

## SOMERSET YOUTH JUSTICE TEAM (YJT)

### Diversity and Inclusion Policy

Policy Officer

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## 1. Introduction and Purpose

This policy has been produced to promote and champion equal opportunities, celebrating differences and recognising the imperative in diverse and inclusive working

partnerships, for children, families and staff involved in the Youth Justice Team (YJT). The ethos of this policy should underpin all work undertaken by Somerset Youth Justice Team, at all times.

The aim of this policy is to provide confidence to all service users, YJT staff and the wider community, that Somerset YJT are committed to pro-actively providing a service that is diverse, inclusive and provides equal opportunities for all persons. Where this is not the case, and instances of discrimination, prejudice and or unfair treatment have occurred, Somerset YJT will treat the matter seriously, fully investigate and take necessary action.

The Youth Justice Team recognises that for some service users and sections of the community, social barriers such as age, gender, disability, health, socioeconomic status, religion, belief, race/ethnicity, sexual orientation may prevent or hinder their ability to engage and or comply with the YJT and any outcomes. The YJT will make every effort to tailor support plans which recognise and meet the individual needs of the child and their family.

## 2. Scope of Policy

This policy sets out Somerset Youth Justice Team's values on Discrimination, Equality, Inclusion and Disproportionality and how we aim to prevent and address any unlawful discrimination or other unfair treatment, whether intentional or unintentional, direct or indirect. YJT are committed to upholding Somerset's internal values of trust, integrity, responsibility and partnership working through a solution focussed and relational lens.

It is the responsibility of everyone involved in YJT to ensure the principles of the Diversity and Inclusion Policy are understood and implemented. YJT, as part of Somerset Council and as a multi-agency partnership takes all claims of inappropriate behaviour, bullying, harassment and/or discrimination seriously. This includes appropriate challenge of any individual whose behaviour is considered to be creating unfair practice or outcome issues based upon diversity or difference.

## 3. Statement of Intent

Valuing diversity, reducing inequality and ensuring all people are treated with dignity and respect to promote desistence and encourage best outcomes are fundamental beliefs for the Youth Justice Team (YJT) in Somerset.

The YJT have a high proportion of children with SEND needs in receipt of its service and support, some (circa 30-40%) undiagnosed, and a significant proportion (circa 40-50%) who have an Educational Health and Care Plan (EHCP). This is an example of disproportionate representation within the system which the service proactively seeks to redress. The YJT and Somerset Youth Justice Partnership Board (SYJPB) in its work to provide the best possible, quality support to this cohort of disproportionately

represented children are proud to have achieved the National Youth Justice Board (YJB) and 'Achievement for All', SEND Quality Lead and Quality Mark status, in recognition of its ongoing proactive multiagency work to support children with SEND.

We make a firm commitment to developing and supporting our staff, so we have a focused, agile, and disciplined work force, properly and appropriately skilled to support the delivery of the organisation's strategic priorities and objectives, enabling YJT to respond to challenges for all children working with the YJT.

YJT is committed to building an environment that celebrates diversity and tackles all forms of discrimination. We will promote equality of opportunity for children, victims and our staff team and volunteer base, working to be a role model on equality issues.

The commitment outlined in this policy covers all aspects of the organisation and it is expected that all employees, secondees / consultants, agency workers and volunteers who work on behalf of, represent or engage with YJT will adhere to the principles of this policy.

Everyone involved in YJT plays a part in making sure all aspects of our work are inclusive and welcoming of everyone and that we work cooperatively and strategically to reduce barriers to desistance and positive outcomes, particularly where disproportionality has been identified during assessment and measures can be taken to negate this as part of intervention planning.

YJT is committed to ensuring that all people irrespective of their protected characteristics of age, disability, colour, race, ethnic origin, gender identity, gender expression, marital or civil partnership status, pregnancy, nationality, religion or sexual orientation have a genuine and equal opportunity to participate in all YJT activities.

#### 4. Legal Context

[Equality Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk), provides legal protection from discrimination in the workplace and wider society, including those accessing a public service such as the YJT.

[Direct Government equality-act-2010-guidance](#) – gives an overview on who is protected from discrimination, the types of discrimination under the law and what action can be taken in instances of unfair discrimination.

#### 5. Defining Discrimination

The Youth Justice Team recognises that discrimination can take many forms including verbal, physical and online abuse. It is necessary for people to be aware of the different types of discrimination and the impact their actions have on others.

Direct discrimination is where a person is treated less favourably than another person because of a protected characteristic.

An example of direct discrimination would be a refusal to accept a child on to a sports programme or recreation activity based on their gender.

Discrimination by association is direct discrimination against someone because they are associated with another person who possesses a protected characteristic.

An example would be a child refused bail because they have an association with a dual heritage individual.

Discrimination by perception is direct discrimination against someone because the other person thinks they possess a particular protected characteristic.

