

**CROWN OFFICE AND PROCURATOR FISCAL SERVICE
GENDER EQUALITY ACTION PLAN
April 2007**

1. Aim, Objectives and Values

The Crown Office and Procurator Fiscal Service (COPFS) is Scotland's sole national prosecution service. We also investigate sudden and suspicious deaths, carry out independent inquiries into complaints of criminal conduct by police officers and administer property falling to the Crown. We are part of the Scottish Executive and share the Executive's aim, vision and values.

Strategic Aim

Serving the public interest, prosecuting cases independently, fairly and effectively.

Objectives and Values

Our objectives are:

- to secure confidence of our diverse communities by improving delivery of justice through the timely efficient and effective prosecution of crime;
- to give priority to prosecution of serious crime, including drugs trafficking and persistent offenders;
- to provide services that meet the information needs of victims, witnesses and nearest relative in co-operation with other agencies;
- to ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily.

Our values:

- **independence** – our decisions will be impartial, fair and timely and taken on an independent, objective and professional assessment of the evidence available and in the public interest;
- **integrity** – our professional integrity will be maintained by:
 - Being open with the court, and fair and dispassionate in the prosecution of cases in court
 - Disclosing any information which may be material to the defence
 - Preserving the appropriate confidentiality of reports and investigations
- **sensitivity** – we will be sensitive to the needs of the public, including victims, nearest relative and witnesses;
- **respect** – we will respect staff, developing to the fullest extent their potential, valuing their contribution, fostering teamwork and rewarding good performance;
- **professionalism** – we will continue to be committed to investigating, preparing and presenting cases thoroughly, critically and accurately.

2. COPFS Commitment to Promoting Equality & Diversity

COPFS Gender Equality Action Plan aims to identify and tackle inequality - whether male, female or transgender. Some statistics indicate that women, in particular, can experience disadvantage, unfair discrimination or harassment and victimisation. We will be looking carefully at our functions and employment policies and practices to see if, and where, inequality exists – and will take action to eliminate unfair discrimination and promote equality for all.

Crown Office and Procurator Fiscal Service (COPFS) has developed a business structure that secures the involvement of staff at all levels in the Department in the process of promoting diversity and moves information from top down and bottom up. The chart, (attached at Annexe A) shows the structure we currently use for progressing and monitoring our Equality Action Plans - [Race Equality Action Plan](#) and [Disability Equality Action Plan](#) – and will now include this Gender Equality Action Plan.

The Diversity Strategy Group is chaired by the Solicitor General and its membership includes the Head of Department (the Crown Agent) and Divisional Directors and Area Procurators Fiscal – demonstrating strong leadership and commitment from the top of the organisation. The 11 [Area Diversity Teams](#) were created and have members from a mix of jobs and grades from COPFS – some also have members from partner agencies and local communities. The Area Diversity Teams are positively encouraged to involve themselves locally with minority groups to address local issues both in relation to COPFS core functions and also in the wider community field, in relation to social responsibility and inclusiveness. The Area Diversity Teams each provide quarterly reports advising on what they are doing to promote diversity within their local areas as well as providing information on the prosecution of racially motivated crimes. The Area reports are considered by the Crown Office Diversity Team, the Area Fiscals Group and the Diversity Strategy Group where they help to inform the development of our diversity strategy and promote best local practice.

COPFS has an excellent track record of raising awareness of diversity issues and every members of staff is required to attend our 2-day diversity awareness programme. The theme of the course is “Setting the Standard” – and focuses on the standards of behaviour which COPFS expects from our staff when at work. One of the main messages – always stated at the start of the course - is that it is NOT TRAINING in diversity but an informed raising of awareness of the possible impact of prejudice and unfair discrimination – which underpins the 6 diversity strands.

3. Impact Assessment and Monitoring

Impact Assessment is a method of finding out whether and in what ways a policy or practice will affect people once it is in operation. This allows policies and practices to be reviewed and changed in light of any evidence of likely unfair discrimination towards one or more sections of the community. It is a basic part of any good policy or practice development to identify in advance problems and areas of concern, and address them before plans are put into operation. Impact assessment may include consultation with internal/external individuals and organisations.

Good policy or practice development also requires us to assess the effectiveness of new developments once they have been in operation for a while. The results of Impact Monitoring help us to identify whether we have made a difference to the way our services are accessed/received and to inform improvements that can be made to practice and policies.

COPFS is already experienced in impact assessments and monitoring, demonstrated by our response to the specific statutory duty to promote race equality, which has been in place since 2002.

To assist us in evaluating and communicating our progress on diversity issues, we developed a practical and easy-to-use Diversity Proofing Tool (DTP) and [Diversity Proofing Progress Chart](#) (DPPC) to show how we assess and monitor the impact of our policies and practices. These are published internally and externally on the COPFS Website to demonstrate our commitment to diversity and to enable us to receive feedback and suggestions for change.

