



Equality Impact Assessment

Preliminary Screening

Statistics & Research

Gathering Evidence through Community Engagement

Assessment & Analysis

Action Plan

The EIA Report



EQUALITY IMPACT ASSESSMENT	
	Group
	Directorate
	Unit

PRELIMINARY SCREENING

Date of Screening	November 2006
Name of Policy Writer	Clare Pope
Director General	Helen Edwards

Name of Policy Finance, Benefit and Debt		This is a new policy
		This is a change to an existing policy
	×	This is an existing policy

Policy Aims, Objectives & Projected Outcomes

The cross-government National Reducing Re-offending Delivery Plan, published by the National Offender Management Service (NOMS) in November 2005, sets out the objectives of the Finance, Benefit and Debt pathway. We aim to:

- Bridge the finance gap between release from prison until the first benefit payment faced by prisoners.
- Improve access to financial and advice services for offenders in custody and in the community and their families.
- Address financial literacy for offenders.

It is essential that the delivery of the above goals is responsive to the diverse needs of individual offenders. Also in line with NOMS' commitment to mainstreaming all aspects of diversity, we need to ensure that the approaches developed address the needs of particular groups who face additional disadvantage.

This document aims to examine the policies, practices and services covered by the Finance, Benefit and Debt Pathway to ensure there is no potential for discrimination against any particular equality target group.

Will the policy have an impact on national or local people/staff?	YES
Are particular communities or groups likely to have different needs, experiences and/or attitudes in relation to the policy	YES
Are there any aspects of the policy that could contribute to equality or inequality?	YES
Could the aims of the policy be in conflict with equal opportunity, elimination of discrimination, promotion of good relations?	NO
If this is an amendment of an existing policy, was the original policy	N/A

impact assessed?	
------------------	--

If your answer to any of these questions is **YES**, go on to the full EIA.

If you have answered **NO to any particular questions**, please provide explanatory evidence.

The aims of this policy are not in conflict with equal opportunity. The policy is part of the Government's commitment to improving access to financial and advice services for offenders in the community and their families. The pathway also aims to ensure that benefit claims are in place and that prisoners have enough money for the first few weeks after release and to make sure that offenders in custody and in the community have access to financial and advice services that will address money related issues, maximising income and reducing debt to help prevent re-offending. All prisons, probation and Youth Offending Teams have diversity policies that apply to monitoring their existing work and these will be used to ensure that activity within the pathway takes full account of the needs to promote equal opportunity, eliminate discrimination, and promote good relations. Staffs are also working with Voluntary Community Sectors and other government departments (HM Treasury) to tackle diversity issues.

If you have answered **NO to all of these questions** then you must also attach the following statement to all future submissions that are related to this policy and ensure it is signed off by senior management. You must also include this statement within any regulatory impact assessment that is related to this policy.

FULL IMPACT ASSESSMENT

STATISTICS & RESEARCH

What relevant quantitative & qualitative data do you have in relation to this policy?

Please site any quantitative (e.g. statistical research) and qualitative evidence (monitoring data, complaints, satisfaction surveys, focus groups, questionnaires, meetings, research interviews etc) of communities or groups having different needs, experiences or attitudes in relation to this policy area.

RACE

Black and minority ethnic offenders face different types of discrimination which leads them to being socially and financially excluded. Early assessment in the community and in prison will allow the issues to be identified quickly and dealt with before they turn into bigger problems on release. Research shows that Black and minority ethnic men make up 19% of the male prison population - between two and three times the proportion of the general population. Black and minority ethnic women make up 25% of the female prison population – over three times the proportion in the general population. In 1998/99, arrest rates per 10,000 of the population were 117 for black people, 44 for Asian people and 27 for white people.¹ Research also suggests that black prisoners are likely to be given longer sentences than white or Asian prisoners which can impact negatively on their ability to maintain benefits or housing.²

As well as all the standard barriers to social inclusion faced by BME offenders, the OASys criminogenic needs data showed that over 23,000 Asian/BME offenders had financial needs linked to their offending. Out of this 26 % black, 26% Mixed Ethnic and 19% Asian had financial needs compared to 23% of their white counterparts.³

56% BME prisoners lived in the 44 most deprived local authority areas.⁴ These contained proportionately four times as many people from minority ethnic groups as other areas.⁵

GENDER

Figures on employment, pay, income, pensions and assets shows that women still do not enjoy equivalent economic status to men and as a result, women experience a higher risk of poverty and of dependency on the state or their