An example would be a heterosexual man who is perceived to be gay or bisexual and is refused entry to certain place or activities or role.

Indirect discrimination occurs where a provision, criterion or practice is applied such that it would be to the detriment of a considerably larger proportion of the relevant group to which the individual belongs than to others. This would not be objectively justifiable and would be to the individual's detriment.

An example of indirect discrimination would be requiring children on an intervention programme to quickly read and interpret a long piece of text that could put people with dyslexia at a disadvantage or a job requiring people to be clean shaven (without appropriate justification) which can put some religious groups at a disadvantage.

Harassment is defined as unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person, even if this effect was not intended by the person responsible for the conduct.

An example of harassment would be an unwelcome personal comment or invading a personal space.

Victimisation is considered to take place where someone is treated less favourably than others because they have alleged or supported a complaint or grievance or have given evidence in relation to a complaint.

An example would be taking breach/ enforcement action against a child who challenges their YJT worker through a complaint.

Bullying may be defined as behaviour which is offensive, intimidating, malicious, insulting or an abuse of power through means intended to undermine, humiliate, denigrate or injure. Bullying is not limited to but can include racist, sexist and homophobic/bi-phobic/transphobic language and/or abuse.

An example would be using a culturally offensive colloquialism about a service user's cultural background.

In addition, and central to YJT practice;

Somerset YJT will have a zero-tolerance culture to racism within the service, equipping staff (from which ever multi agency partner they may be seconded) through training, supervision and support. We do not expect minority groups or those experiencing harm to address racism, we set expectations at service and leadership level regarding the

culture and behaviours we expect to see. We will actively promote anti-racism in our work with our service users, colleagues and partners.

## 6. 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 YJT, in a format which is accessible and translated into the appropriate language.
- 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 YJT and not to feel excluded because of age, 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 YJT, and suppliers of Services will incorporate equality principles and that performance against these will be monitored.

## 7. Employment and Staff Development

Somerset YJT 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:*

- implement and actively promote the YJT Diversity policy in regard to recruitment practice and staff development.
  - make every effort to recruit and retain a workforce, including volunteers, that reflects the diversity of our community.
  - support staff in increasing their understanding of diversity issues through regular staff development programmes.
  - undertake mandatory diversity and inclusion training and any additional training as will from time to time be organised for the service or when identified as an individual training need through appraisal, supervision or other route. Core SC diversity training will be undertaken as part of induction in to the YJT.
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- promote the career development of minority ethnic staff and those who come from other disadvantaged communities and/or groups.

- 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.

## 8. Values and Expectations

As a multi-agency service, YJT will:

- Aim to create an environment in which everyone (children, their families and carers, victims, volunteers and staff members) feel respected and valued for their diversity and individuality they bring and where;
- Ensure children, their families and staff are treated fairly and with respect.
- Ensure all services provided are accessible by all; and negating/reducing any socio economic barriers to engagement with the service, by identifying and implementing additional support where necessary.
- Dignity and respect are promoted, and all forms of discrimination and inappropriate behaviour are challenged and dealt with through the appropriate channels which could include disciplinary or enforcement channels;
- Help to create a work environment where colleagues feel fully supported to speak out about discriminatory and inappropriate behaviour they have witnessed or experienced;
- Not tolerate or allow to go unchallenged any form of discrimination, harassment and bullying by any individual towards other individuals whilst engaged in any YJT activities, including from child to child; through timely challenge and reporting/escalating where necessary.
- Continue to lead by example in the development, treatment and consideration of its service users, employees and volunteers and their diverse needs;
- Investigate complaints of discrimination on any grounds in line with Somerset Council procedure, alongside any staff member's parent agency policies:

There is an expectation that any individuals involved with Somerset YJT, including those who advocate our work, to:

- Fully adopt and embrace the ethos of equity and diversity as outlined in this policy;
- Be respectful of all others and not discriminate, bully, harass or victimise anyone including but not limited to service users;
- Respect individual difference based on any characteristic or cultural factor;

- Where necessary explain the policy and its implications to others including children in language they understand;
- Be role models for everyone involved in YJT activities.

## 9. Delivery

Somerset YJT will aim to ensure that diversity and equality of access underpin all aspects of practice. It is the responsibility of all YJT staff to:

- All YJT staff and volunteers - Ensure that they understand the aims and principles of the Somerset Youth Justice Team Diversity and Inclusion Policy.
- All YJT staff and volunteers - Ensure that they adopt the YJT vision of equality of opportunity and embrace the expectations of the Policy.
- All YJT staff and volunteers - 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 YJT Diversity Policy.
- All YJT staff and volunteers - 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.
- All YJT staff and volunteers – Where identified, make suggestions to their manager/supervisor, ways in which equal opportunities can be improved and promoted.
- YJT Management Team - Escalate structural and strategic discriminatory barriers to best outcomes and diversity issues for individuals and groups via the Somerset Youth Justice Partnership Board (SYJPB)
- YJT All staff and volunteers - Make all clients aware of the treatment they can expect under this Policy and advise people of their right to complain if they feel they have been discriminated against.
- YJT Management Team - Ensure that Teams are adapted to be culturally sensitive, respecting customs and religious practices which may conflict with normal office hours.
- YJT Management Team - Develop and use consultation processes to establish the needs and satisfaction levels of disadvantaged groups.
- YJT Management Team - Use recorded data on ethnicity, religion, gender, disability and socioeconomic status to identify trends and patterns in offending, reoffending, types of order and compliance, to help improve access to the services and support available to children and their families.

