



Oifig An Chigire Príosún
Office of the Inspector of Prisons

Public Sector Duty Action Plan

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PUBLIC SECTOR DUTY

A. Background to the Duty

All public sector bodies have a duty to eliminate discrimination, promote equality, and protect the human rights of both their staff and those to which they provide services. This obligation is set out under Section 42 of the Irish Human Rights and Equality Commission Act 2014.¹ Specifically, Section 42(1) of the Act states that:

“a public body shall. In the performance of its functions, have regard to the need to:

- (i) *eliminate discrimination*
- (ii) *promote equality of opportunity and treatment of its staff and the persons to whom it provides services, and*
- (iii) *protect the human rights of its members, staff and the persons to whom it provides services”*

Section 42(2) of the Act requires a public body to assess the human rights and equality issues that are relevant to its functions and purpose, and to set out a plan to address these issues that is made publicly accessible. The assessment process and strategic plan should take regard of the purpose and function of the body, its size, and its available resources.

The Irish Human Rights and Equality Commission² has summarised the obligation to implement the Public Sector Duty as a three-step approach:

1. Assess

Public sector bodies must assess and identify human rights and equality issues relevant to their purpose and functions. The assessment should be evidence-based, drawing on available data including the knowledge and experience of staff and service users.

2. Address

Public sector bodies must identify suitable policies, plans, or actions that are currently in place or that will be implemented in order to address the concerns identified. The body should consider the order of priority of these actions. Addressing the issues identified assists the organisation to improve outcomes for both its staff and service users.

3. Report

The public body must report to the general public, through annual reports or other documents, on developments and achievements in an accessible manner.

¹ Irish Human Rights and Equality Commission Act (2014)

² Irish Human Rights and Equality Commission (2019). Implementing the Public Sector Equality and Human Rights Duty.

B. The Office of the Inspector of Prisons

The Office of the Inspector of Prisons was established pursuant to Section 30 of the Prisons Act 2007 (“the Act”) in January 2007.³ The Chief Inspector of Prisons is appointed by the Minister for Justice to perform the functions conferred on him by Part 5 of the Act. The current Chief Inspector was appointed on 1 June 2022 for a five year term in office with effect from 15 August 2022, under Section 30 of the Act. The Chief Inspector of Prisons is independent in the performance of his functions.

Section 31(1) of the Act places an obligation on the Chief Inspector of Prisons to carry out regular inspections of prisons.

In addition to inspections, the Chief Inspector of Prisons may be requested by the Minister for Justice to carry out an investigation into any matter arising out of the management or operation of a prison, and if so requested, is obliged to carry out the investigation. The Chief Inspector may also carry out an investigation of his own volition.

The role of the Chief Inspector of Prisons is as follows:

- Regular inspection of all 13 prisons in Ireland;
- Carry out investigations of deaths in custody and also of any death of a person on temporary release that occurs within one month of his/her release;
- Investigate any matter arising out of the management and operation of a prison at his own volition or at the request of the Minister for Justice;
- Receive and reply to letters from prisoners in accordance with Rule 44 of the Prison Rules 2007-2020;
- Oversight of the Irish Prison Service prisoner complaints system and to carry out the functions assigned pursuant to Prison Rule 57B of the Prison Rules 2007-2017;
- It is not a function of the Chief Inspector to investigate or adjudicate on a complaint from an individual prisoner, but he may examine the circumstances relating to a prisoner complaint where necessary for performing his functions (Section 31(6) Prisons Act 2007).

The Office of the Inspector of Prison places human rights at the core of its work. Our commitment to human rights is reflected in the key values of our organisation. The Office upholds this commitment in its work with people in prison, prison staff, visitors, and other stakeholders who engage with our Office.

As a human rights-informed organisation, the OIP recognises the importance of its obligations under Section 42 to advance equality and respect for human rights in all aspects of its functioning. In particular, the OIP will have due regard for the Public Sector Duty as it relates to its inspection and investigation functions, and will be attentive to potential issues of discrimination and inequality as they relate to people in prison and people working in prison.

