



Ministry
of Justice

Gender Pay Gap Report

Report for the year 2016-2017

Background

Earlier this year, the Government introduced world-leading legislation that made it statutory for organisations with 250 or more employees to report annually on their gender pay gap. Government departments are covered by the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 which came into force on 31 March 2017. These regulations underpin the Public Sector Equality Duty and require the relevant organisations to publish their gender pay gap data by 30 March 2018 and then annually, including mean and median gender pay gaps; the mean and median gender bonus gaps; the proportion of men and women who received bonuses; and the proportions of male and female employees in each pay quartile.

The gender pay gap shows the difference in the average pay between all men and women in a workforce. If a workforce has a particularly high gender pay gap, this can indicate there may be a number of issues to deal with, and the individual calculations may help to identify what those issues are.

The gender pay gap is different to equal pay. Equal pay deals with the pay differences between men and women who carry out the same jobs, similar jobs or work of equal value. It is unlawful to pay people unequally because they are a man or a woman.

The Ministry of Justice (MoJ) is committed to minimising the gender pay gap, and our approach to pay seeks to reward all staff fairly, regardless of gender.

The 2017-2020 MoJ Inclusion and Diversity strategy notes that we strive for “an MoJ that is diverse and representative of the working population at all levels” with all staff, regardless of gender or any other protected characteristic, being treated fairly and having equal opportunities to succeed.

This report sets out where MoJ fulfils the Department’s reporting requirements, analyses the figures in more detail and sets out what we are doing to close the gender pay gap in the organisation.

Workforce gender breakdown used in gender pay gap calculations

| | Female | Male | Total | Female % |
|----------------------|--------------|--------------|--------------|------------|
| HMCTS | 11127 | 4401 | 15528 | 72% |
| HMPPS | 21430 | 23904 | 45334 | 47% |
| LAA | 782 | 595 | 1377 | 57% |
| MoJ (including CICA) | 1539 | 1232 | 2771 | 56% |
| OPG | 626 | 473 | 1099 | 57% |
| Grand total | 35504 | 30605 | 66109 | 54% |

Analysis

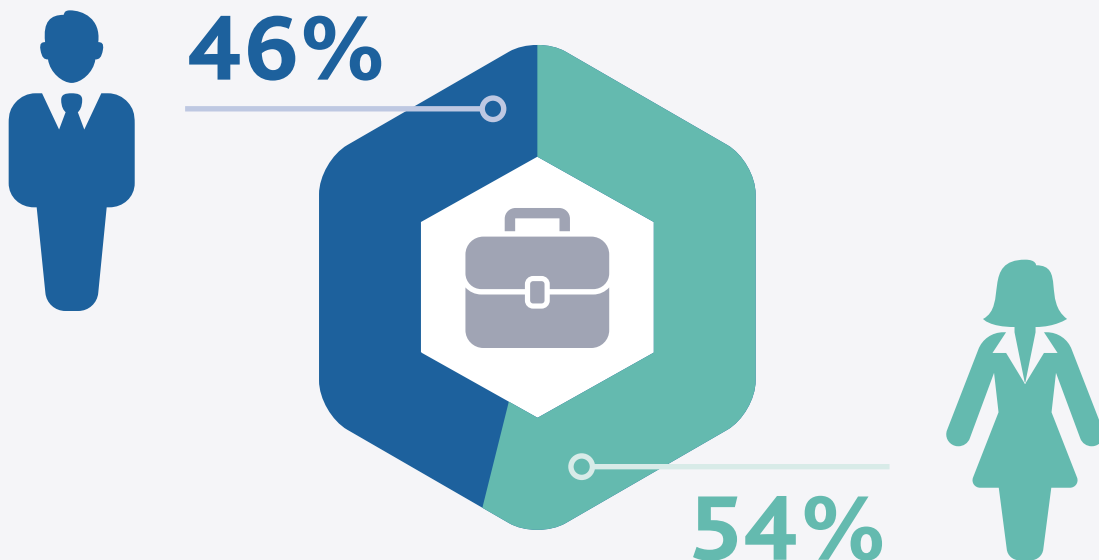
Context

The MoJ has several executive agencies, whose staff have been included in these figures as required by the legislation. These include Her Majesty's Prison and Probation Service (HMPPS), Her Majesty's Courts and Tribunals Service (HMCTS), the Legal Aid Agency (LAA), the Office of the Public Guardian (OPG) and the Criminal Injuries Compensation Authority (CICA).

At 31 March 2017, 54% of all staff in MoJ were women, and 46% of Senior Civil Servants in MoJ were women. The Department had 62,752 full time equivalent (FTE) staff in total as at March 2017. A large proportion of the total FTE staff (66.5%) were HMPPS staff.

The gender pay gap analysis provided here is based on the methodology set out in the Equality Act (Specific Duties and Public Authorities) Regulations 2017.

Males and females in the workforce



Ordinary Pay

The mean gender pay gap (the difference between men's and women's average hourly pay) is 4.7% and the median gender pay gap is 10.6%.

These figures can be contrasted favourably with the Civil Service average (mean pay gap 11%, median pay gap 12.7%) as per Office of National Statistics, March 2017, although this uses a slightly different methodology for calculation.

It should be noted that these figures do not take into account other factors which can influence pay, such as grade or seniority, location or length of service.

The median gender pay gap is larger than the mean gap because it reflects the make-up of the workforce in the MoJ. Amongst male staff the distribution of pay is concentrated into a narrower range and dominated by the large number of prison officers. The mean and median are therefore close together. The distribution of pay amongst female staff is more spread out with a smaller peak at the lower pay ranges and then a longer tail of higher earners. This results in the mean hourly rate for female staff being further away from the median, and comparatively closer to the male mean rate than the median.