- YJT Management Team - Regularly review policies and procedures to ensure they are in line with best practice and all legal requirements.

Any employee, consultant, volunteer who works on behalf of, represent or engages with YJT who display any behaviour which is contrary to this policy and or Somerset Councils [Equalities, Diversity and Inclusion \(sharepoint.com\)](#), [Equalities \(sharepoint.com\)](#) policies, or its intent will be subjected to the appropriate disciplinary procedure.

The expectations and values considered in this policy are discussed with children and their families at the start of any involvement with the YJT, as part of the Rights and Responsibilities Agreement. Any incidences of discriminatory or inappropriate behaviour will be challenges and escalated as necessary.

Any individual may raise a complaint and no employee or volunteer will be penalised for doing so unless it is without foundation and not made in good faith. To make a complaint, please visit: [Complaints, comments and compliments \(somerset.gov.uk\)](#)

## 10. Monitor and Review

Monitoring and Reviewing Diversity, inclusion and disproportionality is considered an essential process for YJT to identify patterns and highlight areas of concern in its practices or the practices of its partners.

Since the [Lammy Review - GOV.UK \(www.gov.uk\)](#) 2017, Somerset Youth Justice have undertaken to understand the breadth and nature of any disproportionality that might exist for the children that are involved with the YJT or the wider Youth Justice system in Somerset.

Somerset Youth Justice Team (YJT) and the Somerset Youth Justice Partnership Board (SYJPB) agreed to take action to strengthen our understanding around potential bias and disproportionality and to identify any gaps in approaches to tackling disproportionality, within the Somerset Youth Justice System.

This led to a multi-agency partnership audit held in 2022, findings from which formed the basis of key recommendations and action taken by the Board. In addition, Avon and Somerset Constabulary also commissioned an independent report, following the Lammy review [Identifying Disproportionality Report | OPCC for Avon and Somerset \(avonandsomerset-pcc.gov.uk\)](#). The findings of those reports culminated in recommendations for improvement of disproportionality in key areas relating to youth justice, including stop and search, out of court disposals, links to Education and in particular exclusions and the gravity of outcomes for children.

On an ongoing basis Somerset YJT will continue to work with all partner agencies, including Avon and Somerset Constabulary and counterpart Youth Justice services in



the Avon and Somerset footprint, to identify, challenge and tackle disproportionality by:

- representing Somerset (alongside colleagues in Education) at monthly regional, task force 'Tackling Disproportionality (TD) Pillar Meetings'.
- proving requested data for scrutiny at the TD Pillar Meetings.
- presenting quarterly data for ongoing scrutiny by the Somerset Youth Justice Partnership Board.
- review general YJ data monthly.
- consider and take any appropriate action to address concerns which may arise further to the monitoring process, through direct approach to a single partner or via escalation to the SYJPB where multiagency or system issues are considered.

This policy will be reviewed at least every two years and more frequently, if required, in the event of changes to related legislation or practice.

## 11. Somerset Youth Justice Partnership Board

The Somerset Youth Justice Partnership Board will:

- Operate as a multi-agency partnership to actively promote this policy, and adhere to the principles herein, in its role as the governing body of the YJT on behalf of the Somerset Community Safety Partnership
- Actively work with the Head of Service to respond to unmet need in relation to service provision for disadvantaged groups.
- Monitor the integration of equality of opportunity in YJT performance.
- Ensure that the agencies represented on the YJT Management Board share a joint commitment to addressing diversity issues and discrimination within their own agency.
- Review this policy every two years and approve any updates.

## 12. Useful Information

Somerset Council have significant information, guidance, policies, training and support for staff which can be found here: [Equality Legislation \(sharepoint.com\)](#)

Hate Crimes and Hate Incidents: [Hate crimes and hate incidents \(somerset.gov.uk\)](#)



Help and support for those that feel they are being discriminated against or are a victim of crime and anti-social behaviour: [Advocacy and advice \(somerset.gov.uk\)](https://www.somerset.gov.uk)

Stand Against Racism and Inequality: [SARI - Stand Against Racism & Inequality \(saricharity.org.uk\)](https://www.saricharity.org.uk)