³ Prisons Act (2007)

C. Assessment of Equality and Human Rights Issues

A Public Sector Duty working group was established in the Office of the Inspector of Prison in July 2023. The Working Group consists of representatives across functions within the Office, as well as representation at senior leadership level. The key responsibilities of the Working Group are to:

- Carry out an assessment of the human rights and equality issues relevant to the role and functions of the OIP.
- Develop the OIP's Public Sector Duty Action Plan and subsequent iterations of the Action Plan, for submission to the Senior Leadership Team (SLT) for review and approval.
- Ensure that the OIP Action Plan is published on the OIP website.
- Progress actions assigned to the Working Group within the Action Plan.
- Review draft OIP policies to ensure that they reflect Public Sector Duty obligations.
- Monitor progress made by the Office against the Action Plan, and ensure that developments are appropriately tracked and recorded.
- Report on the developments and achievements through internal (staff emails, team meetings) and external communication (OIP annual report, website) channels.
- Continue to assess human rights and equality issues relevant to the work of the OIP with stakeholders and service users.

As an initial step in its assessment process, the Working Group met with several agencies in late 2023 as a knowledge gathering exercise. The Working Group met with the Irish Human Rights and Equality Commission in September 2023 to seek guidance on undertaking the assessment process and how to create an effective action plan. In November 2023, it met with two criminal justice agencies to learn from the experiences and actions of other PSD working groups in this sector.

As a small organisation with limited resources, the first iteration of the Working Group's assessment process was concentrated within the organisation. The Working Group developed an internal staff survey to gather feedback on how current work functions within the OIP could better support the needs of groups represented under the Equal Status Acts 2000-2018.⁴ In addition to the nine grounds of discrimination covered under the Acts, two further grounds of socioeconomic status and persons with a criminal conviction were included in the survey. The survey was administered online in December 2023, and received full participation from OIP staff. Based on the results of the survey, priority areas for action were identified for inclusion in the Action Plan.

⁴ The [Equal Status Acts 2000-2018](#) makes reference to nine grounds of discrimination: gender, marital status, family status, age, disability, sexual orientation, race, religion, and membership of the Traveller community.

Following this, in early 2024, the Working Group carried out an analysis of all OIP internal policies and relevant Department of Justice policies. This analysis was undertaken to identify any areas by which current work functions could disadvantage staff or service users represented by the nine grounds covered under current legislation and two additional grounds of socioeconomic status and persons with a criminal conviction. Further areas by which improvement could be made to achieve more positive outcomes for staff and service users were identified and incorporated into the Action Plan.

The Working Group will review and monitor progress against the objectives set out in the OIP's Action Plan (see Section D). Developments and achievements will be reported through internal communication, and publicly communicated through the OIP website and annual reports.

The Action Plan highlights the need to strengthen data collection related to OIP functions and the grounds for discrimination. Upon completion of these goals, the OIP will be able to draw upon these data sources to strengthen its subsequent assessment processes with respect to future iterations of the Action Plan.

The OIP is highly committed to eliminating discrimination, promoting equality, and protecting the human rights of both staff and those to which they provide services. The Office recognises that the Public Sector Duty is an ongoing obligation, and one which requires continuous and evolving engagement.

D. OIP Public Sector Duty Action Plan

This plan has been developed for the period 2024-2026, and aligns with the lifecycle of the OIP's Strategic Plan. The actions below reflect commitments to both the OIP's internal functions (corporate resources, human resources) and external functions (prison inspections, investigations, and communications). The actions are also distributed across both staff and function to reflect shared ownership of these commitments.

The Action Plan will be published on the OIP's website. Progress against the actions set out in the Action Plan, alongside other relevant developments, will be publicly reported through the OIP's annual report.