In 2003, we established an independent [Equality Advisory Group](#) (EAG) with whom we have consulted on a wide range of equality issues. Its remit is to provide independent, expert advice to COPFS on the impact or likely impact of its existing and future policies on equality issues. Members come from different fields including Victim Support Scotland, Race Equality Councils, the Equality Network, consultants in disability discrimination, as well as members from the academic world with extensive knowledge of religious, cultural and other equality matters. The EAG looks at items submitted to it as well as items that it raises itself. Minutes of the meetings of this group are placed on the COPFS Website.

We have also recently established a COPFS Gender Equality Staff Focus Group. Members come from a range of jobs and geographical regions in COPFS and at the first meeting were asked to consider issues of gender equality in relation to employment in COPFS (recruitment, training, work/life balance etc) and also in the delivery of services (prosecution policy, alternatives to prosecution, witnesses/victims etc). The group discussed areas where COPFS may (unwittingly) discriminate or where we could do more to promote equality of opportunity. The group also considered what data or evidence we have to support our views; what is the likely impact of our policies and practice on men and women and what actions we could take to improve matters.

These initiatives and systems will assist us in meeting the requirements of the Gender Equality Duty and demonstrate our continued commitment to promoting equality of opportunity.

4. Introduction to the Gender Equality Duty

The Gender Equality Duty aims to make gender equality central to the way that public authorities work in order to create:

- better-informed decision-making and policy development
- a clearer understanding of the needs of service users
- better quality services which meet varied needs
- more effective targeting of policy and resources
- better results and greater confidence in public services
- a more effective use of talent in the workforce.

The duty requires public authorities to be pro-active by identifying and tackling discrimination, preventing harassment and ensuring that their work promotes equality between men and women. It is different from previous sex equality legislation in two crucial respects:

- there is a positive requirement for the organisation itself to take action – rather than waiting for the individual to take cases against them;
- the requirement is for the organisation to act to promote equality, not just avoid discrimination.

The General Duty

The Equality Act 2006 amends the Sex Discrimination Act 1975 to place a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need to:

- eliminate unlawful discrimination and harassment
- promote equality of opportunity between men and women.

This is known as the “general duty” and it will come into force across the UK on 6 April 2007. The duty applies to public authorities in respect of all of their functions, that is, as service providers, policy makers and employers. It also applies to services and functions which are contracted out.

Specific Duties

Scottish Ministers laid the specific duties for Scotland in Parliament on Thursday 1 February 2007. The specific duties include:

- Listed public sector bodies (this includes COPFS) are required to produce a Gender Equality Scheme by 29 June 2007
- Listed public sector bodies (with 150+ staff) are required to produce an Equal Pay Statement by 28 September 2007.

What will public sector bodies in Scotland be required to do?

1. Gather information on how their work affects women and men.
2. Consult employees, service users, trade unions and other stakeholders.
3. Assess the different impact of policies and practices on women and men and use this information to inform their work.
4. Identify priorities and set gender equality objectives.
5. Plan and take action to achieve gender equality objectives.
6. Publish a gender equality scheme, report annually and review progress every three years.
7. Publish an equal pay statement (if they have 150+ staff) and report on progress every three years.

The introduction of this legislation is especially significant as it marks the first time Scotland has introduced different equality legislation from the rest of the UK. The specific duties for Scotland are stronger than UK counterparts as they require public authorities to act on the three causes of the pay gap (discrimination, occupational segregation and unequal caring responsibilities). In addition Scottish Ministers must publish three-yearly 'state of the nation' overviews of gender equality with suggestions for next steps to be taken across the public sector, to be presented to the Parliament.

The duty is intended to address the fact that more than 30 years after the introduction of the Sex Discrimination Act 1975 there is still unfair discrimination. Policies and practices that may seem neutral can have a significantly different effect on women and on men, often contributing to greater gender inequality and poor policy outcomes.

Unlawful Sex Discrimination

Unlawful discrimination in the Sex Discrimination Act (SDA) in relation to the Gender Duty means:

- direct and indirect discrimination against women and men, in employment and education; in goods, facilities and services and in the exercise of public functions;
- harassment, sexual harassment and discrimination on the grounds of pregnancy and maternity leave
- direct and indirect discrimination in the employment field on the grounds that a person is married or a civil partner;
- victimization;
- discrimination on the grounds of gender reassignment in employment and vocational training.

Transsexual people are protected from discrimination and harassment on the grounds of gender reassignment in employment and vocational training under existing sex discrimination legislation, that is, the SDA prohibits discrimination in employment and vocational training against individuals who intend to undergo, are undergoing or have undergone gender reassignment. COPFS has extended best practice in this area by including, throughout the plan, actions designed to raise awareness of discrimination on grounds of gender identity. Further information on elimination of discrimination of transsexual people and meeting the Gender Equality Duty are available on the website of [The Equal Opportunities Commission](#).