¹ Reducing re-offending by ex-prisoners report by the Social Exclusion Unit

² Reducing re-offending by ex-prisoners report by the Social Exclusion Unit

³ HO OASys data unpublished

⁴ detr,1998 index of local deprivation and 1991 Census data

⁵ SEU Report of Policy Action team 12: Young People, TSO 2000

partners.⁶ While many women have received a significant boost to their income as a result of anti-poverty initiatives, such benefit payments only act as a patch for underlying gender inequalities rather than as a way of transforming gender relations.⁷ Women are twice as likely to live in poverty as men - 40% of women have a gross individual income of less than £100 a week compared to just over 20% of men⁸. Women are far more likely to have caring responsibilities, whether for children or adults, and nine out of ten lone parent households are headed by a woman.⁹ In many cases, imprisonment of a family member leads to the loss of a main source of household income, even if this income is not legitimate.

The financial adjustments required by imprisonment can also prove too much for some families. Many of those taking on childcare responsibilities are unaware that they can claim Child Benefit. This can have a disproportionate impact as receipt of child benefit also acts as a passport to other forms of financial support. As a result they do not receive the financial support they would in more normal circumstances. Families also face considerable difficulties in taking over tenancies and ensuring that Housing Benefits or mortgage interest payment continue.¹⁰

Women offenders are known to have long term poverty, debts and loans with high interest.¹¹ Women also have particular difficulty re-establishing child benefit claims on release and this can impact negatively on the award of dependant's allowance on other benefits.¹²

DISABILITY

Generic research shows that of sentenced prisoners 46% of males aged 18-49 have a longstanding illness or disability and around 70% of both males and females suffer two or more mental health disorders (Psychiatric Morbidity among prisoners in England and Wales (1998) – Singleton et Al).

Also just over 10% on one sample of those leaving prison applied for Incapacity Benefit on release (Reducing Re-offending through Skills and Employment, DFES 2005).

A wider assessment of disability equality issues within the Finance, Benefit and Debt Pathway is very challenging because of lack of data.

Disabled people may access services on the basis of their impairment, but they are not solely defined by this identity, and service providers need to consider the effect of the intervention on the whole person. Disabled people

⁶ Money Money Money an audit of women's economic welfare in Britain today Kate Bellamy and Dr Katherine Rake.

⁷ Money Money Money an audit of women's economic welfare in Britain today Kate Bellamy and Dr Katherine Rake.

⁸ Women and the criminal justice system. A report of the Fawcett Society's Commission on Women and the Criminal Justice System.

⁹ Fawcett Society's Commission on Women and the Criminal Justice System.

¹⁰ Reducing re-offending by ex-prisoners report by the Social Exclusion Unit

¹¹ Reducing re-offending by ex-prisoners report by the Social Exclusion Unit

¹² Reducing re-offending by ex-prisoners report by the Social Exclusion Unit.

come with a diversity of perspectives and life roles which impact on what support they need and how this should be delivered. They may need, for example, specialist assistance with benefit entitlements and in making choices about direct payments.

AGE

No specific data. The lack of information on the issue is partly explained by the smaller numbers of offenders involved, but they are a group which needs addressing if we want to see universal improvements in offender management. Their housing and benefit/pension needs are likely to be complex. There is also the risk that they will be marginalised from education, training and employment opportunities.

In England and Wales, the rate of prisoners aged over 60 has risen 185% in ten years. Prisoners aged over 60 are the fastest growing age group in prison. The increase in the elderly prison population is due to a larger proportion of criminals aged over 60 serving longer prison sentences.¹³

A number of academic studies and a forthcoming report by Prison Reform Trust have concluded that the health, social care, rehabilitation and resettlement needs of older prisoners are not being satisfactorily met.¹⁴

There is lack of proper medical care and informed choices about retirement for elderly prisoners. Also pension systems have to be improved to tackle elderly poverty, and services that promote well being and independence are required for offenders both in prison and in the community.

Age discrimination act already in place to outlaw age discrimination in the workplace.

RELIGION AND BELIEFS

There are thought to be about 1.8million Muslims in the UK or 3 per cent of the population. 50% of these are estimated to reside in London area. There are also estimate to be about half a million regular Muslim visitors to the UK and approximately 12million Muslims living in the EU, principally France and Germany.