Actions: Internal Functions					
#	ACTION	TASKS	PERFORMANCE INDICATORS	OWNER	DEADLINE
1	Include clear statements regarding public sector duty obligations and support for equality, diversity and inclusivity within the OIP's strategic plan and internal policies.	<ul style="list-style-type: none"> Develop statement on PSD and EDI obligations for inclusion in OIP's new strategic plan. 	<ul style="list-style-type: none"> Inclusion of PSD and EDI statement in strategic plan. 	SLT	Q4 2024
			<ul style="list-style-type: none"> Inclusion of PSD and EDI statement on OIP website. 	SLT	Q4 2024
2	Establish PSD Working Group, with clear terms of reference, to develop and monitor the OIP's Public Sector Duty Action Plan.	<ul style="list-style-type: none"> Establish PSD working group, with broad representation across grades and OIP functions. Ensure membership and participation of senior leadership within the Working Group. Establish terms of reference for the Working Group. 	<ul style="list-style-type: none"> Establishment of PSD Working Group, and its terms of reference. 	SLT	Q2 2024
			<ul style="list-style-type: none"> Regular meetings of Working Group, and record of actions taken. 	WG	Ongoing
		<ul style="list-style-type: none"> Develop OIP's first PSD Action Plan based on consultation and policy analysis activities. 	<ul style="list-style-type: none"> Delivery of Action Plan to OIP Senior Leadership Team. 	WG	Q2 2024
			<ul style="list-style-type: none"> Approval and publication of action plan on OIP website. 	SLT	Q2 2024
<ul style="list-style-type: none"> Monitor and report on Action Plan developments, both internally and within OIP's annual report. 	<ul style="list-style-type: none"> Regular meetings of the Working Group. Regular internal communication of Action Plan developments. Communication of Action Plan developments within OIP annual report. 	WG	Ongoing		
		WG	Ongoing		
				WG	Q1 2025 / Q1 2026

3	Ensure all OIP policies reflect the spirit and obligations of the Public Sector Duty	<ul style="list-style-type: none"> Review by the PSD Working Group of all OIP policies to ensure that they reflect the spirit and obligations of Public Sector Duty. 	<ul style="list-style-type: none"> Implementation of procedure for review of new OIP policy drafts by the Working Group ahead of submission to the SLT. 	WG / SLT	Ongoing
4	Promote training among all OIP staff on PSD obligations and issues of equality, diversity, and inclusivity.	<ul style="list-style-type: none"> Encourage all OIP staff of complete basic training on the Duty to ensure positive promotion of PSD obligations. 	<ul style="list-style-type: none"> Achievement of 100% completion of basic Public Sector Duty training among all OIP staff. 	All Staff	Ongoing
		<ul style="list-style-type: none"> Ensure new staff are aware of training resources, and encouraged to undertake training. 	<ul style="list-style-type: none"> Inclusion of PSD training materials in on-boarding packets for new staff. 	SLT	Ongoing
		<ul style="list-style-type: none"> Identify opportunities to network and learn from subject matter experts. Identify and communicate relevant training opportunities and resources related to public sector duty obligations to OIP staff. 	<ul style="list-style-type: none"> Development of a repository of training resources, and communicate its availability to all OIP staff. Continued expansion of relevant training resources for all OIP staff on PSD obligations and related issues of equality, diversity, and inclusivity. Apply, where relevant, Public Sector Duty legislative requirements in the formulation of OIP inspection and investigation recommendations 	WG / SLT	Q4 2024
		WG / SLT	Ongoing		
5	Review the physical accessibility of the OIP's office building / new premises, and family friendly facilities.	<ul style="list-style-type: none"> Survey new premises and identify reasonable accommodations that may be required to ensure that the building is accessible for both staff and visitors (i.e. physical accessibility, accessible signage, sickbay, room for expressing milk, etc.). 	<ul style="list-style-type: none"> Implementation of all reasonable accommodations that the premises may require. Publication of contact details of Access Officer on the OIP website. 	Admin Lead	Q2 2025
Access Officer	Q2 2024				
6	Review the implementation of family-friendly policies and work practices, with a view to promoting greater awareness of the availability of same.	<ul style="list-style-type: none"> Continue to support and evolve blended working practices in line with Department of Justice policy. 	<ul style="list-style-type: none"> Consider all staff applications to engage in hybrid / remote working. 	SLT	Ongoing
		<ul style="list-style-type: none"> Examine the possibility of introducing flexible work practices (i.e., flexible starts and finishes / flexitime / reduced working hours / part-time work) in line with Department of Justice policy. 	<ul style="list-style-type: none"> Completion of internal review of flexible work practices. 	SLT	Q2 2025
		<ul style="list-style-type: none"> Review SOPs regarding on-site inspection and DIC work to set out fair procedures in relation to on-call, overtime, or working outside of normal hours. 	<ul style="list-style-type: none"> Completion of internal review of SOPs regarding on-site inspection and DIC work. 	Inspection / DIC Lead	Q2 2025