The Gender Equality Duty is similar to the existing duties on [race](#) and [disability](#) equality and all three have the same spirit and intention behind them requiring public authorities to take action to tackle discrimination, to prevent harassment and to ensure that their work promotes equality in policy, service provision and employment.

4. COPFS Gender Equality Scheme

As a Department of the Scottish Executive we are part of the [Executive's Gender Equality Scheme](#) published on 30 March 2007. In addition to this, our detailed Gender Equality Action Plan outlines the work that we have progressed to date, and the work that we will take forward during the 3 year lifetime of the plan. Responsibility for implementing this Gender Equality Action Plan is shared amongst all COPFS staff with leadership and direction from senior management.

We would be delighted to receive comments on the terms of our Gender Equality Action Plan. Please feel free to write or e-mail these to us using the contact details set out below. A copy of a summary of our plan can be requested in large print, audio, Braille other languages and other formats.

CROWN OFFICE AND PROCURATOR FISCAL SERVICE
April 2007

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COPFS GENDER EQUALITY ACTION PLAN

This plan is laid out in numbered sections – each numbered section relates to a COPFS function, and outlines intended actions, progress and actions taken to date. These are set out as follows:

- Section 1. The prosecution of crime
- Section 2. The investigation of sudden deaths and, when appropriate, the conduct of public inquiries
- Section 3. The independent investigation of all complaints of criminal conduct by police officers
- Section 4. Identifying and meeting the information needs of victims, witnesses and bereaved relatives
- Section 5. The administration of property falling to the Crown as ultimus haeres
- Section 6. The provision of accessible information: interpreting, translation and transcription
- Section 7. Consultation on impact of policies and community engagement
- Section 8. Employment

1. The Prosecution of Crime

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
1. The Prosecution of Crime Receiving a Report of Crime	High. Continuous action required.	<p>Work with the police to address perceptions of under reporting of crimes against ‘vulnerable groups’ – for example, crimes against transsexual people/ violence against women/sexual assault.</p> <p>Commencing April 2007</p>	<p>Include on the agenda of the meeting of the COPFS/ Association of Chief Police Officers Scotland (ACPOS) Diversity Standing Group and Area Diversity Team agendas. Monitor the number of such reports submitted by police</p>	<p>Police currently identify to the PF reports of crimes involving transsexual people.</p> <p>Review of the Investigation and Prosecution of Sexual Offences in Scotland was published June 2006.</p> <p>Review of the COPFS/ACPOS Domestic Abuse Protocol</p>
Making Decisions in Dealing with Reports of Crime (Case Marking) and Applications for Bail	All sections high continuous action required.	<p>Gender-proof a sample of case marking decisions and applications for bail to assess possible trends in gender bias. Initial consideration to be markings of No Proceedings & Alternatives to Prosecution.</p> <p>March 2008</p>	<p>Survey a sample of cases from selected PF offices. Analyse results, recommend and take any necessary action. Publish findings on the Internet and Website.</p>	<p>We have identified a need to gender-proof case marking policy and practice and are examining the methodology with other Divisions in COPFS.</p>
		<p>Seek advice from Equality Groups on identifying gender equality issues in surveys and questionnaires.</p> <p>Commencing April 2007</p>		<p>The Equality Advisory Group has given advice and comment on this gender equality action plan.</p>
		<p>Gender-proof the Case Marking Policy and Guidance on Bail.</p> <p>March 2008</p>	<p>Amend and issue new guidance to staff as necessary.</p>	
		<p>Ensure staff are aware of the guidance on Treatment of Transgender People in Court. Spring 2007</p>	<p>Issue the new Guidance to staff and publish on COPFS Intranet. Spring 2007.</p>	<p>The Equality Advisory Group has commented on draft Guidance on Treatment of Transgender people in Court.</p>

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
1. The Prosecution of Crime (cont.) Making Decisions in Dealing with Reports of Crime (Case Marking) and Applications for Bail	All sections high - continuous action required.	We will implement new policies and practice arising from new legislation – for example, the Prostitution Bill; proposed legislation to ban Extreme Pornography and, in due course, from the Scottish Law Commission extensive review on Rape and Other Sexual Offences. September 2009	We will deliver guidance and training to staff to meet the terms of new legislation.	Comprehensive guidance and training is currently available to staff in COPFS. Senior staff in Victims & Diversity Policy & Development Division and Business Policy & Development Division have responsibility for this work.
		We will impact assess policies and practices arising from the Summary Justice Reforms; work with Criminal Justice partners and agencies to implement the reforms and take action to eliminate unfair discrimination on grounds of gender / gender identity. On-going	Training & guidance will be delivered to staff to meet the reforms.	The Summary Justice Review Committee Report (The McInnes Report) was published on the 16 th March 2004. The report, which made a number of recommendations in relation to reform of the summary justice system can be accessed here: http://www.scotland.gov.uk/library5/justice/sjrcrm-00.asp
Working with Witnesses/ Precognitions	All sections high - continuous action required.	Ensure there is no gender bias in use of discretionary referrals to Victim Information and Advice (VIA). March 2008	Survey a sample of cases from selected VIA offices. Publish findings and related actions on the Internet and Website. If appropriate, issue new guidance to staff.	COPFS is currently linking into the latest Scottish Crime Survey