Under Islamic principles, Sharia law (prescribed in Koran) defines the framework within which Muslims should conduct their lives. The overarching principle of Islamic finance and banking products is that all forms of interest are forbidden. The Islamic financial model works on the basis of risk sharing.

¹³ Prison Reform Trust website.

¹⁴ Prison Reform Trust website.

The customer and the bank share the risk of any investment on agreed terms, and divide any profits or losses between them.¹⁵

Islamic financial products are available in the UK from a number of high street banks which offer current accounts and mortgages tailored for Muslims. The UK also has the first wholly Sharia compliant retail bank in the West, Islamic Bank of Britain. There is also the European Islamic Investment Bank. All these banks are FSA authorised. The FSA promotes a level playing field between conventional and Islamic providers.

Islamic banking in the UK helps to facilitate diversity of the UK's financial landscape. Having access to Sharia-compliant banking products provides financial services to people whose faith prevents them from using the kind of products that are normally offered by UK financial institutions.

As a result, there need to be provision of financial service in prisons and in the community that adequately cater for specific religious groups, it is necessary to create an awareness of various forms of banking services by advice providers, involve Religious groups and their representatives in policy development.

GENDER IDENTITY

No specific data. But the Employment Discrimination and Transsexual People report prepared by Dr Stephen Whittle states that many transsexual employees were subjected to:

- verbal abuse and even physical violence perpetrated by other employees, as well as by customers, clients or suppliers.
- Discrimination in recruitment promotion, remuneration, benefits and other factors.
- Social isolation experienced by transsexual people is a key criminogenic factor.

SEXUAL ORIENTATION

Like gender identity, there is no specific data. Gay and lesbian people experience the same sorts of difficulties and criminogenic factors as other offenders – poverty, lack of financial alternatives to crime, poor housing and education, unemployment and restricted welfare provision, drug and alcohol abuse, mental health issues. Additionally lesbian and gay people have characteristics which are similar to other minority groups, in terms of the discrimination and marginalisation that they experience, which may have impact on other dimensions of their lives. .

Research has shown that:

¹⁵ Briefing Note BN016/06 – Islamic Banking in the UK.

- About 50% of women and men have experienced a sexual attraction to someone of the same sex.
- Nearly 40% of all men have sex with another man at some point in their lives.
- Around 10% of people are mainly or exclusively lesbian or gay
- Another 15% of all men and women are bi-sexual for all or part of their lives.¹⁸

¹⁸ Hampshire Probation Area Practice Manual for working with LGBT July 2004

What research have you considered commissioning to fill any data gaps?

For example, you may need to ensure quantitative & qualitative data groups include stakeholders with respect to this policy.

N.B Include any recommendations in your action plan

None specifically at a national level. The pathway is being delivered through national, regional and local plans.

In December 2006 we also produced the 'Reducing Re-offending Pathways – Mainstreaming Equality and Diversity' to provide guidance to assist those working in the regions to integrate diversity into regional reducing re-offending pathway plans or strategies. This contains basic facts and figures on race, women etc. The document will be published on the NOMS website in due course.

Separate equality impact assessments will also be undertaken on 3 other pathways of the National Reducing Re-offending Development Plan – accommodation; children and families and employment, training and education– and the other Reducing Re-offending Alliances. Details of relevant research will be included in these assessments.

Who are the stakeholders, community groups, staff or customers for this policy area?

NOMS HQ, prisons, probation, Youth Justice Board, Youth Offending Teams, other government departments (particularly those involved in the criminal justice system), the private sector, voluntary sector organisations such as Citizens Advice Bureau, public bodies such as the Financial Services Authority, offenders and their families and local communities and people.

What are the overall trends and patterns in this qualitative & quantitative data?

Disproportionality; regional variations; different levels of access, experiences or needs; combined impacts.

No specific research or data about overall trends or patterns was collected. However we have recently carried out a mapping exercise to identify the financial and advice services, and financial literacy training available at a national, regional and local level. The results from the mapping exercise will be used in the production of national guidance for practitioners working with offenders who face financial exclusion.

We have also identified good practice examples of reducing re-offending within the finance, benefit and debt pathway which included ones involving diverse communities such as Muslim Banking. Case studies will be included in the national guidance.

Please list the specific equality issues that may need to be addressed through consultation (and further research)?

We have set up a Finance, Benefit and Debt reference group with membership from a variety of public, private and voluntary organisations. The group is committed to ensuring the diversity and equality are embedded in any policy developments.