Bonus Pay

The MoJ offers an in-year reward and recognition scheme, as well as performance awards to staff marked outstanding in any annual "pay award". The end of year performance awards do not apply to prison officers and operational support grades in HM Prison Service, although they can receive other awards.

The mean gender bonus gap (difference between men and women) is 18.3% and the median gender bonus gap is 16.7%. However, overall 16% of women received a bonus payment, whereas only 11% of men received one.



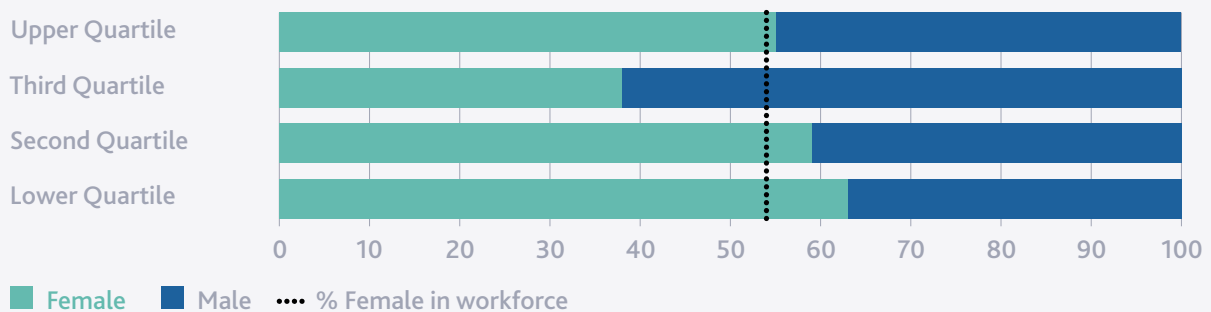
Whilst proportionally more women received a bonus, the bonuses they received were, on average, smaller. This bonus gap may be due to certain characteristics of MoJ, for instance; the fact there are fewer women in the Senior Civil Service; that awards for outstanding performance vary by grade; and that the male dominated operational prison roles do not receive end of year bonuses.

Some end-of-year performance awards are pro-rated for staff working part-time or reduced hours. As at March 2017, 28% of women in MoJ were part time, compared to 9% of men. MoJ recognises the value of helping staff to work flexibly, but as the calculations are based on the actual value of bonuses, this is reflected in the size of the gap.

Hourly pay quartiles

The hourly pay quartiles data show the proportion of men and women that are in each pay quartile, when we arrange staff in order of hourly pay rate. The lower, second and upper quartile have higher proportions of female staff than male staff. Two-thirds of the largely male prison officer group are in the third quartile which may explain the higher proportion of men within it. Grading systems are not directly comparable across the MoJ, as there are different arrangements in different executive agencies.

Percentage of males and females in each pay quartile



Actions

The MoJ is determined to improve the gender pay gap, which is demonstrated through some of the initiatives we are undertaking.

- **Positive Action Pathways (PAP)**

The PAP is a cross-government 9-month programme which helps develop staff and build skills and experience, to enable them to compete on a more equal basis for available roles. The aim is to help tackle over time the under-representation of certain groups, including women, in senior management positions.

- **Coaching Squared**

In addition, we have run female-only cohorts of Coaching Squared, a developmental co-coaching initiative which pairs employees in different organisations to gain wider experience and approaches to problem solving, and support career development and opportunities for progression.

- **Gender-mixed interview panels**

All interview panel members must undertake mandatory unconscious bias training, and the expectation is that all same-gender panels will be by exception only and that where possible the diversity of the panel reflects the diversity of the department. This is designed to eliminate potential bias in the recruitment process.

- **Staff Networks**

We have active staff networks, including the MoJ Gender Equality Forum and a New and Expectant Parents Network who run days for staff who are either going on parental leave or currently away from work, allowing them to prepare for departure or return, to keep in touch with developments and opportunities in the Department, as well as providing mutual support, helping to smooth the transition for women wanting to return to work.

- **Flexible working**

We support all staff who wish to work more flexibly. Many posts are available to job share, and a Job Share Network assists those staff who are working in shared roles. We also offer options for reduced hours, term-time working or compressed hours. We have been encouraging the uptake of shared parental leave, which means men can take on more caring responsibilities, and our family friendly policies have enabled the MoJ to be named one of the Top 30 Employers for Working Families, a competitive benchmark which demonstrates our commitment to embedding true flexible working.¹

With these initiatives already in place, there is still more to do. Work is already underway with the Gender Equality Forum to do more analysis on the gender pay gap and gender bonus gap, and to raise awareness, highlight barriers and influence action that can help further reduce these gaps, across all business areas.

¹ <https://www.workingfamilies.org.uk/news/britains-most-family-friendly-workplaces-unveiled/> Accessed 10 November 2017

Calculations

Our calculations followed the legislative requirements², and we confirm the data reported is accurate. All staff who were deemed to be relevant employees were included, however contractors were not, as the vast majority were not in scope according to the regulations, or there was insufficient data.

We had limited data on the distribution of recognition vouchers, offered to staff. This data has therefore been excluded. With a new voucher system in place from April 2017, we aim to include this data for future calculations. Small in year cash awards have been included.

² <https://www.gov.uk/guidance/gender-pay-gap-reporting-make-your-calculations> Accessed 1 November 2017