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
<p>1. The Prosecution of Crime (cont.)</p> <p>Working with Witnesses/ Precognitions</p>	<p>All sections high - continuous action required.</p>	<p>Implement the Review of the Investigation and Prosecution of Sexual Offences in Scotland:</p> <ul style="list-style-type: none"> • Development of existing prosecution policy and practice. • More detailed guidance provided to staff regarding provision of information to, and communication with, victims. • Expansion of training programme to incorporate the recommendations from the review. • Development of enhanced feedback systems between those involved in the investigation, precognition and prosecution of sexual offences. <p style="text-align: right;">By September 2009</p>	<p>Improve the way we deal with the prosecution of sexual offences.</p>	<p>Review of the Investigation and Prosecution of Sexual Offences in Scotland was published June 2006. Implementation of the programme is underway.</p>

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
1. The Prosecution of Crime (cont.) Plea Negotiations	All sections high - continuous action required.	Gender-proof decisions where reduced pleas are accepted - for possible trends in gender bias. March 2008	Survey a sample of cases from selected PF offices. Publish findings and related actions on the Internet and Website. Issue new guidance to staff if necessary.	We have identified a need to gender-proof plea negotiation policy and practice and are examining the methodology with other Divisions in COPFS

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
		<p>Ensure staff are aware of and adhere to the guidance on Treatment of Transgender People in Court. Spring 2007</p>	<p>Issue the new Guidance to staff and publish on COPFS Intranet. Spring 2007.</p>	<p>The Equality Advisory Group has commented on draft Guidance on Treatment of Transgender people in Court.</p>
		<p>Evaluate the quality of practice relating to gender/gender identity - by reviewing the existing protocols with ACPOS (on domestic abuse protocol; family liaison) and Witness Service (WS). December 2006 & On-going</p>	<p>First reviews completed by end December 2006.</p>	<p>Review report on ACPOS Protocol is currently drafted and due for publication.</p> <p>Witness Service Protocol has been revised and impact assessed for equality issues and is due for publication</p>
		<p>Assist Scottish Executive evaluation of the Vulnerable Witnesses Act provisions to assess any unfair bias involving the use of special measures for adult witnesses. Timing led by SE</p>	<p>Issues of gender/gender identity to be taken into account in the evaluation.</p>	<p>We are consulting with Scottish Executive as to the breadth of their evaluation.</p>

2. The investigation of sudden deaths and when appropriate, the conduct of public inquiries

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
<p>2. The investigation of sudden deaths and, when appropriate, the conduct of public inquiries.</p>	<p>High. Continuous action required</p>	<p>Ensure policy and practice on the way we identify nearest relative(s) is fair and not gender biased.</p> <p>Ensure our guidance includes relevant information on gender identity.</p> <p>Ensure that staff are aware of the Cultural Awareness Guide which gives information about men and women from different cultures and faiths.</p> <p style="text-align: right;">March 2008</p>	<p>New or revised guidance will be issued to staff.</p>	<p>Chapter 12 of the Book of Regulations and the Manual of Practice were reviewed, diversity proofed by the Equality Advisory Group and re-issued in spring 2006.</p>

3. The independent investigation of all complaints of criminal conduct by police officers

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
3. The independent investigation of all complaints of criminal conduct by police officers.	Low. Action required during the life of this plan.	Ensure the review of investigations of Complaints against the Police (CAPs) is proofed to ensure that it does not unfairly discriminate in relation to gender or gender identity. March 2008	Results of the review to be published on Intranet and Website.	Review due to be proofed and submitted to Equality Advisory Group for further impact assessment.
		Monitor implementation of guidance to ensure that there is no unfair discrimination in relation to gender or gender identity. March 2008	Survey a sample of cases from selected Procurator Fiscal offices to Publish findings and related actions on the Internet.	
		Ensure that the guidance for Complaints Against Police cases specifies that allocation of cases should not be made solely on basis of gender. March 2008	Issue revised guidance to staff.	

