The YJS recognises that discrimination and prejudice can take many forms and can be based on both large and small differences. We are committed to making equality of opportunity a reality. Regarding discrimination resulting from major differences, we recognise that certain groups of people are likely to be at particular risk from unfair discrimination and acknowledge that discrimination may be based on many grounds such as age, gender, ethnicity, disability, social background, sexual orientation, religious beliefs, being involved in the criminal justice system or being a looked after child.

**“We are committed to making equality of opportunity a reality”**

## Principles

Blackburn with Darwen YJS is committed to achieving equality of opportunity as a key partner agency working with children and their families, and as a lead agency working with socially excluded young people within and at risk of entering the criminal justice system. This policy is guided by the following principles:

Raise the confidence of minority ethnic communities who may come into contact with the Youth Justice system,
Ensure that services are accessible and equitable, and that people are treated fairly and with respect,
Record the ethnicity, religion, gender and any disabilities of all service users and use this information to improve access to services,
Ensure that unfair and/or unjustified discriminatory practices or behaviours on the part of colleagues within the team or in partner agencies is challenged,
Provide a safe environment that is free from unfair discrimination for all people working in or visiting the YJS,
Ensure that YJS staff and service users are able to participate fully in YJS activities, without risk of exclusion due to overt or covert discrimination,
Ensure that all YJS staff have an equal opportunity to access appropriate training and development,
Encourage YJS staff, partners and service users to contribute to improving our services through consultation, the results of which will be used to improve access to services which meet the needs of individuals from disadvantaged groups,
Give and be receptive to receiving appropriate and constructive challenge and criticism regarding any practice or use of language that may be unfairly discriminatory

## Employment and Staff Development

Blackburn with Darwen YJS will aim to ensure that diversity and equality of access underpin all aspects of employment policy and practice to ensure that people are appointed on merit and are fairly assessed on the basis of their skills, abilities and objective criteria related to the job.

It is the responsibility of Managers to:

Make sure staff are aware of equality and diversity issues and work towards creating a workforce representative of the local population
Implement and actively promote the YJS Diversity policy in regard to recruitment practice and staff development
Recruit and retain a workforce that reflects the expertise and diversity of our community.
Support staff in increasing their understanding of diversity issues through regular staff development programmes.
Promote the career development of minority ethnic staff and those who come from other disadvantaged communities and/or groups
Make sure the offices are accessible and meet the requirements of the Equality Act 2010
Create a safe working environment where any form of unfair discrimination and harassment is dealt with quickly, appropriately and effectively and where staff feel supported in challenging unfair discrimination and harassment.
Keep a record of the diverse make up of our service users to help us target and tailor our services to meet your needs
Take action against hate crime including racial, religious or homophobic harassment and domestic violence
Monitor and assess the impact of policies, practices and services and make adjustments if they are found to be treating any group or community unfairly, or if they fail to meet service users' needs

Consider the potential impact on service users and communities of policies, practices and decisions, taking action if they may result in discrimination or disadvantage to any groups or communities
Recognise and support the potential of all employees by offering opportunities for training and personal development
Access funding to provide workplace adaptations and aids to enable disabled people to obtain and retain employment within the YJS
Access funding to provide workplace adaptations and aids to enable staff with dyslexia to obtain and retain employment within the YJS
Promote Work-Life Balance policies and procedures for employees

**“We will create a safe working environment where any form of unfair discrimination and harassment is dealt with quickly”**

### **Service Delivery**

Blackburn with Darwen YJS will aim to ensure that diversity and equality of access underpin all aspects of practice.

It is the responsibility of all staff to:

Work with Blackburn and Darwen’s Council’s Equality Scheme
Ensure that they understand the aims and principles of the Blackburn with Darwen YJS Diversity Policy
Ensure that they adopt the YJS vision of equality of opportunity and embrace the expectations of the Policy
Put this policy into practice in all areas of work in which they are engaged which involves being prepared to appropriately challenge [in a non-confrontational manner,] comments and / or actions from colleagues which conflict with the YJS Diversity Policy
Act to tackle unfair discrimination by reporting any concerns to their manager so that issues can

be discussed, problems addressed and action can be taken to remedy the situation.
Ensure that they identify with their manager ways in which equal opportunities can be improved and promoted
Make all service users aware of the Blackburn with Darwen YJS Diversity Policy and the treatment they can expect under that Policy and advise people of their right to complain if they feel they have been discriminated against
Develop and use consultation processes to establish the needs and satisfaction levels of disadvantaged groups
Ensure that services are adapted to be culturally sensitive, respecting customs and religious practices which may conflict with normal office hours
Provide sign language facilities, interpreters or translation services where these are needed Use plain English in letters and leaflets, and provide written information in Braille, on audio tape, in large print or other languages where necessary
Use the feedback from diverse communities to help shape future plans, decisions and policies

### **Rights of Service Users**

The rights of all service users with regard to the implementation of this diversity policy are as follows:

The right to be treated as an individual and with respect.
The right to be provided with up to date information regarding the YJS services
The right to receive a relevant, accessible service that is free from unfair discrimination
The right to have equal access to all appropriate services from the YJS and not to feel excluded because of age, gender, disability, ethnic background, skin colour, language, faith, health, social and economic backgrounds, sexuality or other prejudice

The right to expect that all Service Level agreements negotiated between the YJS and suppliers of services will incorporate equality principles and that performance against these will be monitored.