GATHERING EVIDENCE THROUGH COMMUNITY ENGAGEMENT

INTERNAL STAKEHOLDER ENGAGEMENT: Consulting & involving Other Government Departments, Staff, Agencies & NDPBs

Does this policy affect the experiences of staff? How? What are their concerns?	
Staff	There has been significant support for the aims of the FBD pathway from staff. Some concerns about resources required to implement it.
Staff Networks & Associations	N/A
Trade Unions	N/A

How have you consulted, engaged and involved internal stakeholders in considering the impact of this proposal on other public policies and services?

For example your policy may affect access to housing, education, health, employment services.

We have ensured that we have consulted, engaged and involved all internal stakeholders. As discussed, we have set up the FBD Reference group with representation from other Government Departments such as the Department for Work and Pensions, public sector organisations such as the Financial Services Authority, voluntary sector organisations such as the Basic Skills Agency, the National Institute for Adult Continuing Education and the Citizens Advice Bureau; and other areas of NOMS such as the Prison Service. The Reference Group is responsible for the development of policy along the FBD pathway.

Also the NOMS Partnership Unit has responsibility for developing reducing re-offending policy along specific pathways such as accommodation, education and employment and the reducing re-offending alliances. We can therefore consult with colleagues on the impact that any proposal for the FBD pathway will have on areas such as housing, employment, education, training and insurance. For example we are working in collaboration with colleagues working on the accommodation pathway over issues around housing benefits.

The Partnerships Unit also produces a quarterly newsletter which outlines progress in developing policy around the pathways and the alliances. The newsletter is distributed to all internal stakeholders.

We have also consulted with colleagues at a regional level with the

development of the FBD pathway. We have attended regional reducing re-offending pathway boards to provide a national overview and support.

What positive and adverse impacts were identified by your internal consultees? Did they provide any examples?

The internal consultees have been fully supportive of developments with the FBD pathway.

Feedback the results of this internal consultation and use it as a basis for work on external consultation

EXTERNAL CONSULTATION & INVOLVEMENT

How did your engagement exercise highlight positive and negative impacts on different communities?	
Voluntary Organisations	As discussed the Finance, Benefit and Debt Reference group has representation from voluntary organisations including CAB, NIACE, Lincolnshire Action Trust and Toynbee Hall. The group is working in partnership towards brokering agreements and potential solutions to issues that may arise within the Finance, Benefit and Debt pathway, in particular the ongoing issue of the prisoner finance gap on release and also to highlight any positive and negative effects on different communities yet.
Race	The FBD reference group to consider the effect of Finance, Debt and Benefit on different communities and highlight the negative and positives.
Faith	
Disability Rights	
Gender	
Gender Identity	
Sexual Orientation	
Age	

Feedback the results of your community engagement (i.e. involvement and consultation) to all participants including internal and external stakeholders

ASSESSMENT & ANALYSIS

Does the EIA show a potential for differential impact on any group(s) if this proposal is introduced? If Yes, state briefly whether impact is adverse or positive and in what equality areas.

No

What were the main findings of the engagement exercise and what weight should they carry?

No consultation exercise has been undertaken, however, there are some good examples around the country, which we need to build on, in refreshing national, regional and local plans.

Does this policy have the potential to cause unlawful direct or indirect discrimination? Does this policy have the potential to exclude certain group of people from obtaining services, or limit their participation in any aspect of public life?

No. This policy involves public, private and voluntary organisations who will have a strong focus on ensuring that policies do not have the potential to cause unlawful direct or indirect discrimination.

How does the policy promote equality of opportunity?

By ensuring that offenders in custody and in the community are not financially excluded. We are also aware that all stakeholders promote equality of opportunity.

How does your policy promote good relations? How does this policy make it possible for different groups to work together, build bridges between parallel communities, or remove barriers that isolate groups and individuals from engaging in civic society more generally?

We are aiming to improve access to financial and advice services and financial literacy training for offenders in custody and in the community regardless of their race, gender, age, gender identity, sexual orientation, disability and faith. The national guidance for practitioners will address these issues.

How can the policy be revised or additional measures taken, in order for the policy to achieve its aims without risking any adverse impact?

Regions will be conducting annual audits to ensure their commissioning plans, including commissioning for this pathway, to promote equality of opportunity. Also, the plan should be reviewed in light of the mapping exercise, to highlight shortcomings in current arrangements and identify areas for improvement and development.

Are there any concerns from data gathering, consultation and analysis that have not been taken on board?

Please justify and explain the reason for your decision.