4. Identifying and meeting the information needs of victims, witnesses and bereaved relatives

Function	Relevance to the general duty/priority	What will we do/by when?	What will progress look like?	Action to date
4. Identifying and meeting the information needs of victims, witnesses and bereaved relatives	All sections high - continuous action required.	Ensure that all existing and new staff attend a COPFS 2-day Diversity Awareness Course, which includes a session on gender discrimination and gender identity. On-going	Training Division will arrange and record the attendance of staff.	A system is currently in place to identify new staff who will be invited to attend.
		Identify opportunities for using positive images and promotion of gender equality in our publications for victims / witnesses / bereaved relatives. On-going	The Diversity Proofing Progress Chart will contain information on process and outcomes.	New publications are diversity proofed using our Diversity Proofing Tool and forwarded to the Equality Advisory Group for advice.
		Identify and change language which is not gender neutral in COPFS documentation intended for victims and witnesses. On-going	The Diversity Proofing Progress Chart will contain information on process and outcomes.	New publications are diversity - proofed using our Diversity Proofing Tool and forwarded to the Equality Advisory Group for advice.
		Ensure that the Standard Prosecution Report specifies the specific gender or gender identity needs of the accused or victims/witnesses. On-going	Minutes from ACPOS/COPFS Diversity Strategy meeting will record discussion and monitor progress.	Police currently identify to the PF reports of crimes involving transsexual people.
		Ensure staff are aware of and adhere to the guidance on Treatment of Transgender People in Court. Spring 2007	New Guidance to be published on Intranet in Spring 2007.	The Equality Advisory Group has commented on draft Guidance on Treatment of Transgender people in Court.

Function	Relevance to the general duty/priority	What will we do/by when?	What will progress look like?	Action to date
4. Identifying and meeting the information needs of victims, witnesses and bereaved relatives (cont)	All sections high - continuous action required.	Review guidance on domestic abuse to ensure that information is sent in a way that will reach the victim. March 2008 Removing Barriers to Accessing Services by Ensure all offices are parent and child friendly. On-going	Area offices will make regular checks and appropriate arrangements. Areas will seek advice from Estates Division if necessary. Estates Division to produce and publish guidance for offices.	Review of ACPOS/COPFS protocol on domestic Abuse is currently underway. Gender Equality and Gender Identity issues are included in the 2 day Diversity Awareness programme. It is mandatory for all COPFS staff to attend.
		Reinforce with staff the importance of treating everyone fairly and with courtesy by providing a range of guidance material on gender equality and gender identity – for use by individuals and Area Diversity teams. On-going	Information will be published regularly on the Intranet	
		Ensure that staff are aware of the Cultural Awareness Guide which gives information about men and women from different cultures and faiths. On-going		The Cultural Awareness Guide is available on the Intranet.

5. The administration of property falling to the Crown as ultimus haeres

Function	Relevance to the general duty/priority	What will we do/by when?	What will progress look like?	Action to date
<p>5. The administration of property falling to the Crown as ultimus haeres.</p>	<p>Low. Action required during life of this plan.</p>	<p>Continue to assess any new policies for impact or likely impact on gender equality. On-going</p>	<p>The Diversity Proofing Progress Chart will contain information on process and outcomes.</p>	<p>COPFS Book of Regulations – Chapter 13 – revised guidance on Ultimus Haeres due to be impact – submitted to the Equality Advisory Group in Aug 2006</p>

6. Accessible Information: Interpreting, translation and transcription

COPFS chairs the Working Group on Interpreting & Translation (WGIT). This Group meets regularly throughout the year and, through discussion and sharing of information, aims to establish common standards for interpreting and translation throughout the Scottish Criminal Justice System. Its members are drawn from some of the main criminal justice partners – the Police, the Scottish Court Service, the Crown Office and Procurator Fiscal Service (including the Inspectorate of Prosecution), the Scottish Legal Aid Board and The Law Society. WGIT members often seek advice from organisations with extensive knowledge and experience in the field of interpreting – such as Heriot Watt University and the Scottish Association of Sign Language Interpreters.

Function	Relevance to the general duty/priority	What will we do/by when?	What will progress look like?	Action to date
6. Accessible Information: interpreting, translation and transcription	All sections high - continuous action required.	Ensure all interpreting agencies on the COPFS Interpreting Framework contract have, and implement Equal Opportunities policies– and discuss implementation at regular meetings with interpreting agencies. January 2007	Any changes to guidance in this respect will be circulated to staff and placed on the Intranet.	Only those interpreting agencies who meet this requirement have been successful in being considered to tender for the Framework contract.
		Discuss gender equality issues in interpreting and translation at meetings of Working Group on Interpreting and Translation – in particular taking account of any issues of culture and faith. On-going	Minutes from meetings from WGIT will be available on the Intranet.	Draft WGIT protocol (hyperlink to draft protocol to be inserted) on working with interpreters in the criminal justice service was diversity proofed by EAG in August 2006. Details will be posted on the Diversity Proofing Progress Chart when work on the protocol is complete.
		Ensure all documentation on interpreters in the criminal justice service uses gender neutral language. On-going	Any changes to guidance in this respect will be circulated to staff and placed on the Intranet.	Draft WGIT protocol was sent to the Equality Advisory Group for consideration of diversity proofing - in August 2006.