**“Our service users have the right to receive a relevant, accessible service that is free from unfair discrimination”**

**Specific steps we will take to meet the needs of different communities**

**Specific steps we will take to meet the needs of employees and service users to whom the protected characteristic relating to Race, that is Black, Asian and minority ethnic communities (BAME) as defined by race, colour, ethnic or national origin, nationality and immigration status apply.**

**We will:**

Carry out our duties under the Equality Act 2010 to stop unlawful discrimination, advance equality of opportunity and foster good relations within communities

Challenge racism by any of our employees, Board Members, partners, other organisations and users of our services

Deal effectively and consistently with racial harassment and violence, both in the workplace and in the community

Support campaigns and activities for achieving full equality for BAME people

Work with others to make Blackburn with Darwen a safe place for BAME communities to live, work, study and spend their leisure time

Support all BME employees to fully develop their potential

Aim to develop an overall workforce that reflects BAME communities in Blackburn with Darwen

Carry out specific work to ensure that BAME employees are not adversely affected by Council employment Procedures

Support the formation of groups, networks and services for BAME employees and service users

Review all our policies, services and functions in order to identify objectives and targets for improving race equality and ensure that the induction and training programme includes disproportionality and understanding of diverse needs of BAME service users

Make sure the steps we take to tackle other equality issues (for example disability or sexuality) include ways to address the needs of BAME communities.



The information and data quality analyst to draw up quarterly data on BAME service users
Review assessment procedure, guidance and practice to identify if BAME diversity issues are appropriately included in core assessment i.e. Asset Plus and AIM, considered in pre-sentence or referral order reports and incorporated into intervention plans

**Specific steps we will take to meet the needs of employees and service users to whom applies the protected characteristic relating to health and disability (including Deaf people, blind people, people with learning difficulties, dyslexia, dyspraxia, autism, people with a mental illness, sexual health and people living with HIV and AIDS) – we will:**

Use the “Social Model of Disability” as the basis for our work to improve equality for and tackle discrimination against disabled people
Carry out our duties under the law, including the Disability Discrimination Act 1995, to stop discrimination and to provide equality of Opportunity
Promote positive images of disabled people and those with learning difficulties and challenge attitudes that patronise or discriminate against them
Deal effectively and consistently with any harassment and violence towards disabled people and those with learning difficulties
Develop our services and the environments we deliver them from, to remove barriers preventing disabled people and those with learning difficulties from having the same access as other people
Support campaigns and activities for achieving full equality for disabled people and those with learning disabilities
Work with others to make Blackburn with Darwen a safe and accessible place in which disabled people and those with learning disabilities can live, work, study and spend their leisure time
Support all disabled employees and those with learning disabilities to fully develop their potential
Work in conjunction with the Council’s Equality Scheme as it relates to disability and those with learning disabilities
Make sure the steps we take to tackle other equality issues (for example race or sexuality) include ways to address the needs of disabled people and those with learning disabilities and to ensure that the induction and training programme includes understanding of disability and learning disabilities of service users
The information and data quality analyst to draw up quarterly data on service users who are disabled or have a learning disability
Review assessment procedure, guidance and practice to identify if diversity issues are appropriately included in core assessments- Asset +, AIM assessments and associated plans

Review PSRs and Referral Order reports to identify if diversity issues are appropriately addressed
To encourage staff to use learning styles questionnaires and specific assessment tools and interventions that meet the specific needs of the service user group

**Specific steps we will take to meet the needs of employees and service users to whom applies the protected characteristic relating to sex, we will:**

Carry out our duties under the Equality Act 2010 to stop unlawful discrimination, advance equality of opportunity and foster good relations within communities.
Challenge sexism by our Board Members, partners, employees, other organisations and users of our services
Deal effectively and consistently with sexual harassment and violence
Support campaigns and activities for achieving full equality for all genders
Aim to develop an overall workforce that better reflects an equal balance of women and men, especially at senior levels
Support all genders in areas where they experience inequality and discrimination
The information and data quality analyst to draw up quarterly data on female service users
Review assessment procedure, guidance and practice to identify if gender issues are appropriately included in core assessments- Asset Plus and Aim assessments
Review PSRs and Referral Order reports to identify if gender issues are appropriately addressed
To ensure that the induction and training programme includes an understanding of gender responsive programmes
Review all policy and procedures to ensure they have been gender proofed
Ensure that all programmes for girls and young women address messages from research, and are gender responsive