None. We have endeavoured to reflect all the feedback on diversity issues.

ENSURING ACCESS TO INFORMATION

How can you ensure that information used for this EIA is readily available in the future?
--

(N.B. You will need to include this in your action plan)
--

We will place appropriate publicity material on FBD on the NOMS website e.g. the national guidance for practitioners.

The National Reducing Re-offending Delivery Plan is available on the NOMS website. This EIA will also be available on the website.
--

How will you ensure your stakeholders continue to be involved/ engaged in shaping the development/ delivery of this policy?
--

(N.B. You will need to include this in your action plan)
--

Through the Finance, Benefit and Debt reference group

Through regional consultation as regions refresh their reducing re-offending plans and audit their commissioning plan.
--

How will you monitor this policy to ensure that the policy delivers the equality commitments required?

(N.B. You will need to include this in your action plan)
--

- | |
|---|
| <ul style="list-style-type: none">• Nationally we monitor regional/local plans to ensure proper account is taken of diversity in the development of reducing re-offending pathways. In 2006/07 this included a review of regional plan. |
|---|

Now submit your EIA and related evidence for clearance.

ACTION PLAN

Recommendations	Responsibility	Actions required	Success Indicators	Target Date	What progress has been made?
Data Collection	Sijuola Anibaba Partnerships Unit	Maintain database of good practice examples across the FBD pathway including examples of working with diverse communities.	Spread good practice.	On going	<ul style="list-style-type: none"> - Database established. - Good practice examples used in ministerial speeches, articles in newsletters, national guidance etc.
Develop National Guidance for practitioners/providers working with offenders who face financial exclusion.	Clare Pope Partnerships Unit	Produce and publish guidance which will be used to signpost offenders to financial and advice service, and financial literacy providers.	Increase in the number and quality of advice and services provided.	June2007	<ul style="list-style-type: none"> - Mapping exercise carried out which identifies organisations - Draft version of guidance produced.

Monitoring & Review Arrangements	Clare Pope Partnerships Unit	Review regional reducing re-offending plans.	Diversity integrated into FBD pathway of regional reducing re-offending plans.	Ongoing	Reviewed RRRPs in 2006, also guidance issued to the regions in December to promote equality and diversity
Address diversity and equality within a strategic national/ regional approach	Sijuola Anibaba/ Spencer Draper Partnerships Unit	Maintain FBD Reference group meeting bi-monthly which will address any equality or diversity issues that arise nationally and regionally. FBD Reference group reports in to Education, Training and Employment Sub Board	Circulate minutes from reference group	On going	Two meetings of reference group held so far.

Informing commissioner and partnerships about expectations re commissioning and co-commissioning to support equality in this pathway	Sijuola Anibaba Partnerships Unit	Produce a toolkit on improving offenders' access to bank accounts based on findings from Bank Account the pilot. The pilot was run in both a male and female prison. Circulate toolkit to all Regional Offender Managers	More prisoners gaining access to bank accounts.	June 2007	Draft Toolkit produced.
Publication Arrangements	Clare Pope Partnerships Unit	To write articles in CIU newsletter and other voluntary sector newsletter	Spread of good practice	Ongoing	Two articles written for the CIU newsletter.

Please ensure that the action plan is agreed by your Director/ Minister

THE EQUALITY IMPACT ASSESSMENT REPORT

The EIA report is a concise summary of the results of your EIA work. You should ensure that you cover the topics described below.

Background:

- Context of policy/programme
- Link to strategic aims and objectives
- Scope of the EIA work (e.g. if linked to previous EIA or work delivered by another Government Department)

Methodology:

- Approach to data collection and analysis
- Results of consideration of existing evidence

Consultation & Involvement:

- Stakeholder/community involvement in developing proposals
- List of organisations engaged (optional)

Assessment & analysis

- Key Findings from the data collection and community engagement
 - Positive impacts: existing or potential
 - Adverse impacts: existing or potential

Recommendations

- Describe how you will respond to the key findings by:
 - strengthening the potential for positive impact,
 - removing areas that may exacerbate or engender adverse impact
 - including measures to mitigate any adverse impact that may occur
 - including measures that ensure ongoing compliance with statutory obligations
 - monitoring arrangements
 - ensuring continued public access to information about the policy/programme.
 - action plan (optional)

Date of EIA Report

Date of Publication of Results

Ensure that the EIA Report is published on the Home Office website before your policy/programme is implemented.