Function	Relevance to the general duty/priority	What will we do/by when?	What will progress look like?	Action to date
6. Accessible Information: Interpreting, translation and transcription (cont.)	All sections high - continuous action required.	<p>Ensure that staff identify the need for, and arrange to provide, an interpreter of particular gender for witnesses in specific cases - by including this instruction in relevant guidance.</p> <p style="text-align: right;">Spring 2007</p>	Revised Guidance will be issued to staff.	Instruction is already included in draft WGIT Protocol (hyperlink to be inserted) on working with interpreters in the criminal justice service.

7. Consultation on impact of policies/community engagement

COPFS has set up the [Equality Advisory Group](#) in 2003. This Group consists of people with an interest and knowledge in the 6 strands of diversity. The COPFS submits items to the Group for comment on content and likely impact of these items on the race and diversity field. This Group held its 15th meeting in August 2006. Its remit has been expanded from race to include diversity issues in general.

[Area Diversity Teams](#) were established to assist in the implementation of COPFS strategy at local and area levels and to report regularly to the Diversity Strategy Group at Crown Office.

COPFS has developed our own Diversity Proofing Tool for use of assessing likely impact of policies and practices and a Diversity Proofing Progress Chart for recording the actions and results. Both the Diversity Proofing Tool and the [Diversity Proofing Progress Chart](#) can be found on the Departmental Intranet and the Diversity Proofing Progress Chart can be found on the COPFS Website.

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
7. Consultation on impact of policies/community engagement.	All sections high - continuous action required.	Consult with COPFS staff and Trades Unions on the development of COPFS Gender Equality Scheme. Annually	Information from this group will be posted in the Intranet and Diversity Proofing Progress Chart .	A Gender Equality staff focus group, including TU representation, was set up in May 2006. The Group identified areas of COPFS work for monitoring of possible gender bias – these are included in this action plan.
		We will continue to hold Area Diversity Teams (ADT) networking and consultation events with local community groups including gender equality and gender identity groups. On-going	Information will be published on the Intranet, and if suitable for public domain, on the COPFS Website.	Details of area networking and consultation events are available on the COPFS Website. Contact details for each team are also available on the Website for information on future events.
		At least one member of the Area Diversity Team (ADT) will have lead responsibility for gender equality. On-going	Gender Equality Groups will be advised of the contact for each office and the membership of the Area Diversity Teams .	ADTs assist in the implementation of COPFS strategy at local and area levels and report regularly to the Diversity Strategy Group.

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
7. Consultation on impact of policies/community engagement.	All sections high - continuous action required.	Area Diversity Teams will promote the participation of leaders/representatives of local Gender Equality groups in ADTs and provision of local training. On-going	Information will be published on the Intranet.	Systems are currently in place for regular communication between the Centre and Area Diversity Teams
		We will liaise with colleagues in Crown Prosecution Service (CPS) to share ideas and good practices in the gender equality context. On-going	Shared information will be published in plans and on the Intranet	Contact made with CPS in September 2006 to share progress on preparations to meet the Gender Equality Duty.
		We will consult with the Equality Advisory Group and other gender equality groups to assess the impact of COPFS policies and practice. On-going	Amendments proposed by the EAG will be included in this plan.	Initial proposals for developing the COPFS gender equality scheme were submitted for comment and advice to the Equality Advisory Group May 2006.
		We will develop our list of contacts in the gender equality field. On-going	Amendments proposed to this plan by relevant groups and individuals will be included in this plan. Contact details for recognised groups working in the fields of gender and gender identity will be listed on our Intranet.	COPFS is a member of the Association of Chief Police Constables (ACPOS) Diversity Strategy Sub-Group on Women and Policing. COPFS has regular contact with Equal Opportunities Commission; Scottish Women's Aid, SE Equality Unit.
		We will review our impact assessment mechanisms, including our Diversity Proofing Tool. November 2006	November 2006 – the Diversity Proofing Process was revised, updated and published on the COPFS Website.	Our Diversity Proofing Tool has been in operation for two years. This is being updated to make it more user-friendly.