**“We will ensure that all programmes for girls and young women address messages from research, and are gender responsive.”**

**Specific steps we will take to meet the needs of employees and service users to whom the protected characteristic relating to sexual orientation, that is lesbians, gay men, transgender and bisexuals (LGBT) apply:**

Challenge homophobia by our employees, Board Members, partners, other organisations and users of our services
Carry out our duties under the law including the Employment (Sexual Orientation) Regulations 2003 and the Equality Act (Sexual Orientation) Regulations 2007 to stop discrimination and provide equality of opportunity
Support campaigns and activities for achieving full equality, including legal equality, for LGBT people
Work with others to make Blackburn with Darwen a safe place for LGBT people to live, work, study and spend their leisure time
Support the right of LGBT service users, employees and others we work with to be open about who they are by creating an atmosphere and environment where it is safe for them to do so, by acknowledging that relationships between people of the same gender are equally valid to those between men and women, and by not assuming that employees or users of services are heterosexual
Recognise that the ways we deal with other forms of discrimination may not be appropriate to deal with homophobia and that LGBT employees and users of services may not always feel able to disclose who they are
Work with individuals and groups who are part of the wider lesbian, gay, and bisexual communities to make sure our policies in this area are effective
Make sure the steps we take to tackle other equality issues (for example race or disability) include ways to address the needs of LGBT people
Children and young people have a right to explore their own identity and sexuality. It is therefore important for staff/carers to work with children and young people regarding their own developing understanding of their identity, and to provide information/support/guidance about health, development and sexuality
To ensure that the induction and training programme includes understanding of sexuality and how this may impact on a young person's behaviour

**Specific steps we will take to meet the needs of employees and service users to whom the protected characteristic relating to religious and other beliefs apply:**

Seek to ensure that people can worship and express their religious and other beliefs freely, without fear of intimidation and that an individual's choice to practice their religion or belief is
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respected
Respect individuals' choice to practice their religion or belief and the right of every citizen and employee to hold political and other beliefs, or to be a member of a Trade Union
Not permit our employees to impose on others, their religious, political or other views or philosophies, where these seek to limit the dignity or rights of others, cause offence, or incite racial, religious or other hatred, whilst carrying out their employment
Challenge religious and other intolerance by our employees, Board Members, partners, other organisations and users of our services;
Carry out our duties under the law including the Employment (Religion or Belief) Regulations 2003 and the Equality Act 2010, to stop discrimination and provide equality of opportunity
Deal effectively and consistently with any harassment and violence towards people practicing their chosen religion or belief support campaigns and activities for achieving full equality
Work with others to make Blackburn with Darwen a safe place for people from all religions and beliefs to live, work, study and in which to spend their leisure time
Campaign against organisations who incite religious, racial and other hatred
Ensure workers are familiar with Channel and the Prevent agenda, and are able to refer appropriately
Ensure training and induction programmes include understanding of different religious beliefs and how this may impact on intervention planning

### **Specific steps we will take to meet the needs of service users who are looked after:**

Public authorities have a duty to ensure looked-after children are not at greater risk of being drawn into the criminal justice system than other children simply because they do not live in family homes.
Children and young people who are Looked After must not be exploited or abused as a result of being cared for away from their own families.
Any incidents of abuse or conduct towards a child who is looked after as a result of their race, religion, gender, sexuality or disability will be reported to the Police.
All staff/carers must reflect and positively affirm the rich diversity of the communities from which the children and young people belong. This includes understanding issues which need to be positively challenged with regard to disability, ethnicity, gender, religion, culture and sexuality.

How staff/carers use their personal power and authority is very important, as the experience of becoming looked after can be disempowering for children and young people. All staff/carers must work to empower children and young people to ensure their rights are not abused.

All staff/carers should remember that they will have a significant impact on the child's life and should therefore bear this in mind when dealing with everyone. Equality is an issue for all staff/carers and one that should take the highest priority.

To ensure all staff have a good working knowledge of the Children Act and ensure all agencies work together for the best outcome for the young person

To have an understanding, and promote use of restorative approaches for looked after children rather than criminalisation

**References**

This Policy and Procedure is informed by and written to comply with the:

- Equality Act 2010
- The Race Relations Act 1976 and Race Relations amendment Act 2000.
- The Sex Discrimination Act 1975 and 1986.
- The Disability Discrimination Act 1995.
- The Asylum and Immigration Act 1996.
- The Rehabilitation of Offenders Act 1974.
- National Standards for Youth Justice (Youth Justice Board 2010)

**Signed:**-----**YJS Service Manager**

**Date:**-----

**Review Date:**