		<ul style="list-style-type: none"> • Introduce an appropriately-compensated on-call rota for all Inspectors, covering weekends and out of hours work, in order to fairly share the burden of responding to reasonable demands that arise outside normal working hours • Raise awareness regarding leave entitlements (i.e. parents leave, sick leave, carer's leave), application processes, and return to work procedures. 	<ul style="list-style-type: none"> • Liaison with GSOC to identify sector specific arrangements for out of hours and on-call allowances • Creation of informational resources for OIP staff on leave entitlements, application process, and return to work procedures. 	SLT Admin Lead	Q3 2024 Q4 2024
7	Ensure the OIP's commitment to inclusion and diversity are reflected in its recruitment practices.	<ul style="list-style-type: none"> • Review recruitment materials for vacancies and expert panel roles (i.e. for clear statements of inclusivity and PSD obligations; for inclusive, unbiased, ungendered language; for focus on ability over experience, etc.) • Coordinate with PAS to ensure that advertised vacancies are reaching a diverse pool of applicants. 	<ul style="list-style-type: none"> • Completion of review of recruitment materials. • Advertisement of recruitment through a wide variety of channels and networks. • Ensure that lived experience of prison is represented among members of the OIP expert panel. 	SLT SLT SLT	Q4 2025 Q4 2025 Q4 2025
8	Identify and utilise procurement channels with a demonstrated commitment to working towards the elimination of discrimination.	<ul style="list-style-type: none"> • Attribute greater weight in the assessment of tenders to human rights, social inclusion, EDI commitments, and social corporate responsibility (e.g. fair trade, social enterprises, LGBT-friendly, possibility of involving people with lived experience of imprisonment, etc.) • Maintain a list of suppliers with a demonstrated commitment to working towards the elimination of discrimination from which to seek procurement quotes, in line with DOJ procurement policy. 	<ul style="list-style-type: none"> • Completion of a review of assessment procedures for requests for tender. • Development of a list of suppliers with a demonstrated commitment to working towards the elimination of discrimination. 	Admin Lead / SLT Admin Lead	Q1 2025 Q2 2025