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<p>7. Consultation on impact of policies/community engagement.</p>	<p>All sections high - continuous action required.</p>	<p>We will implement a campaign of awareness raising for all staff of the need for impact assessments and our Diversity Proofing systems. March 2008</p>	<p>Briefing notes will be issued to staff to raise awareness of our impact assessment process.</p>	<p>Information on Diversity Proofing is currently available to staff on the Intranet.</p>
		<p>Communicate regularly with the Equal Opportunities Commission (EOC) to ensure COPFS is meeting the requirements of the gender equality duty. On-going</p>	<p>Proposed amendments from EOC will be implemented.</p>	<p>COPFS hosted a meeting of Criminal Justice Partners on behalf of the EOC – in June 2006. COPFS is a member of the EOC Scotland Gender Equality Duty Advisory Board</p>
		<p>Assess the impact of the COPFS/ACPOS Domestic Abuse Protocol to ensure no gender bias issues. March 2008</p>	<p>Compile feedback from a questionnaire survey and publish results on the Website and DPPC.</p>	<p>The protocol was issued November 2004.</p>
		<p>The Central Diversity Team will coordinate Central and Area Gender Equality plans, and provide support, advice, training as required. On-going</p>	<p>Information will be published on the Intranet – and if relevant on the COPDFS Website.</p>	<p>Information on Area Diversity Teams plans & activities currently published on Intranet.</p>

8. Employment

The Two-day mandatory Diversity Awareness Course was designed in-house to meet COPFS needs. The roll out to existing COPFS staff was concluded on 12 May 2005 – but continues to be delivered to new staff recruited to COPFS. The programme has been received positively by COPFS staff and viewed favourably by various bodies including Scottish Executive Equality Scheme Implementation Group (ESIG). The COPFS 2-day mandatory Diversity Awareness Programme includes sessions from external presenters on gender discrimination and gender identity.

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
8. Employment. Pay	All sections high - continuous action required.	Develop and publish an Equal Pay Policy Statement by 28 September 2007. including measures to: - ensure fair promotion and development opportunities - tackle occupational segregation between women and men	An Equal Pay Statement will be published on the Intranet and COPFS website.	There have been 2 recent audits on pay in COPFS.
Recruitment & Selection		Monitor the gender of staff- in- post and extend this to include Advocates Depute. Assess gender trends in recruitment /grading against historical information - compare with national statistics - and identify if there are areas of occupational segregation. March 2008	Statistics are published regularly on the COPFS Website Equal Opportunity Employer - Tables of Information .	COPFS has adopted the Civil Service 10-point action plan to accelerate progress towards increasing diversity at senior levels of the civil service. The targets to be achieved by 2008 in respect of gender equality are: 37% of Senior Civil Servants to be women – which COPFS currently meets.
		Investigate the reasons for the higher number of women trainee solicitors – compare with national information – and consider if appropriate to work towards more equal gender balance. March 2008	Statistics about the gender balance of trainee solicitors will be published on the Intranet and Website. Revised guidance and information about recruitment & selection procedures issued to staff.	

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
<p>8. Employment (cont.)</p> <p>Recruitment & Selection</p>	<p>All sections high - continuous action required.</p>	<p>Ensure communications about selection procedures are transparent and seen to be fair regarding gender to avoid staff perception of positive discrimination in favour of women appointments.</p> <p>Guidance should also include information on gender identity.</p> <p style="text-align: right;">Spring 2007</p>	<p>Revised guidance and information about recruitment & selection procedures issued to staff.</p>	<p>Revised Equality Guides for Interview Boards submitted to Equality Advisory Group for advice in November 2006.</p>
		<p>Revise our recruitment pack for Area Business Managers – ensure compliance with the Civil Service Management Code on Diversity.</p> <p style="text-align: right;">Spring 2007</p>	<p>Submit guidance to the Equality Advisory Group for gender proofing.</p>	<p>Information on recruitment is available on the Intranet in the Staff Handbook section.</p>
<p>Career Progression</p>		<p>Ensure equality of access to promotion and progression for men and women within the workplace.</p> <p style="text-align: right;">On-going</p> <p>Identify and address possible barriers to promotion and career progression.</p> <p style="text-align: right;">On-going</p> <p>Disaggregate performance appraisal box markings for men and women, and part-time workers - analyse findings to determine if any possible gender imbalance.</p> <p style="text-align: right;">March 2008</p>	<p>Revised information about promotion and selection procedures to be published on the Intranet.</p> <p>Publish statistics and findings of performance appraisal markings on the Intranet.</p>	<p>Guidance on Performance Appraisal and Career Progression is available on the Learning Academy on the Intranet.</p>