Actions: External Functions					
#	ACTION	TASKS	PERFORMANCE INDICATORS	OWNER	DEADLINE
9	Develop a comprehensive OIP communication strategy, which emphasises accessibility, and provision of content in a variety of formats and languages.	<ul style="list-style-type: none"> Establish new OIP communication strategy, with emphasis on accessibility. Strengthen communication with people in custody and prison staff about the role, work, and outputs of the OIP. Strengthen public communication about the role, work, and outputs of OIP. 	<ul style="list-style-type: none"> Development and implementation of new OIP communication strategy. Availability of key information materials in a variety of languages and formats, which are suitable for all literacy levels (i.e. NALA approved). Creation of information videos to share OIP information and outputs. Engage with Dept of Justice ICT to update the OIP website to ensure its design aligns with best practice and accessibility guidelines (i.e. WCAG). Ensure online documents are user-friendly and meet accessibility best practice guidelines. 	SLT Inspection / DIC Lead Inspection Lead Admin Lead Inspection / DIC Lead	Q4 2024 Q1 2025 Q2 2025 Q2 2025 Ongoing
10	Implement translation and interpretation services to support non-English speaking service users.	<ul style="list-style-type: none"> Identify on-call interpretation service that is accessible by OIP staff while working on site in prison. Ensure key information materials and inspection tools are available in a variety of languages. Building on existing work, translate the inspection survey for people in custody into further language options. 	<ul style="list-style-type: none"> Implementation of access to a service that can meet on-site needs for interpretation. Availability of information booklets for families affected by deaths in custody in a variety of languages. Increase the number of languages through which the inspection survey for people in custody is available. 	Admin Lead DIC Lead Inspection Lead	Q1 2024 Q1 2024 Q2 2024
11	Raise awareness and develop knowledge regarding the impact of disability and age-related disability for people in prison.	<ul style="list-style-type: none"> Strengthen knowledge of the prevalence of people in prison with a disability or age-related disability with a view to understanding, inter alia, health needs, support needs, accessibility of the prison environment, daily challenges, as well as palliative care and end of life issues. This knowledge will be used to inform the work of death in custody investigations and prison inspections. 	<ul style="list-style-type: none"> Carry out a Thematic Inspection in the area of disability/ age-related disability in prison, with person-centred approach. Identification of international standards and models of best practice on this issue to inform monitoring work. Improved data collection on this topic in support of the Thematic Inspection, and for ongoing monitoring. 	Inspection Lead	Q4 2026

		<ul style="list-style-type: none"> Identify bespoke training opportunities related to disability and aging to support inspection and monitoring work. 	<ul style="list-style-type: none"> Participation of inspection and investigation staff in suitably identified training courses / workshops. 	SLT	Q2 2025
12	Improve data collection and analysis to support monitoring activities.	<ul style="list-style-type: none"> Ensure that the language used in inspection surveys to capture demographic information is appropriate and allows for benchmarking. Utilise information gathered during inspection to analyse trends among particular special category groups to assess their experience of imprisonment. Collate existing information gathered on deaths in custody to allow for analysis of trends among particular demographic groups. Monitor existing information received from IPS regarding complaints of discrimination to allow for analysis of trends among particular demographic groups. 	<ul style="list-style-type: none"> Revision of questionnaire for the inspection survey to ensure data allows for benchmarking against existing quality data sources (i.e. the census). Analysis during inspections of information related to special categories of prisoners to identify (i.) any discriminatory practices, or (ii.) practices that promote equality of opportunity for these groups. Implementation of procedures to systematically and centrally record information on deaths in custody, for ease of analysis. Implementation of a procedure to monitor and record complaints related to discrimination, using relevant findings to inform inspection activities. 	<p>Inspection Lead</p> <p>Inspection Lead</p> <p>Data Analyst</p> <p>Complaints Lead</p>	<p>Q1 2024</p> <p>Ongoing</p> <p>Q2 2024</p> <p>Q3 2024</p>
13	Strengthen stakeholder engagement and regularity of engagement.	<ul style="list-style-type: none"> Identify opportunities for engagement with stakeholders. Ensure inclusive representative on the OIP expert panel. 	<ul style="list-style-type: none"> Invitation to stakeholders to consult on the development of the new OIP inspection framework. Hosting of annual stakeholder meeting with advocacy organisations and groups representing marginalised communities to connect and stay informed of emerging issues. Development of mailing list to facilitate communication to stakeholders of new OIP outputs. 	<p>Inspection Lead</p> <p>SLT</p> <p>Admin Lead</p>	<p>Q1 2024</p> <p>Q4 2024</p> <p>Q3 2024</p>