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
8. Employment (cont). Flexible Working Practices	All sections High - continuous action required.	<p>Ensure that flexible-working practices are available and accessible to all grades and both men and women.</p> <p style="text-align: right;">March 2008</p> <p>Ensure adequate provision of staff to cover for planned maternity and paternity leave in all offices to ensure continuity of business.</p> <p style="text-align: right;">March 2008</p>	<p>Monitor the number of men and women in part-time work. Publish the statistics and the policy on the Intranet. Promote flexible working practices for all.</p> <p>Area Business Plans to include plans /budgets for staffing to cover maternity and paternity leave.</p>	<p>A Working Group is currently considering of feasibility of home working. COPFS offers flexible working hours to all staff. Details of COPFS current policy on flexible working practices are available on the Intranet.</p> <p>Each Area has responsibility for staffing and cover for maternity and paternity leave.</p>
Training & Development		<p>Ensure that those who participate in recruitment and promotion boards are fully trained in and conversant with gender equality and gender identity issues.</p> <p style="text-align: right;">Spring 2007 & on-going</p>	<p>Statistics about attendance at training to be recorded and published on Intranet and Website.</p>	<p>Revised Equality Guides for Interview Boards submitted to Equality Advisory Group for advice November 2006.</p>
		<p>Ensure all COPFS staff training has been proofed for gender equality and gender identity issues.</p> <p style="text-align: right;">On-going</p>	<p>Information will be included in the Diversity Proofing Progress Chart</p>	<p>The course content of the Departmental Induction was diversity proofed in July 2006.</p>
		<p>Monitor the gender of staff and part-time workers attending training courses.</p> <p style="text-align: right;">On-going</p>	<p>Statistics regularly updated and published on Intranet and Website.</p>	<p>Statistics are collected and published on the Website.</p>

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
8. Employment (cont.) Training & Development	All sections high -continuous action required	Ensure all staff attend the 2 day Diversity Awareness Programme within first year of taking up post. On-going	Information about the availability of the Diversity Awareness Programme is regularly advertised on the Intranet.	Over 1500 staff had attended the Diversity Awareness Programme by May 2005. It is mandatory for new staff to attend.
		Ensure equality issues – including the responsibilities specified in the Gender Duty – are adequately addressed in the Management Development Programme and the Leadership Development Programme. March 2008	Revised programme will be issued to staff attending each management or leadership development programme.	Issues of prejudice and unfair discrimination against men, women and transsexual people are currently included in the 2 day Diversity Awareness Programme.
		Inform new staff about COPFS' commitment to promoting equality and diversity throughout the Department. On-going	Programme content of the Departmental Induction course will include appropriate content on equality and diversity.	The course content of the Departmental Induction was diversity proofed in July 2006.
Human Resources (HR) Policies and Practice	All sections high - continuous action required.	Review HR policies and practice to ensure that they do not unfairly discriminate men, women or transsexual people. March 2008	A review will be underway by January 2007 Results will be recorded on the Diversity Proofing Progress Chart	All new and revised policies and guidance are being assessed using our Diversity Proofing Tool and submitted to the Equality Advisory Group.
		Review the COPFS staff handbook to ensure compliance with gender legislation. March 2008	Revised information will be published on the Intranet.	The COPFS Staff Handbook and other employment guidance is available on the Intranet.

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
8. Employment (cont.) Human Resources (HR) Policies and Practice		Ensure current employment legislation and HR policies are available on the Intranet and ensure staff know how and where to access them. March 2008	A revised guide and map on HR policies and practice to be available to all line managers.	Current HR policies and practice are available on the Intranet.
		Develop and publish policy and guidance in relation to the recruitment and employment of transsexual people. March 2008	Policy and guidance diversity proofed and available on the Intranet and issued to Managers.	
Health & Safety and Duty of Care of Staff	All sections high - continuous action required.	Ensure robust policies and structures are in place to assist staff who may face intimidation and bullying behaviour and harassment at work – or in carrying out their duties in court or during precognition. March 2008 Ensure robust policies and structures are in place to assist staff who may face sexual harassment and harassment on grounds of sex or gender identity. On-going	A revised Fair Treatment Policy will be launched and training of all Fair Treatment contact officers and Investigation Officers will be completed by December 2006. Grievance policy and procedure available on the Intranet. Disaggregated statistics on bullying and harassment and sexual harassment collected and published on the Intranet.	Information on personal safety is available on the Intranet. COPFS has in place a team of Welfare Officers through HR and access to an independent counselling service ‘Employee Assistance Programme’. COPFS currently has policies on Grievance, Discipline, Occupational health and Health & Safety at work – all available to staff via the Intranet.

Function	Relevance to the general duty/priority	What we will do/by when?	What will progress look like?	Action to date
<p>8. Employment (cont.)</p> <p>Procurement</p>	<p>High. Continuous action required.</p>	<p><i>Liaise with colleagues in Scottish Executive Procurement Division to ensure compliance with the Gender Equality duty.</i></p> <p style="text-align: right;"><i>On-going</i></p>	<p>Private Contractors employed by COPFS will prove compliance with the Gender Duty.</p>	<p>Equal Opportunity Commission <u>Draft Code of Practice, Scotland</u> sent to Scottish Executive Procurement Division. SE Procurement Division assisting EOC in developing specific Gender Equality Duty Guidance for procurement.</p>

DIVERSITY STRUCTURE CHART

COPFS DIVERSITY STRUCTURE

